STAND. COM. REP. NO. 2050

Honolulu, Hawaii

FEB 0 8 2016

S.B. No. 2873 RE:

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 S.B. No. 2873 entitled:

"A BILL FOR AN ACT RELATING TO ORDERS FOR IMMEDIATE PROTECTION, "

begs leave to report as follows:

The purpose and intent of this measure is to address an inconsistency in statutory requirements regarding orders for immediate protection by allowing the Department of Human Services discretion when determining whether to seek an order for immediate protection of vulnerable adults.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that section 346-228, Hawaii Revised Statutes, allows but does not require the Department of Human Services to seek an order for immediate protection to prevent In fiscal year 2015, the Department of Human Services investigated 980 vulnerable adult abuse cases statewide. Of those 980 investigations, orders for immediate protection were sought in approximately 25 cases. The immediate court intervention was necessary because the adults in those cases lacked the capacity to consent to the provision of services, and the action was necessary to ensure their health and safety. In all other cases, the vulnerable adults or their legal representatives were able to give consent for the provision of services, and court intervention was not necessary. This measure will align the language in sections 346-228 and 346-231(a), Hawaii Revised Statutes, thereby

2016-0886 SSCR SMA.doc clarifying the Department of Human Services authority to use other remedies where court intervention would not be appropriate or necessary.

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 S.B. No. 2873 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,

France Chun aakland

SUZANNE CHUN OAKLAND, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Human Services HMS

Bill / Resolution No.:* SB 2873	Committee H M S	Referral:	Dat	e:	116
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)		X			
RIVIERE, Gil (VC)		X			
GREEN, Josh		\sim			
HARIMOTO, Breene					×
RUDERMAN, Russell E.		X			
THIELEN, Laura H.		Q			
SLOM, Sam					~

TOTAL	· · · · · · · · · · · · · · · · · · ·	5			ス
Recommendation: Adopted 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