
A BILL FOR AN ACT

RELATING TO CHILD WELFARE SERVICES.

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

1 SECTION 1. The legislature finds that additional measures
2 are needed to strengthen the network of state systems that
3 protect and ensure the safety and security for at-risk children
4 to prevent cases like the recent abuse and death of Isabella
5 Kalua, born Ariel Sellers, and other similar past tragedies
6 befalling children who were or had previously been under the
7 protection and legal jurisdiction of the State. One means of
8 preventing similar tragedies is to extend the oversight of child
9 welfare services beyond foster care to include children for whom
10 equivalent payments are made through the State's adoption
11 assistance program or legal guardianship assistance program.

12 The legislature finds that many children in foster care
13 have suffered trauma, either from abuse by their families or
14 through the removal process. This trauma may result in
15 behaviors that are difficult for caregivers to manage.
16 Therefore, the need for support from child welfare services
17 remains even after a child is placed in permanent custody



1 through adoption or guardianship. Home visits by child welfare
2 services will be an opportunity to connect adoptive parents and
3 legal guardians with existing services and programs as the
4 services available and the needs of the children may have
5 changed since the last visit. Additionally, if the visit raises
6 concerns for the welfare of the child, the case can be referred
7 as a suspected abuse or neglect case, which the department of
8 human services already offers as a service.

9 From December 2020 to December 2021, there was a monthly
10 average of 1,555 children in foster care, 1,170 children
11 receiving legal guardianship assistance, and 2,710 children
12 receiving adoption assistance. This Act expands current
13 services to cover children outside of the foster care system,
14 which will increase the number of cases under management by
15 approximately two and one-half times. However, the frequency of
16 home visits for most cases will only be once per year, which is
17 significantly less when compared to the intensive duties of case
18 managers for children under foster care, for whom a case load of
19 only sixteen cases is suggested as manageable. Case managers
20 for foster children conduct home visits at least monthly, manage
21 transitions to new care settings, interact with birth parents if



1 parental rights have not been terminated, seek permanent
2 placement, and support children in legal proceedings as needed.
3 Case managers for children who receive adoption assistance or
4 legal guardianship payments will only need to conduct home
5 visits, and the frequency can be greatly diminished as the
6 caregivers will have gone through a vetting process. Lastly,
7 under this Act, data collected by the department of human
8 services will be analyzed to determine the impact of expanding
9 home visits to families receiving adoption assistance or legal
10 guardianship assistance and reported back to the legislature
11 five years after initiation of the program.

12 The legislature further finds that there is a need to
13 improve mental health crisis intervention for at-risk youth in
14 the community by expanding existing crisis response services to
15 provide trauma-informed engagement within the system and
16 individual training in trauma-informed care. These expanded
17 services will reduce the risk of harm to youth; promote safety
18 for youth in home, school, and community settings; reduce the
19 use of emergency facilities, acute psychiatric hospitals, and
20 other out-of-home placements for youth; increase supports
21 available to youth and families to maintain placement and



1 improve quality of life; and provide trauma-informed care and
2 ongoing support to youth and families in the community.

3 The purpose of this Act is to:

- 4 (1) Expand the investigative power of the department of
5 human services to include children who have been
6 adopted or have been placed in legal guardianship, and
7 whose adoptive families or legal guardians are
8 receiving federal or state financial assistance;
- 9 (2) Expand the investigative power of the department of
10 human services to include children in the foster care
11 system for whom there is a pending petition for
12 adoption or for whom an adoption decree has been
13 issued but the children have not yet been placed in
14 the custody of the adoption petitioner;
- 15 (3) Establish within the department of health a two-year
16 crisis mobile outreach team pilot program, to expand
17 and support existing crisis response services and
18 programs for at-risk youth;
- 19 (4) Appropriate funds for the crisis mobile outreach team
20 pilot program, including funds to hire and train



- 1 mental health professionals having trauma-informed
2 training and experience working with youth;
- 3 (5) Appropriate funds for the department of human services
4 to hire additional case workers and support staff who
5 would conduct annual or semi-annual in-home visits for
6 families receiving adoption assistance or legal
7 guardianship assistance; and
- 8 (6) Appropriate funds for the department of human services
9 to fill vacancies and retain employees in existing
10 child welfare services case worker positions.

