

STAND. COM. REP. NO.

2406

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2096  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Human Services and Judiciary, to which was referred S.B. No. 2096 entitled:

"A BILL FOR AN ACT RELATING TO HUMAN SERVICES,"

beg leave to report as follows:

The purpose and intent of this measure is to appropriate funds to satisfy state and federal class action settlement agreements requiring the Department of Human Services to implement a foster care maintenance payment system that complies with the federal Child Welfare Act, increase clothing allowance payments, reimburse certain caregivers and beneficiaries for past inadequate benefit payments, and comply with additional settlement terms.

Your Committees received testimony in support of this measure from the Department of the Attorney General and one individual. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that despite inflation and the high cost of living in Hawaii, the monthly foster care maintenance payments have remained largely unchanged since the Legislature established the payment in 1990. Your Committees further find that federal and state class action lawsuits, filed to address the inadequacy of foster care maintenance payments, have resulted in court orders requiring the Department of Human Services to increase basic board rate and clothing allowance payments, periodically review and



update the basic board rate in the future, provide additional benefit and assistance information to caregivers, and reimburse certain caregivers and beneficiaries for past inadequacies in benefit payments. Your Committees note that an appropriation from the Legislature is necessary to pay for certain payments provided under the federal and state settlement agreements.

Your Committees have amended this measure by:

- (1) Deleting the appropriation amount to allow the Department of the Attorney General to determine the specific amount to be appropriated;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2096, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2096, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Human Services  
and Judiciary,



BRIAN T. TANIGUCHI, Chair



JOSH GREEN, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

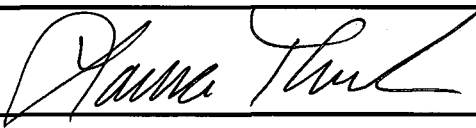
**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>SB 2096</b>	Committee Referral: <b>HMS/JDC, WAM</b>	Date: <b>2-7-18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
GREEN, Josh (C)	✓			
CHANG, Stanley (VC)	✓			
HARIMOTO, Breene	✓			
TOKUDA, Jill N.				✓
WAKAI, Glenn				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes

The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2096</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HMS/JDC, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/07/2018</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	/			
RHOADS, Karl (VC)				/
GABBARD, Mike				/
KIM, Donna Mercado	/			
THIELEN, Laura H.	/			
TOTAL	3	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes