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# A BILL FOR AN ACT

RELATING TO CHILD CARE FACILITIES.

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

1           SECTION 1. Section 346-153, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§346-153 Records of deficiencies and complaints; release**  
4 **to public[-]; report to legislature.** (a) For every child care  
5 facility, the department shall maintain records for the current  
6 and previous two years of: results of its inspections;  
7 notifications to providers of deficiencies; corrective action  
8 taken; complaints of violations of rules adopted under this  
9 part; results of its investigations; resolution of complaints;  
10 and suspensions, revocations, reinstatements, restorations, and  
11 reissuances of licenses, temporary permits, and registrations  
12 issued under this part. Notwithstanding any other law to the  
13 contrary, the records described in this section shall be  
14 available for inspection in the manner set forth in chapter 92F,  
15 and [~~may~~] substantiated complaints shall be posted by the  
16 department on a public website; provided that with respect to  
17 records of family child care homes and group child care homes,



1 sensitive personal information, including home addresses, or  
2 information provided to the department with the understanding  
3 that it would not be publicly divulged shall be deleted or  
4 obliterated prior to making the records available to the public.  
5 Nothing in this section shall authorize the department to  
6 release the names of or any other identifying information on  
7 complainants. The department may withhold information on a  
8 complaint for which an investigation is being conducted for not  
9 more than ten working days following the date of filing of the  
10 complaint; provided that if an investigation relates to an  
11 alleged criminal offense, no information shall be released until  
12 the investigation has been completed and the director has  
13 determined that no legal proceeding will be jeopardized by its  
14 release.

15 (b) The department shall submit a report to the  
16 legislature no later than twenty days prior to the convening of  
17 each regular session that includes the following information  
18 from the records maintained pursuant to subsection (a):

19 (1) Complaints of violations of rules adopted pursuant to  
20 this part and actions the department took to address  
21 the complaints;



- 1        (2) Results of investigations; and
- 2        (3) License revocations."

3        SECTION 2. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$                    or so much  
5 thereof as may be necessary for fiscal year 2017-2018 and the  
6 same sum or so much thereof as may be necessary for fiscal year  
7 2018-2019 for the department of human services to post its  
8 inspection records of child care facilities on a public website  
9 and submit an annual report to the legislature of certain  
10 information from inspection records related to child care  
11 facilities.

12        The sums appropriated shall be expended by the department  
13 of human services for the purposes of this Act.

14        SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16        SECTION 4. This Act shall take effect on January 1, 2019.



**Report Title:**

Child Care Facilities; Records; Substantiated Complaints; Public Posting; Report; Appropriation

**Description:**

Requires the Department of Human Services to post its inspection records of child care facilities that involve substantiated complaints on a public website and submit an annual report to the legislature of certain information from inspection records related to child care facilities. (SB748 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

