
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
5 much thereof as may be necessary for fiscal year 2017-2018 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 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 July 1, 2017.

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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. Appropriates funds to the department of human services for the posting of child care facility inspection records and an annual report to the legislature. (SD1)

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