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GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 29, 2023

TO: The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

FROM: Cathy Betts, Director

SUBJECT: **HB 470 HD2 SD1– RELATING TO MINORS.**

Hearing: March 30, 2023, 9:35 a.m.
Conference Room 016 & Via videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill and respectfully disagrees with the SD1 amendment removing the HD2 amendment to require providers to take steps to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems as applicable as required by the federal Runaway and Homeless Youth Act. Services available to children in the child welfare system include access to health care coverage through Medicaid, higher education benefits, and continuing board payments that youth transitioning to adulthood may elect. In addition, DHS defers to the Judiciary and the Office of Youth Services regarding other services available to youth in the juvenile justice system.

PURPOSE: The bill requires providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children. Makes permanent the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria. Effective 6/30/2050. (SD1)

The HD1 defected the effective date. The HD2 amended the measure by:

- (1) Requiring a provider who renders no cost emergency shelter and related services to a minor to take steps to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems, as applicable, as required by the federal Runaway and Homeless Youth Act; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The SD1 further amended the measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 129, S.D. 1, which requires providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children, and repeals the sunset date for Act 23, thereby making permanent the amendments to the definition of "provider" to include organizations that are not child-placing organizations or child caring institutions that meet certain criteria;
- (2) Inserting an effective date of June 30, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

DHS appreciates the Legislature's commitment to addressing the needs of minors experiencing homelessness.

However, DHS disagrees with the SD1 deletion of the HD2 amendment "requiring a provider who renders no cost emergency shelter and related services to a minor to take steps to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems, as applicable, as required by the federal Runaway and Homeless Youth Act."

The committee report from the Senate Committee on Health and Human Services stated,

"Your Committee acknowledges the concerns raised by testimony that the idea of being forced to accept services from the juvenile justice or child welfare systems may be a deterrent for minors who have unpleasant and traumatic experiences with those systems to access no cost emergency shelters."

DHS recognizes that youth who have run away or are experiencing homelessness are very vulnerable and agrees that available services should never be traumatizing. DHS clarifies that the provision is for the provider to take steps so that youth can access available services provided through DHS CWS. This will require communication with DHS, and it does not mean a child will be removed from seeking shelter, as DHS prefers that the child is in a safe environment. In addition to being compliant with the federal Runaway and Homeless Youth

Act to access those federal funds, the benefits and services vital to youth involved in child welfare services are their access to health care coverage through Medicaid, higher education payments, as well as additional benefits and services available to youth who elect to extend foster care to support their transition into adulthood.

DHS CWS continues to strongly prefer that all providers sheltering minors become appropriately licensed by DHS CWS or the Department of Health. Without licensure by either DHS or another licensing agency, there will be no government oversight, and the provider cannot receive contracted government funding through Child Welfare Services, nor is CWS able to pay the provider for shelter services even if a child is covered by Child Welfare Services.

Thank you for the opportunity to provide additional comments.

HB-470-SD-1

Submitted on: 3/25/2023 7:24:39 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family 808 supports HB470. Please pass this bill.

Mike Golojuch, Sr., Secretary/Board Member



HAWAI`I YOUTH SERVICES NETWORK

677 Ala Moana Blvd., Suite 904

Honolulu, Hawai`i 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Vonnell Ramos, President
Cyd Hoffeld, Vice President
Sione Ford Naeata, Treasurer
Jefferson Gourley, Secretary

Judith F. Clark, Executive
Director

Network Membership

- Bay Clinic*
- Big Brothers Big Sisters Hawai`i*
- Big Island Substance Abuse
Council*
- Bobby Benson Center*
- Child and Family Service*
- Coalition for a Drug-Free Hawai`i*
- Collins Consulting, LLC*
- Domestic Violence Action Center*
- EPIC `Ohana, Inc.*
- Family Programs Hawai`i*
- Family Support Hawai`i*
- Friends of the Children's Justice
Center of Maui*
- Get Ready Hawai`i*
- Hale Kipa, Inc.*
- Hale `Opio Kaua`i, Inc.*
- Hawai`i Children's Action
Network*
- Hawai`i Health & Harm
Reduction Center*
- Ho`ola Na Pua*
- Ho`okele Coalition of Kaua`i*
- Ka Hale Pomaika`i*
- Kahi Mohala*
- Kokua Kalihi Valley*
- Kaua`i Planning and Action
Alliance*
- Maui Youth and Family Services*
- Na Pu`uwai Molokai Native
Hawaiian Health Care
Systems*
- P.A.R.E.N.T.S., Inc.*
- Parents and Children Together
PHOCUSED*
- PFLAG - Kona, Big Island*
- Planned Parenthood of the
Great Northwest, Hawaii
Alaska, Kentucky, Indiana*
- Residential Youth Services
& Empowerment (RYSE)*
- Salvation Army Family
Intervention Services*
- Sex Abuse Treatment Center*
- Susannah Wesley Community
Center*
- The Catalyst Group*

March 26, 2023

To Senator Karl Rhoads, Chair,
And members of the Committee on Judiciary

**TESTIMONY IN SUPPORT OF
HB 470 HD2 SD1 RELATING TO MINORS**

Hawaii Youth Services Network (HYSN) supports the intent of HB 47- HD2 SD1 Relating to Minors.

HYSN has coordinated a statewide runaway and homeless youth partnership since 1981 using federal funds awarded under the Runaway and Homeless Youth Act. HYSN is currently working with the Office of Youth Services to implement Act 130.

Placing an unaccompanied minor in a shelter that also houses adults may be advisable if youth shelters are full in order to remove the youth from the dangers of living on the streets. Adolescents have needs and issues that are different from adult homeless. Thus it is essential that the staff are knowledgeable about adolescent development and programs are designed to meet the needs of adolescents.

HYSN fully supports the amendment to the bill to require physical segregation of minors and adults.

HYSN believes, however, that any shelter housing minors should meet all licensing standards and should be licensed by the Department of Human Services.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH
Executive Director

HB-470-SD-1

Submitted on: 3/26/2023 11:33:28 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i's oldest and largest policy and political LGBTQIA+ focused organization fully supports HB 470 HD 2 SD 1.

The Caucus supports any amendments requested by RYSE.

The Caucus OPPOSES any amendments requested only by DHS.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH

Opportunity Youth Action Hawai‘i

March 30, 2023

Senate Committee on Judiciary
Hearing Time: 09:35 AM
Location: State Capitol Conference Room 016
Re: HB 470 HD2 SD1, Relating to Minors

Aloha e Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

On behalf of the Opportunity Youth Action Hawai‘i hui, we are writing in **strong support** of HB 470 HD2 SD1, relating to minors. This bill will require providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children; and make permanent the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria.

The significance of providing homeless youth with emergency shelter and services cannot be overstated, as shelter is a foundation of stability and access to essential resources, fostering positive life outcomes and mitigating the potential for future adversities. According to a recent street youth study, over three fourths of homeless youth in our state have experienced physical, emotional, or sexual abuse. About a quarter of homeless youth reported that their reason for becoming homeless is physical abuse or parental substance abuse. For many young people, being returned immediately to their families or foster care is less than optimal, leaving them with no meaningful choice but homelessness. For children, homelessness reflects a most extreme loss of family and caretaking. On top of shelter, children and young adults deserve the right to services and programs that could aid them in their journey of life, offering much needed support that these youth may not have experienced before.

Our collective, Opportunity Youth Action Hawai‘i (OYAH), works to support young people under age 25 who are disconnected from school and work, referred to as “opportunity youth.” This developmental period of time is extremely consequential to the individual growth and overall life chances of our children. Although HB 74 specifically pertains to minors, we also support the legislature’s ongoing efforts to address the needs of opportunity youth more broadly.

Opportunity Youth Action Hawai‘i is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally-informed approaches among public/private agencies serving youth.

Please support HB 470, HD2 SD1.