11 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§346- Adoptive families and legal guardianship;
15 authority over. Any family that has adopted or received legal
16 guardianship of a child for whom maintenance is provided
17 pursuant to part E of title IV of the Social Security Act or
18 through the state adoption assistance program pursuant to part
19 XII of chapter 346; or is receiving financial assistance through
20 the State's permanency assistance program, including adoptive
21 families where a petition for adoption is pending or where an



1 adoption decree has been issued but adoption has not yet taken
2 place, shall be subject to review or investigation at any time
3 and in a manner, place, and form as may be prescribed by the
4 department or its authorized agents in accordance with chapters
5 350 and 587A."

6 SECTION 3. Section 346-301, Hawaii Revised Statutes, is
7 amended to read as follows:

8 " [f] §346-301 [f] Adoption assistance program
9 established[-]; review or investigation of program benefit
10 recipients. The department of human services shall maintain an
11 adoption assistance program to facilitate the adoption of
12 children with special needs. Pursuant to section 346- ,
13 families receiving benefits from the adoption assistance program
14 shall be subject to review or investigation at any time and in a
15 manner, place, and form as may be prescribed by the department
16 or its authorized agents in accordance with chapters 350 and
17 587A."

18 SECTION 4. (a) There is established within the child and
19 adolescent mental health division of the department of health a
20 crisis mobile outreach team pilot program to expand and support
21 existing crisis response services and programs for at-risk



1 youth. The crisis mobile outreach team pilot program shall
2 begin on July 16, 2022, to coincide with the implementation of
3 the nationwide 988 suicide prevention hotline.

4 (b) The crisis mobile outreach team pilot program shall
5 provide the following services:

6 (1) Crisis prevention, through community collaboration and
7 community program development;

8 (2) Face-to-face intervention within one hour of a request
9 for intervention;

10 (3) Crisis de-escalation and assessment; and

11 (4) Stabilization of up to eight weeks, including:

12 (A) Connecting youth to community supports and
13 services;

14 (B) Providing in-home clinical support for youth and
15 families;

16 (C) Connecting the service recipient with higher
17 level support if determined to be necessary; and

18 (D) Collaborating with community partners and other
19 state agencies.

20 (c) The child and adolescent mental health division of the
21 department of health shall submit a report to the legislature no



1 later than twenty days prior to the convening of the regular
2 session of 2024. The report shall include findings and
3 recommendations arising from the crisis mobile outreach team
4 pilot program, including any proposed legislation and a
5 recommendation as to whether the pilot program should be
6 extended.

7 (d) The crisis mobile outreach team pilot program shall
8 end on June 30, 2024.

9 SECTION 5. The department of human services shall collect
10 and analyze data necessary to determine the impact of expanding
11 home visits to families receiving adoption assistance or legal
12 guardianship assistance and shall submit a report of its
13 findings and recommendations, including any proposed
14 legislation, to the legislature no later than twenty days prior
15 to the convening of the regular session of 2027.

16 SECTION 6. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so much
18 thereof as may be necessary for fiscal year 2022-2023 to
19 establish a crisis mobile outreach team pilot program to expand
20 existing crisis response services and for the hiring and



1 training of mental health professionals having trauma-informed
2 training and experience working with youth.

3 The sum appropriated shall be expended by the department of
4 health for the purposes of this Act.

5 SECTION 7. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2022-2023 for
8 the hiring of case workers and support
9 staff positions to provide annual or semi-annual in-home visits
10 for families receiving adoption assistance or legal guardianship
11 assistance.

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

14 SECTION 8. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2022-2023 to
17 increase compensation to fill vacancies and retain employees in
18 existing child welfare services case worker positions.

19 The sum appropriated shall be expended by the department of
20 human services for the purposes of this Act.



1 SECTION 9. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 10. This Act shall take effect on December 31,
4 2050; provided section 4 of this Act shall be repealed on
5 June 30, 2024.



Report Title:

DHS; Foster Care; Adoption; Adoption Assistance; Investigation;
DOH; Crisis Mobile Outreach Team Pilot Program; Appropriation

Description:

Expands 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 for whom an adoption decree has been issued but the children have 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. Establishes 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. Appropriates funds to the Department of Health and the Department of Human Services. Repeals the pilot program on 6/30/2024. Effective 12/31/2050. (SD2)

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