

Minutes of the Grandparents Raising Grandchildren Task Force Meeting  
Friday, October 10, 2008  
11:30am  
Hawaii State Capitol, Room 229

**ATTENDANCE**

Members Present:

Pat Urieff, Co-chair (QLCC), Sally Wehrsig, (HCOA), Alan Parker (HCOA), Jackie Chong (Na Tu Tu Coalition), Sandy Morishige (DHS), Nalani Fujimori (LASH), Diane Stowell (PABEA), Helen Wagner (Grandparent Member), Wes Lum (UH CARE), Jo Reyes (MCOA), Charlyn Nakamine (KAEA), Norma Circle (MCOA), and Lani Osaki for Carol Morimoto (Partners in Development).

Members Absent:

Frank Lopez (DPS), Colin Fukunaga (DHS), May Fujii Foo (EAD), Lawrence Sousie (AG/CSEA), Lori Yancura, Co-chair (UH-CTAHR), Daniel Hamada (DOE), Noemi Pendleton (EOA), Robert Brady (Judiciary), and Moya Gray (VLSH).

Guests:

Shawna Maques (University of Hawaii School of Nursing), Regan Krantz (Alu Like), and Tom Marzec (Family Court Legal Intervention Working Group).

**REVIEW TESTIMONY FROM THE AUGUST 16, 2007 MEETING OF THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CAREGIVING**

Lori Yancura provided a summary of the testimony. Please see attachment titled "Summary of Testimony Presented to the Joint Legislative Committee on Family Caregiving Regarding Grandparents Raising Grandchildren On August 16, 2007."

Specific issues/questions were raised by Pat Urieff. Please see attachment titled "Issues for Follow Up." Regarding DOE's lack of attendance at the Task Force meetings, and thus their inability to answer the questions, Wes will draft a letter to Daniel Hamada that will be signed by Senator Ihara and Representative Lee, the Co-chairs of the Joint Legislative Committee on Aging in Place. The letter will request DOE's attendance and response to the questions that have been raised thusfar.

Colin Fukunaga had submitted via email an issue that could possibly be addressed through legislation. He suggested that grandparents be recognized as legal guardians so that they may act in the best interest of themselves and their grandchildren. There were questions about this proposal that could not be answered because Colin was unable to attend the meeting. However, Colin will be at the next meeting on November 7, 2008 and will give a presentation to the Task Force at that time.

Pat's questions for the Department of Public Safety about exit programs for incarcerated parents could not be answered due to DPS' lack of attendance. Jackie will contact DPS to get answers to Pat's questions and report back at the next meeting.

Pat also brought up the issue of public housing for GRG. She wanted to know if the Hawaii Public Housing Authority's internal memo is still in effect that protects eligible seniors living in kupuna housing from receiving an eviction notice if/when they have a grandchild in crisis. Nalani offered to research the definition of senior housing and to formulate questions that the area agencies on aging representatives could ask in their respective counties.

#### **IDENTIFYING ISSUES THAT COULD BE ADDRESSED THROUGH LEGISLATION**

While the Task Force has gathered a lot of information and has identified GRG needs, the Task Force's next step is to determine the needs that can be addressed through legislation. It was suggested that focus groups be conducted to supplement the surveys that have already been conducted. It was also recommended that Task Force members submit questions that could be asked in focus groups. This item will be placed on the next agenda for the November 7, 2008 meeting.

#### **SET THE AGENDA FOR THE NEXT MEETING: NOVEMBER 7, 2008**

Items to discuss at the next meeting include: housing rules for GRG, exit orientations for parents released from incarceration, responses from area agencies on aging, response from EOA on the Task Force's request to include GRG in their 4-year State Plan, presentation by DHS to clarify its position on legal guardianship, response by DOE on questions posed by the Co-chairs of the Joint Legislative Committee on Aging in Place, and method of collecting data on GRG needs that could be solved through legislation.

The next meeting is scheduled on Friday, November 7, 2008 at 11:30am at the State Capitol, Room 229.

Summary of Testimony Presented to the Joint Legislative Committee on Family Caregiving  
Regarding Grandparents Raising Grandchildren  
On 08/16/07

Note: *These summaries are not intended to replace the original testimonies, but only to provide a brief overview of the issues presented. For complete detail, please refer to the original testimonies.*

Executive Office On Aging (*Susan Jackson, Acting Executive Director*)

- The EOA has supported GRG with the following specific projects:
  - Funding of the 2007 Needs Assessment conducted by UH Dept. FCS
  - Including information on family caregivers to obtain the statewide common goal that *families are supported in caring for their loved ones* (this is pursuant to the Older Americans Act (OAA) and the Area Agencies on Aging (AAA))
  - Administering and monitoring funds to the AAA from the National Family Caregiver Support Program.
  - Reporting the service utilization data on the characteristics of grandparents and other family caregivers caring for elderly family members through the *State Program Report*.
  - Establishing the Caregivers Resource Initiative (CRI) project in partnership with the UH Center on Aging.
  
