

STAND. COM. REP. NO. 1098

Honolulu, Hawaii

MAR 24 2021

RE: H.B. No. 980  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 980, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to broaden the department of human services' right of entry into a vulnerable adult's premises without a warrant, for an investigation of any type of abuse, regardless of whether there is physical injury.

Your Committee received testimony in support of this measure from the Executive Office on Aging; Department of Human Services; Department of Human Services, Adult Protective and Community Services; Maui County Department of the Prosecuting Attorney; AARP Hawai'i; and three individuals.

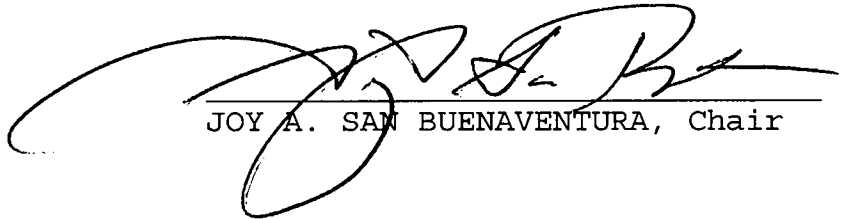
Your Committee finds that the department of human services is authorized to enter premises without a warrant for purposes of investigating the possibility of abuse of a vulnerable adult. However, existing law limits that right of warrantless entry to only situations where there is probable cause to believe that a vulnerable adult will be physically injured. However, under existing law, abuse includes not only physical abuse, but also psychological abuse, sexual abuse, financial exploitation, caregiver neglect, or self-neglect, each of which can result in



severe harm to the vulnerable adult. Your Committee further finds that this measure allow earlier intervention that can stem the effects of harmful abuse of all types. Accordingly, your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 980, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 980, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,




JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:*	Committee Referral:	Date:
HB980 HDI	HMS, JDC	3/16/2021
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
SAN BUENAVENTURA, Joy A. (C)	✓	
IHARA, Jr., Les (VC)	✓	
ACASIO, Laura	✓	
MISALUCHA, Bennette E.	✓	
FEVELLA, Kurt	✓	
<b>TOTAL</b>	5	0
0	0	0
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

\*Only one measure per Record of Votes