1099 Alakea Street, Suite 2530 | Honolulu, Hawaii 96813 | (808) 447-1840

HB-470-SD-1

Submitted on: 3/25/2023 11:50:06 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

Aloha, Chair and members of the Senate Committee:

My name is Kanela Kamahalohanuilai, I am testifying in support of HB 470 HD 2 SD 1

- As a 13 year old homeless youth in 2003. I used to live by Kailua District Park where I was well known by The Kailua Police Department. I was a pretty awesome kid. I just didn't have a house to go home to every night.
- Due to my lived experience and my passion to serve a vulnerable population, I am a student at UH Manoa on track to receive my Masters Degree in May.
- I am also a Youth Housing Case Manager that works within the minor rights to housing department.

Today, I stand before you all to ask the senate committee to support and pass HB 470. Striking out the sunset date on Act 23.

- Allowing shelter access to minors that need a safe place to sleep, shower, and something to eat is very important. By allowing shelter access, minors can continue to have good sleep/ overall hygiene, continue to go to school, and have supportive staff with strong backgrounds to be in their care circle to help them grow, learn, and empower themselves to make positive changes and choices in their lives.
- Allowing this bill to pass will allow minors access to housing resources, wraparound services, and if parents & guardians are willing to release full parental rights, minors can have the option to enter into the State system to gain more resources.

I've been working with minors rights to housing for 9 months and I've seen the accomplishments, resiliency, and confidence these minors have gained being a part of this organization. They watch, they observe, and they make great choices for themselves.

In my current place of employment we had our first minor to house a success story. He came to us at 17 years old and at the age of 18 he is signing his first house lease.

I am personally encouraged to provide the continuum of support that empowers Hawaii's street youth to move beyond homelessness.

I, Kanela Kamahalohanuilai, support HB 470 HD2 SD 1 relating to Minors rights to housing.

Mahalo for your time and consideration. Malama Pono.

HB-470-SD-1

Submitted on: 3/29/2023 9:00:55 AM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Act 23 provides an important expansion of the circumstances in which a minor may consent to no-cost emergency shelter. This is a safeguard against abuse, domestic violence and neglect that is particularly important for youth that identify as LGBTQ+, who disproportionately experience violence at home simply for being who they are.

Youth who experience abuse in their homes have the choice between two paths: They can either enter the foster care system or reunite with their family. When those options appear or are untenable, many are forced by circumstance to choose a third option: to live on the street.

According to the 2018 street youth study, over three fourths of homeless youth have experienced some sort of abuse rather it be physical, emotional, or sexual. Parental substance abuse also takes a heavy toll on the welfare of a child. Consequently, around a quarter of homeless youth list their reason for becoming homeless as physical abuse, or parental substance abuse.

Youth in Hawai'i have historically faced significant and life-threatening challenges when they enter the cycle of homelessness. According to some reports, nearly half of homeless youth are Native Hawaiian (Yuan, S., Stern, I. R., Gauci, K. T., & Liu, L. (2018). Street Youth Study. Honolulu, HI: University of Hawai'i, Center on the Family).

HRS § 346-17.6 was enacted into law through SB921 (2011) and created the definition of "provider" as well as the legal framework for childcare providers to supply shelter and services to homeless youth. HB 282 (2021) expanded the definition of "provider" to include organizations that supply homeless youth with housing and services. The previous definition for providers was only limited to licensed childcare and child placing organizations. Furthermore, HB282 established a sunset date set for June 30, 2023.

Previously, minors could not be provided housing without consent from a parent or guardian. Following the commencement of the law, organizations could provide minors with no cost housing and other services for a short term without the consent from a parent or guardian. These needs are especially relevant for youths who have suffered abuse at the hands of family members.

Please pass HB470 HD2 SD1.

HB-470-SD-1

Submitted on: 3/29/2023 4:38:21 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Mick	Individual	Support	Written Testimony Only

Comments:

Aloha,

Act 23 provides an important expansion of the circumstances in which a minor may consent to no-cost emergency shelter. This is a safeguard against abuse, domestic violence and neglect that is particularly important for youth that identify as LGBTQ+, who disproportionately experience violence at home simply for being who they are.

Youth who experience abuse in their homes have the choice between two paths: They can either enter the foster care system or reunite with their family. When those options appear or are untenable, many are forced by circumstance to choose a third option: to live on the street.

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Please pass HB470 HD2 SD1.

Mahalo, Marilyn Mick, Honolulu