- In accordance with the definition put for the by the Older Americans Act (OAA), the EOA maintains two separate definitions for *family caregivers* (those caring for elderly adults) and *grandparent or other individual who is a relative caregiver (\*\*)*

Department of Education (*Patricia Hamamoto, Superintendant*)

- The DOE provides full guidance to school personnel who are enrolling students residing with a caregiver so that they are in compliance with Hawai'i's educational consent law for caregivers (section 302A-482, Hawaii Revised Statutes).
- The DOE is working toward the goal of educating GRG and other relative caregivers to meet those children's needs through its Comprehensive Student Support System, which is implemented at every school.
- The DOE provides access to information about tutoring programs to grandparents raising grandchildren. (\*\*)

[Attachments provided: 1) Caregiver Consent Affidavit,; 2) Legal Parent, Guardian, Custodian Authorization for Caregiver Consent,; 3) Memo to Complex Area Superintendents, School Principals, and Registrars regarding Act 99 the *Full Participation in School Act*. ]

Department of Health (*Chiyome L. Fukino, M. D., Director of Health*)

This testimony focused upon informing the joint committee about how the DOH is educating the public about the caregiver's consent for minor's health care law addressed in Section 577-28, Hawaii Revised Statutes.

- The Family Health Services Division is allowing grandparents to receive benefits, such as those from the WIC program. The caregiver consent law did not change this practice

because IDEA Part C regulations allow “a person acting in place of the parent” to receive benefits.

- The Developmental Disabilities Division has not, as of the time of testimony, used the Waiver because it must adhere to strict federal guidelines which state that grandparents [without legal custody?] cannot be paid as parents
- The Public Health Nursing Branch of DOH’s Community Health Division is well-acquainted with 577-28, HRS, and actively educates clients about obtaining the affidavit as the need presents.
- The Child & Adolescent Mental Health Division has not used the affidavit. At the time of testimony, they were consulting with their deputy attorney general to determine its appropriateness for the comprehensive treatment, educational, and support services they provide [\*\*].

#### Department of Human Services (*Lillian B. Koller, Director*)

First, a distinction must be made between 1) grandparents raising grandchildren with a private family arrangement, *GRG* and 2) grandparents raising grandchildren through (CPS), or *foster grandparents*.

- DHS ensures that all caseworkers are aware of the eligibility of children to receive Adoption Assistance and, when appropriate, a Difficulty of Care Subsidy for both kinship and non-kinship families.
- DHS supports the concept of increasing support of grandparents and non-needy caretakers who are caring for multiple children/sibling groups. However, this would need the support of the legislature after careful consideration of the impact that such a budget increase would have on the total TANF expenditures and other essential programs supported by TANF funding.
- Due to federal statute, Title IV-E money is not a viable option for helping needy grandparents or other relatives with the costs of meeting a child’s needs *unless* that child has been the subject of a confirmed child abuse or neglect report pursuant to HRS 587 and removed from the family home by a Family Court order.

#### Hawaiian Homes Commission (*Micah A. Kane, Chairman*)

- HHS is required by Administrative Rules to offer available homesteads to applicants according to their rank order on the respective island waiting lists. As such, they are not able to target any particular group, such as kupuna or grandparents when offering homestead awards.
- The next transitional housing facility in Maili will have a kupuna program as a component of the community center’s services, and a separate children’s receiving home.

#### Office of Hawaiian Affairs

- It is a cultural practice of Native Hawaiian grandparents to provide protection and guidance for their grandchildren, often through the practice of “hanai”. However, in today’s society, these responsibilities place great emotional and financial stresses on many grandparents. OHA recognizes this issue.

- OHA has participated on the Governor’s Advisory Committee on Native Hawaiian Foster Parents and advocated for policy changes to keep families intact.
- OHA provides grants to several agencies that provide support for grandparents: Kokua Ohana, Partners in Development (Tutu and Me program), Hawaii Family Services, and ALU LIKE (E Ola Pono No Na Kupuna).
- OHA has been in contact with Native Hawaiian families of incarcerated individuals
- From these experiences, OHA believes that stable housing, financial support, and respite services are the greatest needs of grandparents.

University of Hawai‘i System (*Virginia S. Hinshaw, Chancellor, UH Manoa*)

- UH students are being trained and educated about issues facing GRG and other relative caregivers through coursework and practicum activities through the School of Nursing & Dental Hygiene and the College of Tropical Agriculture and Human Resources
- Several research projects at UH have focused on issues related to GRG
- Several programs at UH partner with community stakeholders to bridge research and practice related to GRG.

