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# 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 purpose of this Act is to:

2 (1) Establish the Malama Ohana working group to seek,  
3 design, and recommend transformative changes to the  
4 State's existing child welfare system; and

5 (2) Appropriate funds to increase the procurement of  
6 contracted services to provide additional support and  
7 resources to families receiving benefits from the  
8 State's adoption assistance and permanency assistance  
9 programs.

10 SECTION 2. (a) There is established within the department  
11 of human services for administrative purposes a Malama Ohana  
12 working group to seek, design, and recommend transformative  
13 changes to the State's existing child welfare system.

14 (b) The Malama Ohana working group shall consist of  
15 members from the following governmental entities, and members  
16 from the following private entities and constituencies who shall  
17 be invited to voluntarily participate, as follows;



- 1           (1) The executive director of Effective Planning and  
2           Innovative Communication, Inc., doing business as  
3           EPIC `Ohana, or the executive director's designee, who  
4           shall be requested to serve as co-chair of the working  
5           group;
- 6           (2) The chief executive officer of Hale Kipa, Inc., or the  
7           chief executive's designee, who shall be requested to  
8           serve as co-chair of the working group;
- 9           (3) Four members of Nā Kama a Hāloa;
- 10          (4) Two members from each of the following constituencies,  
11          as identified by Nā Kama a Hāloa;:
  - 12           (A) Former foster youth;
  - 13           (B) Birth parents who were involved in the child  
14           welfare system, specifically with the department  
15           of human services' child welfare services branch;
  - 16           (C) Licensed resource caregivers; and
  - 17           (D) Kinship resource caregivers;
- 18          (5) The director of human services, or the director's  
19          designee;



1 (6) Two members representing the child welfare services  
2 branch's investigators, case managers, or their  
3 assistants, as designated by the branch administrator;

4 (7) The chairperson of the trauma-informed care task force  
5 established within the department of health for  
6 administrative purposes pursuant to Act 209, Session  
7 Laws of Hawaii 2021, or the chairperson's designee;

8 (8) The chief executive officer of the office of Hawaiian  
9 affairs, or the chief executive officer's designee;

10 (9) The chief executive officer of Kamehameha Schools, or  
11 the chief executive officer's designee; and

12 (10) The chief executive officer of Lili`uokalani Trust, or  
13 the chief executive officer's designee.

14 (c) The Malama Ohana working group shall develop  
15 recommendations to establish a child welfare system that is  
16 trauma-informed, sustains a community-based partnership, and  
17 responsive to the needs of children and families in the child  
18 welfare system and among the larger community. In carrying out  
19 its purpose, the working group shall:

20 (1) Conduct listening sessions throughout the State and  
21 with affected constituencies;



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- 1           (2) Conduct meetings to brainstorm and develop concepts  
2           for recommendations;
- 3           (3) Develop recommendations on ways to better coordinate  
4           and improve the protection and well-being of children  
5           and families in the child welfare system;
- 6           (4) Identify training and best practices, assessment  
7           criteria, and ways to sustain an effective workforce  
8           within the department of human services' child welfare  
9           services branch;
- 10          (5) Identify training and best practices, assessment  
11          criteria, and ways to sustain an effective workforce  
12          within the larger circle of community agencies serving  
13          the child welfare system;
- 14          (6) Identify best practices, including Native Hawaiian  
15          cultural practices, in providing assistance to  
16          children and youth who were involved in the child  
17          welfare system and their families;
- 18          (7) Identify other cultural practices that build wellness  
19          and resilience in communities and improve  
20          collaboration between communities and the child  
21          welfare services branch; and



1           (8) Collaborate with the trauma-informed care task force,  
2                   and where appropriate, conduct joint listening  
3                   sessions or design sessions for the purpose of  
4                   reforming the child welfare system.

5           (d) Members of the Malama Ohana working group shall serve  
6 without compensation but shall be reimbursed for reasonable  
7 expenses necessary for the performance of their duties,  
8 including travel expenses. No member of the working group shall  
9 be subject to chapter 84, Hawaii Revised Statutes, solely  
10 because of the member's participation in the working group.

11           (e) The department of human services may contract with an  
12 administrative facilitator to provide necessary support for the  
13 Malama Ohana working group in carrying out its activities,  
14 including preparation of the report required pursuant to  
15 subsection (f), without regard to chapter 103D, Hawaii Revised  
16 Statutes.

17           (f) The Malama Ohana working group shall submit a report  
18 of its findings and recommendations, including any proposed  
19 legislation, to the legislature no later than twenty days prior  
20 to the convening of the regular session of 2025.



1 (g) The Malama Ohana working group shall cease to exist on  
2 July 1, 2025.

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2023-2024 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2024-2025 for the procurement of contracted services to  
8 provide additional support and resources to families receiving  
9 benefits from the State's adoption assistance program and  
10 permanency assistance program, for the purposes of assisting  
11 with family strengthening and the maintenance of a safe home  
12 environment for adopted children; provided that:

13 (1) \$ shall be expended for the development and  
14 maintenance of necessary information technology  
15 systems, including the establishment of two full time  
16 equivalent (2.0 FTE) positions;

17 (2) \$ shall be expended to increase compensation  
18 to fill vacancies and retain employees in existing  
19 child welfare services branch investigator, case  
20 manager, and social worker positions; provided that  
21 any increase in compensation shall be subject to



1 collective bargaining with the objective of  
2 expeditiously filling all vacancies;

3 (3) § shall be expended for the department of  
4 human services to contract with a third party for  
5 enhanced permanency support services, including  
6 additional training for resource caregivers, wellness  
7 visits within a year of adoption or guardianship of  
8 children formerly in foster care, respite care, and  
9 enhanced supportive services to assist with family  
10 strengthening and maintenance of a safe home  
11 environment for adopted children;

12 (4) § shall be expended for the establishment of  
13 one full time equivalent (1.0 FTE) planner or project  
14 specialist position to administer and monitor  
15 additional service contracts and assist with  
16 additional service coordination; and

17 (5) § shall be expended for the Malama Ohana  
18 working group established pursuant to section 2 of  
19 this Act, including for the department of human  
20 services to contract with an administrative

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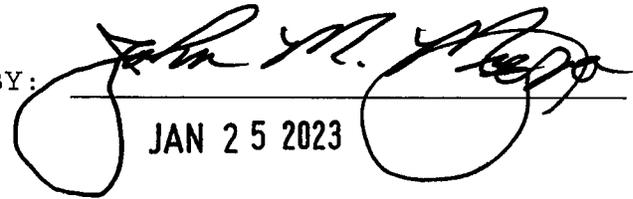
1           facilitator to provide necessary support for the  
2           working group in carrying out its activities.

3           The sums appropriated shall be expended by the department  
4 of human services for the purposes of this Act.

5           SECTION 4. This Act shall take effect upon its approval;  
6 provided that section 3 of this Act shall take effect on July 1,  
7 2023.

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INTRODUCED BY:

  
JAN 25 2023



# H.B. NO. 1365

**Report Title:**

Child Welfare System; Adoption Assistance; Legal Guardianship  
Permanency Assistance; Support and Resources; Working Group;  
Report; Appropriation

**Description:**

Establishes the Malama Ohana working group to seek, design, and recommend transformative changes to the State's child welfare system. Appropriates funds to increase the procurement of contracted services to provide additional support and resources to families receiving benefits from the State's adoption assistance and permanency assistance programs. Requires the working group to submit a report to the 2025 Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

