



## OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

MANPOWER AND  
RESERVE AFFAIRS

February 2, 2024

The Honorable Representative Lisa Marten  
Chair, Committee on Human Services

The Honorable Representative Mark J. Hashem  
Chair, Committee on Corrections, Military, & Veterans

Hawaii House of Representatives  
415 S Beretania Street  
Honolulu, HI 96813

### **RE: Letter of Support – HB 2227 (Relating to Child Care)**

Dear Chair Marten, Chair Hashem, and members of the Committees:

On behalf of United States Department of Defense (DoD) and military families stationed in Hawaii, I am writing in support of the policy changes expressed in House Bill (HB) 2227, a measure to expand the existing state exemption for DoD-certified providers to those operating off federal property.

Taking care of our people remains the top priority of DoD and is at the center of our National Defense Strategy.<sup>1</sup> The Department established the Family Child Care program to expand child care availability and to assist in meeting the diverse needs of military families. Family Child Care providers offer military families reliable and personalized care on and off installations.

DoD Family Child Care providers are certified via the military departments and are the largest contributor to the military services' ability to deliver 24-hour and emergency child care needs.<sup>2</sup> Additionally, some Family Child Care providers offer specialized care for unique mission-related needs in homes both on and off the installation.<sup>3</sup>

Once certified, Family Child Care providers must complete annual training and a competency based comprehensive professional development program similar to installation child development program personnel.<sup>4</sup> When moving with their service member, Family Child Care providers do not have to complete additional training or another background check when they arrive at their new installation, unless their certification is due for renewal.<sup>5</sup> Local citizens are also eligible to apply for certification as a DoD Family Child Care provider.

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<sup>1</sup> Terri Moon Cronk, "Austin Outlines His Top Three Priorities on Defense, People, Teamwork," *United States Department of Defense*, March 5, 2021, <https://www.defense.gov/News/News-Stories/Article/Article/2526532/austin-outlines-his-top-three-priorities-on-defense-people-teamwork/>

<sup>2</sup> Report to the Committee on Armed Services of the House of Representatives on In-Home Child Care Licensures, *United States Department of Defense*, 2022

<sup>3</sup> In both the Air Force and the Army, these programs are designed to provide overnight, weekend, and holiday child care for those members assigned to work for more than 24 hours in the field.

<sup>4</sup> DODI 6060.02, "Child Development Programs (CDPs)", *United States Department of Defense*, September 20, 2020.

<sup>5</sup> "Licensure Exemptions for Military Family Child Care Providers," *United States Department of Defense*, 2023, <https://statepolicy.militaryonesource.mil/key-issue/licensure-exemptions-for-military-family-child-care-providers>

The Family Child Care program is designed to ensure the highest standards of quality and safety are met in family child care homes. The certification process is widely recognized as one of the most stringent in the country.<sup>6</sup> Standards set by the Department and the military services ensure strict oversight of service providers, to include background checks, monthly inspections, and unannounced visits.<sup>7</sup> Monitoring of Family Child Care providers is conducted on a regular basis, during all hours of operation, and providers are required to maintain information as it relates to their background checks, inspections, insurance, training records, and visitation logs.<sup>8</sup>

By exempting Family Child Care providers from licensure and registration that is duplicative of the certification they receive from the military services, Hawaii has the opportunity to enhance the quality of life and economic security of both the providers and military families seeking qualified child care options.<sup>9</sup> If permitted by their service's regulations, under SB 2880, this approach would allow them to work immediately after being certified, inspected and approved by the new installation commander, to provide care to the children of military families, pursuant to Department of Defense Instruction 6060.02.<sup>10</sup>

In closing, the Department is grateful for the tremendous support that Hawaii has previously made and is currently making to support our military members and their families. We appreciate the opportunity to support the policy reflected in HB 2227 and would especially like to thank the bill's sponsors for spearheading this effort.

Sincerely,



Kelli May Douglas  
Pacific and Southwest Regional Liaison  
Defense-State Liaison Office  
DoD, Military Community & Family Policy  
571-265-0075

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<sup>6</sup> GAO-23-105518, "Military Child Care: DOD Efforts to Provide Affordable, Quality Care for Families," *Government Accountability Office*, February 2, 2023, <https://www.gao.gov/products/gao-23-105518>.

