STAND. COM. REP. NO.

Honolulu, Hawaii

March 3

, 2017

RE: H.B. No. 199

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 199, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES,"

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Human Services to investigate allegations of the physical isolation of vulnerable adults and take corrective action including obtaining judicial relief.

The Honolulu Police Department supported this measure. The Department of the Attorney General and Department of Human Services provided comments.

Your Committee has amended this measure by clarifying that under the definition of "caregiver neglect," the failure to permit a vulnerable adult to communicate, receive visits, or interact with family, friends, and care providers does not apply to an act reasonably intended to protect the physical or mental welfare of the vulnerable adult, such as through protective orders, treatment plans, or instructions of the vulnerable adult's physician or other health care professional.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your

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Committee is in accord with the intent and purpose of H.B. No. 199, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 199, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

SCOTT Y. NISHIMOTO, Chair

## State of Hawaii House of Representatives The Twenty-ninth Legislature



## **Record of Votes of the Committee on Judiciary**

| Bill/Resolution No.:  | Committee Referral: |      |         | Date:   |          |         |
|---|---------------------|------|---------|---------|----------|---------|
| H0199 HD1   | Hus, JhD            |      |         | 2/20/17 |          |         |
| ☐ The committee is reconsidering its previous decision on the measure.  |                     |      |         |         |          |         |
| The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit) |                     |      |         |         |          |         |
| JUD Members   |                     | Ayes | Ayes (W | (R)     | Nays     | Excused |
| 1. NISHIMOTO, Scott Y. (C)  |                     |      |         |         |          |         |
| 2. SAN BUENAVENTURA, Joy A. (VC)  |                     |      |         |         |          |         |
| 3. BELATTI, Della Au  |                     |      |         |         |          |         |
| 4. BROWER, Tom  |                     | /    |         |         |          |         |
| 5. JOHANSON, Aaron Ling   |                     | /    | -       |         |          |         |
| 6. LEE, Chris   |                     | /    |         |         |          |         |
| 7. MORIKAWA, Dee  | 1.                  |      |         |         |          |         |
| 8. NAKASHIMA, Mark M.   |                     |      |         |         |          |         |
| 9. OSHIRO, Marcus R.  | -                   |      |         |         |          |         |
| 10. McDERMOTT, Bob  |                     |      |         |         |          |         |
| 11. THIELEN, Cynthia  |                     |      |         |         |          |         |
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| TOTAL (11)  |                     | 10   |         |         |          | ./      |
| The recommendation is:  Adopted If joint referral, did not support recommendation.  committee acronym(s)  |                     |      |         |         |          |         |
| Vice Chair's or designee's signature:   |                     |      |         |         |          |         |
| Distribution: Original (White) Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO  |                     |      |         |         |          |         |