

STAND. COM. REP. NO.

2794

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 668

S.D. 1

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 668, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE REGISTRY OF CLEAN AND SOBER HOMES,"

begs leave to report as follows:

The purpose and intent of this measure is to provide immunity to the Department of Health and its employees, agents, and volunteers from liability for operating the clean and sober homes registry in good faith.

Your Committee received written comments in support of this measure from the Department of Health, the Hawaii Paroling Authority, Hawaii Substance Abuse Coalition, and two individuals. Your Committee received written comments in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that stable housing is a critical component of substance abuse treatment and recovery. Your Committee recognizes that the voluntary registry of clean and sober homes provides a helpful resource to agencies when referring clients to these homes. However, your Committee believes that, even when operating in good faith, the Department of Health and registry staff risk exposure to liability if clients are referred to a clean and sober home listed on the registry and later experience tortious incidents at that home. Accordingly, your Committee believes that this measure will prudently protect the State's fiscal interests in situations in which the Department of

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Health, its employees, and volunteers operate the registry in good faith.

Your Committee respectfully requests that, should this measure be heard by other standing committees, those committees consider the concerns raised in the written comments opposed to this measure, and, if deemed advisable, address those concerns.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 668, SD1	Committee Referral: CPH/SDL, WAM	Date: 2/26/12		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				//
HARIMOTO, Breene				//
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	8			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes