

JAN 19 2018

A BILL FOR AN ACT

RELATING TO CHILD SAFETY.

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

1 SECTION 1. Section 350-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§350-2 Action on reporting. (a) Upon receiving a report
4 concerning child abuse or neglect, the department shall proceed
5 pursuant to chapter 587A and the department's rules.

6 (b) The department shall inform the appropriate police
7 department of all reports received by the department regarding a
8 case of child abuse or neglect, including reports received under
9 section 350-1.1; provided that the name of the person who
10 reported the case of child abuse or neglect shall be released to
11 the police department pursuant only to court order or the
12 person's consent.

13 (c) The department shall inform the appropriate police
14 department or office of the prosecuting attorney of the relevant
15 information concerning a case of child abuse or neglect when the
16 information is required by the police department or the office
17 of the prosecuting attorney for the investigation or prosecution



1 of that case; provided that the name of the person who reported
2 the case of child abuse or neglect shall be released to the
3 police department or the office of the prosecuting attorney
4 pursuant only to court order or the person's consent.

5 (d) The department shall maintain a central registry of
6 reported child abuse or neglect cases and shall promptly expunge
7 the reports in cases if:

8 (1) The report is determined not confirmed by the
9 department, an administrative hearing officer, or a
10 Hawaii state court on appeal; or

11 (2) The petition arising from the report has been
12 dismissed by order of the family court after an
13 adjudicatory hearing on the merits pursuant to chapter
14 587A.

15 Records and information contained in a report that is
16 expunged may be retained by the department solely for future
17 risk and safety assessment purposes.

18 (e) The department may release the findings of an
19 investigation into an allegation of child abuse or neglect
20 occurring within a group child care home or group child care
21 center licensed pursuant to section 346-163 to any parent or



1 guardian of a child who was enrolled in the group child care
 2 home or group child care center at the time of the alleged abuse
 3 or neglect or to a parent or guardian who is considering placing
 4 a child in the group child care home or group child care center;
 5 provided that any investigation involving a finding of a felony
 6 or misdemeanor may be disclosed to any person upon request.
 7 Information disclosed pursuant to this subsection shall not
 8 contain the names or other identifying information of individual
 9 children.

10 (f) The department shall adopt rules as may be necessary
 11 in carrying out this section."

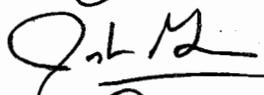
12 SECTION 2. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14

INTRODUCED BY:


 Bruce Hart






S.B. NO. 2097

Report Title:

Child Abuse; Child Neglect; Reports; Group Child Care Home;
Group Child Care Center

Description:

Authorizes child abuse and neglect reports for incidents occurring in group child care homes or group child care centers to be disclosed to parents or guardians of children enrolled in the home or center at the time of the alleged abuse or neglect or to parents or guardians considering enrolling their children in the home or center. Authorizes the disclosure of a report involving a finding of a felony or misdemeanor to be disclosed to any person upon request.

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