City and County of Honolulu Elderly Affairs Division (*Karen Miyake, County Executive on Aging*)

- According to the Older Americans Act (OAA), EAD cannot spend more than 10% of the annual allocation for all caregiver programs under the National Family Caregiver Support Program (NFCSP) on grandparent programs. In SFY 2008, this amount was \$49,654
- In 2008, \$25,000 of these funds was allocated to Hawaii Family Services.
- The EAD does not have other available sources of funding to support GRG and other relatives raising children.
- THE EAD provides support to agencies providing services for grandchildren through resource material and publications, fairs and conferences, website links to state and national sources, and bimonthly meetings with service providers. It also actively supports advocacy efforts such as those of the Caregiver Coalition.
- The Information and Assistance staff of EAD provides information to GRG and other relative caregivers.
- The information and assistance staff collects data on all callers [\*\*]
- The Four Year Area Plan includes an inventory of services for GRG, but the level of detail is limited.

Maui County Office on Aging (MCOA) (*John Tomoso. Executive on Aging*)

- The amount of funds allocated to GRG in Maui County through the NFCSP in SFY 2008 was \$9,460.
- These funds were used to contract with Legal Aid Society of Hawai‘i to provide legal services to GRG. Title III-E funds were also used to support Hi‘ii Na Kupuna’s Grandparents Support Group and their annual caregiver’s conference.

- MCOA has a county general revenue grand subsidy in its budget, which is used to leverage federal Title III-E funds for programs related to GRG that are not covered under provisions of the OAA.
- MCOA provides information, assistance, and outreach to GRG and also mails out a free caregiver newsletter.
- MCOA has a particularly dedicated Information and Referral staff – information about each call is documented and placed into a databank.
- MCOA’s area plan includes an inventory of services. MCOA also publishes a free directory of resources. The Hi’ii Na Kupuna coalition also serves as a conduit for services.

Kauai County Office on Aging (*Kealoha Takahashi. Executive on Aging*)

- The amount of funds allocated to GRG in Kauai County through the NFCSP in SFY 2008 was \$5,484.
- These funds were being used by service providers to provide caregivers with counseling, training, support group, conference, information presentations, in-home respite, adult day care, and legal assistance.
- Kauai County does not have other sources of funding for GRG and other relative caregivers.
- The Agency on Elderly Affairs coordinates with QLCC to maximize resources
- We do provide information and support to all adults but have not received many inquiries from GRG [\*\*]
- Our agency collects data on all callers
- The Kauai 4-Year Area Plan lists existing programs and services with the name of the provider agency

Hawaii County Office on Aging (*Alan Parker. Executive on Aging*)

- The amount of funds allocated to GRG in Kauai County through the NFCSP in SFY 2008 was \$12,817
- There are no organized programs or services targeted specifically toward GRG or other relatives taking care of children
- The Hawaii County Office on Aging does not have any other source of funds for this service.
- The Hawaii County Office on Aging has addressed issues relating to the needs of GRG and other relative caregivers through its monthly newsletter and the TV series *Seniors Living in Paradise*
- Information and referral services are always available to callers through our main office and ADRC helpline.
- Our agency collects data on all callers
- The Hawaii County Office of Aging Area Plan does not specifically mention the names of all the programs that offer referral services to low income older adults. It does,

however, provide a service directory. Caregiver specialists also attend many community events.

**GRANDPARENTS RAISING GRANDCHILDREN TASK FORCE**  
**OCTOBER 10, 2008**

**Issues for Follow-up**

**I. Issues from 2007 Testimonies by Hawaii State Departments.**

**A. Executive Office on Aging**

- a. The most recent four-Year State Plan on Aging (created by EOA) does not include in writing mention of GRG? Why? Request: that EOA identify that it can include GRG in writing in the 4-Year State Plan or why not?
- Purpose. (1) Accordingly, the federal *Older American's Act* allocates 10% of the federal money given to *All Area Agencies on Aging (AAA)* to go to support GRG. (2) When in writing, AAA clearly knows there is expectation for plans to give GRG supports.
  - Reports needed from each island: identify supports for GRG; how many GRG made contact or received support? Identify plans for outreach to GRG and support group (*recommendation in 2007 Needs Assessment of GRG*).
  - Plan for evaluation of supports provided for GRG?

