
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,]~~
4 inspections; release to public. (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.

13 (b) Notwithstanding any other law to the contrary, the
14 records described in [~~this section~~] subsection (a) shall be
15 available for inspection in the manner set forth in chapter 92F
16 and may be posted by the department on a public website[+] in
17 accordance with this section; provided that with respect to



1 records of family child care homes and group child care homes,
2 sensitive personal information, including home addresses, or
3 information provided to the department with the understanding
4 that it would not be publicly divulged shall be deleted or
5 obliterated prior to making the records available to the public.
6 Nothing in this section shall authorize the department to
7 release the names of or any other identifying information on
8 complainants. The department may withhold information on a
9 complaint for which an investigation is being conducted for not
10 more than ten working days following the date of filing of the
11 complaint; provided that if an investigation relates to an
12 alleged criminal offense, no information shall be released until
13 the investigation has been completed and the director has
14 determined that no legal proceeding will be jeopardized by its
15 release.

16 (c) Beginning with inspections occurring after
17 December 31, 2019, the department shall post on its website
18 electronic copies of reports for all inspections it performs of
19 child care facilities subject to this part. Except as provided
20 in subsection (b), each report shall be posted on the



1 department's website within thirty working days of the
2 conclusion of each inspection and shall include:

3 (1) The date of the inspection;

4 (2) A description of violations of relevant state laws or
5 rules, if applicable;

6 (3) Plans of correction and the status of corrective
7 actions in response to any violations, if applicable;

8 (4) A list and description of all corrective actions taken
9 by the child care facility, if applicable, to be
10 submitted by the facility and added to the report at a
11 later time, as determined by the department; and

12 (5) Other information regarding the quality and condition
13 of the child care facility as the department deems
14 appropriate.

15 Notwithstanding any provision to the contrary, the department
16 may allow unpaid student interns, with appropriate oversight by
17 department personnel, to input into reports the inspection data
18 required in this subsection and post the reports on the
19 department's website.

20 (d) The department shall submit an annual report to the
21 legislature on all records and actions subject to this section.



1 For all actions that involve a complaint of a suspected
 2 violation or an actual violation discovered by the department,
 3 the report shall include the department's findings regarding the
 4 suspected or actual violation and any corrective action ordered
 5 by the department, including the suspension or revocation of any
 6 license, permit, or registration."

7 SECTION 2. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so much
 9 thereof as may be necessary for fiscal year 2019-2020 and the
 10 same sum or so much thereof as may be necessary for fiscal year
 11 2020-2021 to implement and comply with the reporting
 12 requirements for child care facilities as required by this Act.

13 The sums appropriated shall be expended by the department
 14 of human services for the purposes of this Act.

15 SECTION 3. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2019.

18

INTRODUCED BY:

Guthrie Hueter
Tim Wilton

John M. ...
Jay M. ...
Frank ...
Amy ...



H.B. NO. 656

Shum & Co

Colonial Bldg

Rollman

son

Dan Carnes

Asst

Lindskjy

W.A. -

Lyn Davis

DO HA

la

JAN 18 2019



H.B. NO. 656

Report Title:

Child Care Facilities; DHS; Inspections; Reports; Oversight; Appropriation

Description:

Requires the Department of Human Services to post on its website reports of child care facility inspections beginning with inspections occurring after 12/31/2019, and suspected or actual complaint violations, including the Department of Human Services' findings and corrective actions. Appropriates funds to implement and comply with the reporting requirements for child care facilities.

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

