



GOV. MSG. NO. 1418

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 12, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 12, 2022, the following bill was signed into law:

HB980 HD1 SD2

RELATING TO ADULT PROTECTIVE SERVICES.
ACT 289

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO ADULT PROTECTIVE SERVICES.

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

1 SECTION 1. The legislature finds that reports of abuse
2 against vulnerable adults continue to rise as Hawaii's
3 population ages. Although the department of human services is
4 authorized to enter premises without a warrant for purposes of
5 investigation of abuse to vulnerable adults, existing law limits
6 that right of warrantless entry to only situations where there
7 is probable cause to believe that a vulnerable adult will be
8 physically injured.

9 The legislature further finds that under state law, abuse
10 includes not only physical abuse, but also psychological abuse,
11 sexual abuse, financial exploitation, caregiver neglect, or
12 self-neglect. All of these forms of abuse can result in
13 damaging losses to the vulnerable adult's mental health,
14 welfare, and financial stability. Additionally, vulnerable
15 adults may suffer multiple forms of abuse in combination.

16 The purpose of this Act is to broaden the department of
17 human services' right of entry into a vulnerable adult's



1 premises without a warrant for an investigation of caregiver
2 neglect, self-neglect, or physical abuse.

3 SECTION 2. Section 346-229, Hawaii Revised Statutes, is
4 amended to amend subsection (b) to read as follows:

5 "(b) Any employee of the department engaged in an
6 investigation under this part, having probable cause to believe
7 that a vulnerable adult will be [~~physically~~] injured through
8 [~~abuse~~] caregiver neglect, self-neglect, or by physical abuse
9 before a court order for entry can be obtained, without a
10 warrant, may enter upon the premises where the vulnerable adult
11 may be found for the purpose of ascertaining that person's
12 welfare. Where a warrantless entry is authorized under this
13 section, the employee of the department may request the
14 assistance of a police officer to gain entrance."

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 upon its approval.

APPROVED this 12th day of July , 2022



GOVERNOR OF THE STATE OF HAWAII



HB No. 980, HD 1, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 12, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate