

STAND. COM. REP. NO.

3714

Honolulu, Hawaii

APR 06 2022

RE: S.R. No. 90

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.R. No. 90 entitled:

"SENATE RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE CHILD WELFARE SERVICES BRANCH OF THE DEPARTMENT OF HUMAN SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to request:

- (1) The Office of the Auditor to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services; and
- (2) To have the performance audit include the examination of:
 - (A) The policies, procedures, and processes of the Child Welfare Services Branch to protect the safety and well-being of children in their own homes and in out-of-home placements, including foster care, guardianship, and adoption; and
 - (B) The recruitment and retention of social workers and other staff at the Child Welfare Services Branch.



Your Committee received testimony in opposition to this measure from the Department of Human Services and Hawaii Family Advocacy Team.

Your Committee finds that the Child Welfare Services Branch of the Department of Human Services is responsible for protecting the well-being of the children of Hawaii, including children who are wards of the State and children who have allegedly been neglected or abused. Your Committee finds, however, that during recent years, there have been incidences where the Child Welfare Services Branch failed to fulfill its responsibility, resulting in the fatality of children. Your Committee also finds that the Child Welfare Services Branch has failed to pass all three reviews conducted by the United States Department of Health and Human Services' Administration for Children and Families in 2003, 2009, and 2017.

Your Committee further finds that House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, requested the Auditor to conduct a program audit of the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints of child abuse and neglect, and the misuse of child support; however, this request was declined by the Auditor on the ground that such audit would be duplicative of the federal review being conducted by the National Resource Center for Child Protective Services. Your Committee finds that this matter has not been revisited or assessed by the Auditor, including whether the Child Welfare Services Branch implemented a second Program Improvement Plan to avert a penalty pursuant to the federal review.

Your Committee has amended this measure by:

- (1) Inserting the following clauses:

WHEREAS, House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, sought to request from the Auditor a program audit on the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints but the Auditor by letter dated May 6, 2013, failed to conduct such audit as being problematic and duplicative of federal



review by the National Resource Center for Child Protective Services, which conducts on-site visits; and

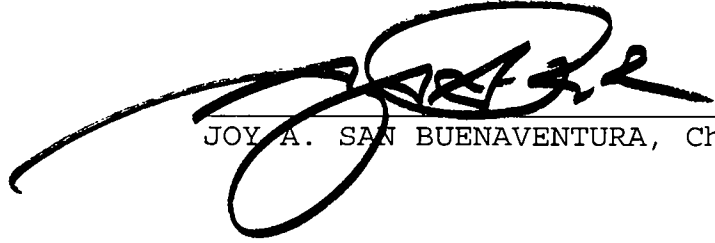
WHEREAS, the Auditor's letter failed to be updated after the 2010 federal requirement for the Child Welfare Services Branch to implement a second Program Improvement Plan to avert a penalty; nor did it conduct an assessment on the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003;

- (2) Deleting the request to the Office of the Auditor "to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services," and replacing it with "to update its Child Welfare Services Branch assessment standard pursuant to House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, to include the second Program Improvement Plan required by the United States Department of Health and Human Services in 2010";
- (3) Deleting the requested content of the performance audit and replacing it with "the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003";
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 90, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 90, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Human Services,




JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SR 90	Committee Referral: HMS	Date: 03/29/2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura				✓
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes