

Honolulu, Hawaii

MAR 21 2016

RE: H.B. No. 2350
H.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2350, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FOSTER CHILDREN,"

begs leave to report as follows:

The purpose and intent of this measure is to bring the State into compliance with the Preventing Sex Trafficking and Strengthening Families Act of 2014 by:

- (1) Expanding the opportunities for children in foster care to participate equally with their classmates and peers by providing qualified immunity from liability for resource caregivers and child caring institutions for their decisions regarding the child's participation in age-appropriate or developmentally appropriate extracurricular, enrichment, cultural, and social activities; and
- (2) Lowering the age from sixteen to fourteen years of age of children in foster care who are to be consulted in development of their foster care plan.

Your Committee received testimony in support of this measure from the Department of Human Services; Family Program Hawaii's It Takes an Ohana Program; Hale 'Ōpio Kaua'i, Inc.; and twenty-three individuals. Your Committee received comments on this measure from the Hawaii Association for Justice.



Your Committee finds that the Preventing Sex Trafficking and Strengthening Families Act of 2014, Public Law 113-183, expands the opportunities for children in foster care to participate equally in age-appropriate or developmentally appropriate extracurricular, enrichment, cultural, and social activities as their classmates and peers in accordance with the "reasonable and prudent parent standard" and requires children in foster care, fourteen years of age and older, to be included in case planning and be informed of their rights and options available to them. Your Committee further finds that this measure will protect and enhance the capacity of resource caregivers and child caring institutions to encourage and support children to participate in ordinary childhood activities. Your Committee also recognizes that children who are fourteen years of age and older should be included in the important planning processes that will strengthen their self-sufficiency and better prepare them for successful transition from foster care into adulthood.

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. 2350, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary and Labor.

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


SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 2350, HD2</i>	<i>HMS, JDL</i>	<i>3/15/16</i>		
<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 checked="" type="checkbox"/> Pass, unamended 2312				
<input type="checkbox"/> Pass, with amendments 2311				
<input type="checkbox"/> Hold 2310				
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)				<i>/</i>
RIVIERE, Gil (VC)	<i>/</i>			
GREEN, Josh	<i>/</i>			
HARIMOTO, Breene				<i>/</i>
RUDERMAN, Russell E.	<i>/</i>			
THIELEN, Laura H.	<i>/</i>			
SLOM, Sam				<i>/</i>
TOTAL	<i>4</i>			<i>3</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Laura Thiel</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes