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ADMINISTRATIVE AND RESEARCH OFFICE
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FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON WAYS AND MEANS AND JUDICIARY
ON
SENATE BILL NO. 3237, S.D. 1

March 2, 2022
9:30 a.m.
Room 211 and Videoconference

RELATING TO CHILD WELFARE SERVICES

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 3237, S.D. 1: 1) amends Chapter 346, HRS, to authorize the Department of Human Services (DHS) to review or investigate families that have adopted, have received legal guardianship of, or are in the process of adopting a child and are receiving benefits for foster care maintenance, adoption assistance, or permanency assistance through the State in accordance with Chapters 350 and 587A, HRS; 2) sets reporting requirements for DHS on the impact of the new authority; 3) establishes the Crisis Mobile Outreach Pilot Program (CMOPP) within the Child and Adolescent Mental Health Division (CAMHD) for a period of two years; 4) sets CMOPP services and reporting requirements for CAMHD; 5) appropriates \$1,780,000 for the Department of Health in FY 23 to establish CMOPP and hire and train mental health professionals; 6) appropriates an unspecified amount of general funds for DHS in FY 23 to hire an unspecified number of case workers and unspecified number of support staff

positions to support the new investigative authority; and 7) appropriates an unspecified amount of general funds for DHS in FY 23 to increase compensation for child welfare services case worker positions.

B&F defers to the Department of Human Resources Development on the possibility of providing compensation increases specifically for vacant and filled child welfare services case worker positions.

B&F notes that, with respect to the general fund appropriations in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

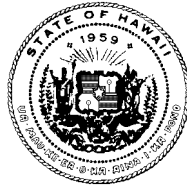
Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR
JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 1, 2022

TO: The Honorable Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair
Senate Committee on the Judiciary

FROM: Cathy Betts, Director

SUBJECT: **SB 3237 SD - RELATING TO CHILD WELFARE SERVICES.**

Hearing: March 2, 2022, 9:30 am
Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the bill and provides comments. DHS defers to the Department of Health. Lastly, the Department requests that any appropriation not reduce or replace priorities identified in the executive budget.

PURPOSE: The purpose of the bill is to expand the investigative power of the Department of Human Services to include: children who have been adopted or have been placed in legal guardianship, whose adoptive families or legal guardians are receiving federal or state financial assistance; and children in the foster care system for whom there is a pending petition for adoption or an adoption decree has been issued but has not yet been placed in the custody of the adoption petitioner. Requires the Department of Human Services to submit a report to the Legislature on the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance before the convening of the Regular Session of 2027. Establish a two-year Crisis Mobile Outreach Team Pilot Program within the Department of Health to expand and support existing crisis response services and programs for at-risk youth. Requires the Department of Health's Child and Adolescent Mental Health Division to submit a

report to the Legislature on its findings and recommendations arising from the pilot program before the Regular Session of 2024. Appropriate funds to the Departments of Human Services and Health. Repeals the pilot program on 6/30/2024. Effective 12/31/2050. (SD1) The SD1 amended the measure by:

- (1) Clarifying that the review or investigation of families that are prescribed and performed by the Department of Human Services or its authorized agents pursuant to this measure shall be in accordance with chapters 350 and 587A, Hawaii Revised Statutes;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The Department appreciates the SD1 amendments to Section 2 and Section 3. However, as drafted, the SD1 amendments negate the stated intent to expand or extend investigative services since Child Welfare Services (CWS) already has the authority to investigate reports of abuse or neglect as provided in Chapters 350 and 587A, Hawaii Revised Statutes (HRS). Families that adopt children or serve as guardians of children are subject to investigation if CWS receives a report of abuse or neglect, similar to any reports regarding birth families. If CWS receives a report of suspected child abuse or neglect involving any child, including those under legal guardianship or adoption, section 350-1, HRS, and section 587A-11, HRS, mandate DHS to investigate the report.

The Department appreciates the intent of section 7 of the measure that appropriates funds for hiring case workers and support staff positions to provide annual or semi-annual in-home visits for families receiving adoption assistance or legal guardianship assistance. However, given the SD1 amendments, these additional services would need to be voluntary, as noted above. Currently, CWS provides voluntary permanency support services, including peer support groups, intervention services, counseling, and home visitations for these post-permanency families with children under five years old. However, additional resources are necessary to expand the permanency strengthening services to provide families with additional supports and links to services when families want additional assistance and services become necessary.

DHS is working with the Department of Education (DOE), the Department of Health and community providers to develop and coordinate DOE's school-based family resource centers with the community-based family resource centers that DHS funds. DHS administration measure SB3111/HB2143 proposes a 5-year pilot to coordinate and standardize the family resource center

model. In communities with well-coordinated and supported family resource centers, families access services in familiar places, and studies have shown reports to child welfare have decreased. In addition, all families in need of support, training, or links to services will benefit from school- and community-based resource centers.

As to the proposed mobile crisis outreach team pilot program, DHS defers to the Department of Health (DOH) and agrees that additional funding and expansion of mental health services for adoptive and legal guardianship children and their families are necessary. The expansion of the mobile crisis outreach would enhance the array of mental health services available to children who have been adopted or entered legal guardianship from foster care. All children in foster care have experienced trauma and deserve adequate and accessible mental health services.

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

SB-3237-SD-1

Submitted on: 2/25/2022 6:02:16 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Victoria Anderson	Individual	Support	No

Comments:

Please pass this important bill on behalf of our vulnerable keiki.

SB-3237-SD-1

Submitted on: 2/26/2022 12:41:27 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cheryl Dias	Individual	Support	No

Comments:

Aloha Honorable Chair and Committee members,

I am writing in strong support of S.B. 3237, relating to Child Welfare Services (CWS). The passage of this bill will result in additional resources and support to CWS and the youth in their care. Additionally, better monitoring of youth, both in and out of care, will improve the safety, well-being, and outcomes for our children.

It is our kuleana to do whatever is needed to better protect and care for the most vulnerable children in our community. The appropriation of funds is vital to provide CWS with additional staff and training necessary to reduce and better manage caseloads. Proper administration of these new resources and protocols to expand the oversight and investigative authority within the department will address many of the gaps that currently exist.

Because of my experience of working with foster youth, caregivers, and their families, along with my personal experience of being in guardianship, I am convinced that this is the right thing to do. When my four siblings and I were in guardianship, there was nothing in place to help us. I never met with a social worker, nor did anyone bother to visit the home.

Better monitoring would have prevented the further abuse and re-victimization my siblings and I endured until emancipation. The horrific memory of being separated and placed in different homes brought confusion and uncertainty. Basic necessities were often withheld; we were often treated like slaves, physically, mentally, and psychologically abused; controlled and not allowed to socialize with family and friends. There were very few times of freedom with the absence of normalcy. Attending school and extracurricular events would often come at a cost when we returned home. We were stripped of our identity, but most of all, were silenced by fear, and our voices were never heard.

After I wrote, “my heart aches for the many children who continue to live under these conditions, locked behind closed doors, feeling powerless, abandoned, not worthy, and unloved,” I wondered if one reading this could actually know and understand my sincerity. It can easily be read completely disengaged from the real heartache and emotions I feel as I write this.

This bill is necessary to ensure that no child will experience further abuse, or fall victim to another senseless tragedy at the hands of a state-licensed caregiver, adoptive parent, or guardian.

Mahalo for your time and your thoughtful consideration as I urge you to support S.B. 3237.

Me ke aloha no,

Cheryl Dias

SB-3237-SD-1

Submitted on: 2/27/2022 10:10:17 AM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Marilyn Yamamoto	Testifying for Hawaii Family Advocacy Team	Oppose	No

Comments:

To the Chairs of WAM and JDC,

From the introduction of this bill, the goal has been to address one child death that happened to be in an adoptive family. There have been many child deaths as a result of reunification by CWS with a dangerous parent and for whom friends and relatives have reported to the department prior to the reunification.

Sections 2 and 3 are redundant, as investigation of child abuse is covered in HRS587A-11 and applies to all families.

Section 7 is unconstitutional. If it means families who have already adopted or assigned guardianship. The time to scrutinize these families is well before granted permanent placement, not after.

If the legislature wants to throw money at CWS, change the hiring requirements that all workers who have contact with families must have an MSW.

I strongly oppose this bill, as it does not address the likely real issues of the cause of Ariel's death, even though it looks good to a public who is unaware of the Child Protective Act.

To: The Honorable Joy A. San Buenaventura, Chair Committee on Human Services
For: **SB 3237 – RELATING TO CHILD WELFARE SERVICES**
Date: Wednesday, March 2, 2022 at 9:30am
Where: Hawaii State Capitol, Conference Room 211& Videoconference

Aloha, Chair Joy San Buenaventura. I am a resident of Oahu, a master of social work student at UH Mānoa's School of Social Work and Public Health, and a community member who is gravely concerned with the safety and well-being of Hawaii's most precious resource, our keiki. I submit testimony today on behalf of myself in strong support of SB 3237 – RELATING TO CHILD WELFARE SERVICES.

I support SB 3237 because it promotes the safety and well-being of Hawaii's most vulnerable, children in foster care and the families that care for them. Even while the vetting process of becoming adoptive parents or guardians is extensive, and one would like to imagine that background checks and required training is sufficient in preventing all future incidents of abuse and neglect, it's simply not. One substantial incident is too many for these children who have endured so much loss at such a young age. For this reason, continued visits and monitoring conducted by CWS leading to or after permanency and adoption are necessary to increase the likelihood of safety and placement success for these children.

At the same time, allocating funds to bolster crisis and mental health services is key to preventing future out-of-home placement and school disruptions, while still providing additional support and resource sharing during a pivotal transitional period. Children in foster care have endured extensive trauma, which may take time and adequate resources to heal. Even after adoption or guardianship, children must still grapple with the upheaval and numerous unexpected changes in their lives. Allocating adequate funds for intervention and support services will help them heal and feel supported during this transition.

I believe it's the kuleana of the state and community to provide our keiki the best opportunity for positive life outcomes. They are our future. Children must know that their state and community

cares and protects them. Our keiki's resiliency is unparalleled and paramount when coupled with our support, key services and interventions.

I thank you for your continued work in supporting our keiki in foster care. And for this opportunity to provide testimony in support of SB 3237.

Jamie Rodriguez

SB-3237-SD-1

Submitted on: 2/27/2022 8:14:20 PM

Testimony for WAM on 3/2/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Michael R. Dias	Individual	Support	No

Comments:

To whom it may concern:

I am writing in strong support of S.B. 3237 to increase and extend the resources, oversight, and monitoring of youth in the Child Welfare Services (CWS) system to include those in guardianship and adoption programs to improve the safety, well-being, and outcomes of the most vulnerable children in our community. CWS very much needs additional staff to reduce their caseloads which are way too large and unmanageable. Current staff is overworked, overwhelmed, and overburdened, and that's a recipe for burnout, turnover, and disaster for our children and community.

Proper staffing, training, protocols resources, and administration will address many of the gaps that currently exist. Many of the tragic high-profile CWS cases over the years could have possibly been prevented with this in place.

Your thoughtful consideration is greatly appreciated, and I urge you to support and pass S.B. 3237.

Me ka mahalo a me ke aloha no,

Michael R. Dias