



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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

MANPOWER AND
RESERVE AFFAIRS

April 2, 2024

The Honorable Senator Donovan M. Dela Cruz
Chair, Committee on Ways and Means
Hawaii State Senate
415 S Beretania Street
Honolulu, HI 96813

RE: Letter of Support – HB 2227 HD2 SD1 (Relating to Child Care)

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

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.¹ 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.² Additionally, some Family Child Care providers offer specialized care for unique mission-related needs in homes both on and off the installation.³

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.⁴ 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.⁵ Local citizens are also eligible to apply for certification as a DoD Family Child Care provider.

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.⁶ Standards set by the Department and the military services ensure strict oversight of service

¹ 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/>

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

³ 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.

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

⁵ "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>

⁶ 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>.

providers, to include background checks, monthly inspections, and unannounced visits.⁷ 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.⁸

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.⁹ If permitted by their service's regulations, under HB 2227, 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 6060.02.¹⁰

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

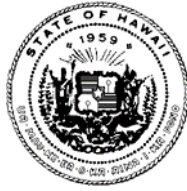
⁷ See *supra* at 6.

⁸ 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.

⁹ 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.

¹⁰ 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

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

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'ŌKELE

April 3, 2024

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

FROM: Cathy Betts, Director

SUBJECT: **HB 2227 HD2 SD1 – RELATING TO CHILD CARE.**

Hearing: Thursday, April 4, 2024, 10:15 a.m.
Conference Room 211, State Capitol & Video Conference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure and offers comments.

PURPOSE: This bill expands the existing state exemption from state law governing child care for United States Department of Defense (DoD) certified child care providers on federal property to those operating off of federal property. (SD1).

The Committees on Human Services and Corrections, Military, & Veterans (HD1) amended the measure by:

- (1) Requiring a child care facility with clients who are not children of enlisted families or who receive child subsidies from the Department of Human Services to have memorandums of understanding with the Department regarding the operation of the facility;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Judiciary & Hawaiian Affairs (HD2) amended the measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs (SD1) amended the measure by:

- (1) Deleting language that would have required any United States Department of Defense certified child care facility with clients who are not children of enlisted families or who receive a child care subsidy from the Department of Human Services to have a memorandum of agreement with the Department of Human Services regarding operation of the child care facility;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

DHS and DoD have been discussing the proposed expansion of the exemption for DoD certified providers operating off federal property. DHS is reviewing the DoD standards of operation for not only family child care providers but also for center-based and community-based care and school-age care providers since the measure, if passed, would apply to these types of providers who are operating or who may operate a child care facility off federal property in the future. The DoD standards must be reviewed to ensure they meet the State's minimum health and safety standards for exempt family child care homes and centers as well as any DHS subsidy related requirements.

DHS requests an extended effective date for DHS to review and compare DoD certification processes and minimum health and safety standards.

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



**SUPPORT OF HB 2227, HD2, SD1
RELATING TO CHILD CARE**

Senate Committee on Ways and Means
The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair

Thursday, April 4, 2024 at 10:15 a.m.
Conference Room 211 & Videoconference
Hawaii State Capitol; 415 South Beretania Street

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The Hawaii Military Affairs Council ("MAC") wishes to offer our support of HB 2227, HD2, SD1 which expands the existing state exemption for United States Department of Defense-certified child care providers to those operating off federal property and requires those Department of Defense-certified child care facilities with clients who are not children of enlisted families or who receive a child care subsidy from the Department of Human Services to have a memorandum of agreement with the Department of Human Services.

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. 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.

In closing, the MAC appreciates the continued discussions between the State Department of Human Services and the U.S. Department of Defense to align local child care practices.

Thank you for the opportunity to testify in support.