**B. City & County of Honolulu Elderly Affairs**

- **Given that in SFY 2008, EAD can spend \$49,654, is that 10% according to Older Americans Act (OAA)? Other than *Hawaii Family Services* that got \$25,000, how was money spent to support GRG?**
- “Information and assistance staff collects data on callers. Information and Assistance staff of EAD provides information to GRG”. Questions: Any data to report? How many called, what about/need? Plan for supports for GRG 2009 to end of EOA State Plan?
- Was there an inventory of services for GRG? If not, when will it start?
- Any plan for outreach?
- Any need identified for a Support Group of interest to GRG?

Where can GRG find the published free directory of resources?

**C. Maui County Office on Aging**

Where can GRG find the published free directory of resources?

**D. Kauai County Office on Aging**

“The amount of funds allocated to GRG in Kauai County for SFY was \$5,484”. Did the money get spend on Grandparents Raising Grandchildren? Any data: numbers, what kind of support GRG received?



## E. Hawaii County on Aging

“ The amount of funds allocated to GRG SFY 2008w as \$12,817”.

- Money spent on GRG? What support given to GRG? Numbers of GRG ?
- Plan for outreach to inform GRG of supports?
- Plan for support groups of interest to GRG?

## F. Department of Education

- Pursue that the assigned staff attend GRG Meetings to answer questions.
- Questions.
  - Inform DOE that in some areas GRG report school staff didn't know about Education Waiver?
  - Would DOE be willing to consider attaching the medical waiver entitled *Caregiver Consent for Minor's Health Care*, to the Education Waiver?
  - Can kid living with caregiver see the school nurse (because it may not be for illness or injury, it maybe questions related to sex)?
  - RE: 2007 Testimony from DOE about what they do to support GRG. 2008, Legislators asked questions, one on which is “What can be done to have DOE inform the grandparent (or relative caregiver) about *Individual Education Plans* for special-needs-child in care of the relative 24/7?  
Given that DOH honors a *Power of Attorney Document with specific authorities given by legal parent to caregiver*, **would the DOE consider the same?**
  - Given that March 2008, DOE said, “DOE data base does not include grandparents and relatives raising children without legal status because if they don't tell us (DOE) we don't ask”, the result is that DOE data base contains only children adopted by relatives and those with a Legal Guardian. Would DOE to consider ways to do outreach to learn how many children live in `ohana care without legal status? For starts, DOE could use Education Waivers signed by caregivers to collect data. If DOE would collect such data from the waivers, DOE would have information to include in the DOE Central Data Base. If DOE would share data from the signed "Education Waivers", then researchers could learn who is

the significant group of caregivers: grandparents, siblings, maternal relatives, paternal relatives, or friends (hanai relationships).

### **G. Department of Health**

2007, Legislators asked DOH to find solutions to providing Mental Health Services to grandparent without legal status providing 24/7 care to grandchild with disturbing behaviors. 2008 Information from community providers: *Quest and Med-Quest* Primary Care Physicians can refer an eligible child for Mental Health Services to a psychologist or psychiatrist and the caregiver can also make such a referral. *The Behavioral Health Unit of a Health Maintenance Organization* refers very difficult cases that need long term services to the Department of Health.

QUESTION: What does the DOH do when the caregiver does not have legal status?

### **II. Department of Human Services**

9/5/08, Task Force members received a list entitled, *Needs of Grandparents Raising Grandchildren* sent by Colin F Fukunaga.

10/10/08 copy of E-mails shows he favors a **Bill. Is there interest in committee?**  
RE: Question re #1. *Establish them as legal guardians of their grandchildren so that they may act in the best interests of them selves and their grandchildren.*

Nov. 7<sup>th</sup> Meeting Colin plans to attend to answer questions.

- How would the grandparents get financial assistance to pay for the legal services to get legal guardianship?
- RE: Question #5. *The availability of counseling services to grandparents.* Who will pay for cost of outreach services to GRG and grandchildren? Department of Human Services? Department of Health?
- *Re develop support groups?*  
Who will develop and maintain the support groups?

### **III. Department of Public Safety**

*2007 Needs Assessment of GRG* and a significant number of grandparents reported that “drugs is the main cause of why they must raise their grandchildren”; and that finding indicates that the department that incarcerates based upon drug convictions is a department that has an important role on the GRG Task Force.

- Does DPS have a program for the soon-to-be-released?
- DPS can increase awareness of the incarcerated-getting-ready-for-release-who-are-parents. Their children are frequently being raised by

grandparents. Those grandparents report that they "don't want parents to interfere" (in the way the grandparents are raising the grandchildren) or "to undermine the rules" for children (growing up in the grandparent-head-of-household).

- Does DPS's Program for the soon-to-be-released include information about child development, and how to slowly re-enter the family in supportive ways until able to accept full responsibility for being a parent.
- Steps needed to get information to parents-soon-to-be-released?
- **Interest in a committee to follow-up with DPS and identify supports for parents at time of exit from incarceration?**