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# 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]~~ (a) Beginning January 1, 2019, the department  
10 shall ~~[not]~~ require a provider to obtain ~~[or]~~ and maintain  
11 liability insurance coverage as a condition of licensure,  
12 temporary permission, or registration to operate a child care  
13 facility.

14 ~~[(c) The department, as a condition of continued~~  
15 ~~licensure, temporary permission, or registration, shall require~~  
16 ~~a provider who does not have liability insurance coverage to~~



1 ~~disclose in writing that the provider does not have coverage to~~  
2 ~~each parent or guardian.~~

3 ~~(1) Applying to have a child cared for at the provider's~~  
4 ~~facility, if the provider has no liability insurance~~  
5 ~~coverage at the time of application; or~~

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

11 ~~(d)]~~ (b) The department may suspend or revoke a license,  
12 temporary permit, or certificate of registration of a provider  
13 in accordance with section 346-164 or 346-175, if the provider  
14 or any employee of the provider knowingly makes a false  
15 statement to any person concerning the provider's liability  
16 insurance coverage.

17 (c) For the purpose of this section, "liability insurance  
18 coverage" means a general casualty insurance policy issued to a  
19 provider insuring against legal liability for injury resulting  
20 from negligence to a child during the time the child is under  
21 the care of the child care provider."



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 Statutory material to be repealed is bracketed  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

3 SECTION 3. This Act shall take effect on July 1, 2070.



**Report Title:**

Child Care Providers; Liability Insurance Coverage; Requirement

**Description:**

Beginning January 1, 2019, requires child care providers licensed or registered by the Department of Human Services to obtain and maintain liability insurance coverage. (SB185 HD1)

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