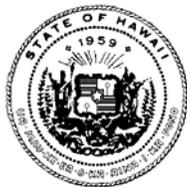
<sup>7</sup> See *supra* at 6.

<sup>8</sup> Family Child Care Providers are also required complete 40 hours of training and orientation, which occurs prior to working with children. Stated orientation, upon completion, is then documented for each provider, and includes: developmentally appropriate activities and environmental observations; age-appropriate guidance and discipline techniques; applicable regulations, policies, and procedures; child safety and fire prevention; child abuse prevention, identification, and reporting; nutrition; health and sanitation; and parent and family relations.

<sup>9</sup> The military services' Family Child Care programs are intended to support the mission requirements of the installation and are for use only by active-duty military personnel, DoD civilians, reserve component military personnel on active duty or inactive duty training status, combat related wounded warriors, surviving spouses of military members who died from a combat related incident, those acting in loco parentis for the dependent child of an otherwise eligible member, eligible employees of DoD contractors, and others as authorized on a space available basis.

<sup>10</sup> If a Family Child Care provider wanted to expand their scope of business beyond military dependents and outside the scope of the Department of Defense Instruction, the provider would subsequently obtain a state license.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



CATHY BETTS  
DIRECTOR  
KA LUNA HO'ŌKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'ŌKELE

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DEPUTY DIRECTOR  
KA HOPE LUNA HO'ŌKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 4, 2024

TO: The Honorable Representative Lisa Marten, Chair  
House Committee on Human Services

The Honorable Representative Mark J. Hashem, Chair  
House Committee on Corrections, Military, & Veterans

FROM: Cathy Betts, Director

SUBJECT: **HB 2227 – RELATING TO CHILD CARE.**

Hearing: Tuesday, February 6, 2024, 8:45 a.m.  
Conference Room 329, State Capitol & Video Conference

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of the measure, provides comments, and requests clarification.

**PURPOSE:** This bill expands the existing state exemption for United States Department of Defense (DOD) certified providers to those operating off federal property.

The Department of Human Services (DHS) appreciates that military families have an additional resource in accessing child care through family child care providers who become certified through the military process since there has been a decrease in the number of DHS-licensed and registered family child care homes and child care centers statewide since before the pandemic and continuing through the pandemic.

DHS supports the proposed expansion provided that the military certification for child care providers operating off federal property meets or exceeds the same or similar requirements as required by DHS-registered family child care operators. DOD will need to include monitoring and enforcement components to ensure the health and safety of children in

care. Additionally, with the proposed expansion, the DOD will maintain the responsibility for regulating the certification process, monitoring, enforcing, and revoking the certification for non-compliance.

After reviewing testimony provided in SB 2880, DHS requests further clarification from the Legislature and DOD program administrators whether the DOD-certified child care providers will exclusively serve DOD-related families. Last year, Connecticut passed a similar provision that included conditions for the exemption, such as:

- Care is provided to children of enlisted families only;
- Requiring State licensing if non-military children are served; and
- Providers give notification to families served that the Family Child Care is military-certified only and not licensed by the State.

If DOD-certified child care providers intend to be able to serve other families on non-federal property, the DOD child care providers will need to meet DHS child care requirements, especially if they intend to serve families who receive DHS child care subsidies. If the DOD-certified child care providers intend to serve children of families who rely upon DHS child care subsidies, the DOD-certified child care provider must meet DHS requirements under Hawaii Administrative Rules, Chapter 17-798.3 Child Care Payments.

DHS requests an extended effective date to give DHS and the DOD program administrators time to meet and develop a memorandum of understanding regarding the DOD program and oversight and articulate such things as where the public and parents can make a complaint, how investigations of injury and harm are conducted, and how information will be shared regarding investigations and providers who have lost their certification or terminated their certification pending an investigation of harm. Additionally, DHS requests time to understand DOD approval processes, for example, in assessing the dwelling where care is provided prior to approving the certificate, the procedures when a caregiver relocates to another dwelling, and whether an inspection and evaluation of the dwelling is conducted prior to operating.

Thank you for the opportunity to provide testimony on this measure.



**TESTIMONY IN SUPPORT OF HB 2227  
RELATING TO CHILD CARE**

House Committee on Human Services  
The Honorable Lisa Marten, Chair  
The Honorable Terez Amato, Vice Chair

House Committee on Corrections, Military & Veterans  
The Honorable Mark J. Hashem, Chair  
The Honorable Cory M. Chun, Vice Chair

Tuesday, February 6, 2024 at 8:45 a.m.  
Conference Room 329 & Videoconference  
415 South Beretania Street

Chairs Marten and Hashem, Vice Chairs Amato and Chun, and Members of the Committees:

The Hawaii Military Affairs Council ("MAC") wishes to offer our support of HB 2227 which expands the existing state exemption for United States Department of Defense-certified providers to those operating off federal property.

The MAC was established in 1985 when the Chamber was appointed by the State to serve as the liaison to the military. The MAC advocates on behalf of Hawaii's military, and is comprised of business leaders, academic institutions, State and County officials, members of the CODEL, community leaders, labor unions and organizations and retired U.S. flag and general officers. The MAC works to support Hawaii's location as a strategic U.S. headquarters in the Indo-Asia-Pacific region which is crucial for U.S. national and homeland security.

The MAC and the U.S. Department of Defense recognize the value of military child care certification – a game-changer. Providers already certified through the U.S. Department of Defense have demonstrated their commitment to quality child care. By exempting these providers from the lengthy registration process, states can expedite the availability of qualified child care options, thereby enhancing the quality of life and economic security for both providers and families.



However, the current exemption applies only to providers operating on federal property. This limitation restricts the number of certified providers available to families in our communities in need. Expanding this exemption to include providers operating off federal property would significantly increase access to quality child care.

HB 2227 is not just about improving the efficiency of the registration process. It's about recognizing the value of military child care certification and leveraging it to improve the quality of life and economic security for both providers and families on and off federal property. It's about ensuring that families have access to qualified child care options when they need them most.

This is a critical step towards addressing the demand for qualified child care providers and ask for your favorable passage.

Thank you for the opportunity to testify in support.



# Chamber of Commerce HAWAII

*The Voice of Business*

**Testimony to the House Committees on Human Services and Corrections, Military, & Veterans**  
**Tuesday, February 6, 2024, at 8:45AM**  
**Conference Room 329 & Videoconference**

**RE: HB2227 Relating to Child Care**

Chair Marten, Chair Hashem, Vice Chair Amato, Vice Chair Chun, and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") **supports HB2227**, which expands the existing state exemption for United States Department of Defense-certified providers to those operating off federal property.

The Chamber recognizes the value of military child care certification and emphasizes the need for increasing the availability of child care to address the needs of our state's workforce. Providers already certified through the U.S. Department of Defense have demonstrated their commitment to quality child care, and by exempting these providers from the lengthy registration process, we can expedite the availability of qualified child care options and enhance the quality of life and economic security for both providers and Hawaii's families. However, the current exemption applies only to providers operating on federal property. This limitation restricts the number of certified providers available to families in our communities in need. Expanding this exemption to include providers operating off federal property would significantly increase access to quality child care. HB2227 does not simply improve the efficiency of the registration process, but also recognizes the value of military child care certification and leverages it to improve the quality of life and economic security for both providers and families alike, on and off federal property. This measure ensures families have access to qualified child care options when they, and our state's workforce, is in critical need.

In discussions with our members, increasing the availability of childcare is a high priority. Accessibility to such child care services is needed for the viability of our workforce. Our business community cannot increase their capacity without such support.

Limited access to childcare is one of the challenges that our local workforce faces today and a significant reason for Hawaii's overall workforce shortage. Low wages and a high cost of living make it difficult for childcare facilities to retain and grow the workforce. This bill would help retain and expand the local childcare workforce which is critical to ensure a thriving future for all of Hawaii businesses.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Thank you for the opportunity to testify.