
A BILL FOR AN ACT

RELATING TO CHILD CARE PROVIDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 346-157, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§346-157~~{}~~ **Liability insurance coverage; ~~no~~**
4 **requirement.** (a) For the purpose of this section, "liability
5 insurance coverage" means a general casualty insurance policy
6 issued to a provider insuring against legal liability for injury
7 resulting from negligence to a child during the time the child
8 is under the care of the child care provider.

9 (b) The department shall ~~not~~ require ~~[a provider]~~ all
10 providers to obtain ~~[ex]~~ and maintain liability insurance
11 coverage in an amount not less than \$ _____ as a condition
12 of licensure, temporary permission, or registration to operate a
13 child care facility.

14 (c) The department, as a condition of continued licensure,
15 temporary permission, or registration, shall require ~~[a provider~~
16 ~~who does not have liability insurance coverage]~~ all providers to
17 disclose in writing ~~[that the provider does not have coverage]~~
18 to each parent or guardian:



1 (1) Applying to have a child cared for at the provider's
2 facility, [~~if the provider has no~~] summary information
3 including the insurer's name and contact information,
4 coverage amounts, and effective dates for the
5 provider's liability insurance coverage at the time of
6 application; or

7 (2) Within seven working days of any change, cancellation,
8 or termination of liability insurance coverage if the
9 coverage is changed, canceled, or terminated while the
10 parent's or guardian's child is cared for at the
11 provider's facility.

12 (d) The department may suspend or revoke a license,
13 temporary permit, or certificate of registration of a provider
14 in accordance with section 346-164 or 346-175, if [~~the~~]:

15 (1) The provider or any employee of the provider knowingly
16 makes a false statement to any person concerning the
17 provider's liability insurance coverage[-]; or

18 (2) The provider does not comply with the insurance
19 coverage and disclosure requirements of this section
20 and rules adopted by the department pursuant to this
21 section.



1 (e) Proof of liability insurance as required by this
2 section shall be verified by the department on an annual basis."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on January 1, 2050.

6



Report Title:

Child Care Providers; Liability Insurance

Description:

Requires all child care providers subject to regulation by the Department of Human Services to obtain and maintain liability insurance as a condition of licensure, temporary permission, or registration. Takes effect 1/1/2050. (SD1)

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