

JAN 17 2025

A BILL FOR AN ACT

RELATING TO CHILD WELFARE.

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

1 SECTION 1. The legislature finds that Act 86, Session Laws
2 of Hawaii 2023, established the malama ohana working group,
3 which was tasked with recommending transformative changes to the
4 State's existing child welfare system. Over the course of
5 fifteen months, seventeen members of the malama ohana working
6 group, which represented those serving youth as well as youth
7 and families throughout the State, together with hundreds of
8 community members, opened their hearts and listened deeply to
9 the stories of lived experience within the child welfare system.

10 The malama ohana working group strove to develop
11 recommendations to establish a child welfare system that is
12 trauma-informed, sustains a community-based partnership, and
13 responds to the needs of children and families in the system and
14 the community. Their work resulted in a powerful vision for
15 transforming how Hawaii supports families and protects children.

16 Among the many recommendations to move toward this vision
17 was the establishment of a method for the independent resolution



1 of complaints concerning the child welfare system. Currently,
2 the office of the ombudsman plays this role, upon request.

3 The office of the ombudsman is an independent agency of the
4 legislature that investigates complaints about actions of
5 executive branch agencies of the State and counties. The
6 ombudsman serves as a neutral, independent intermediary between
7 citizens and executive agencies. The ombudsman has the
8 authority to obtain necessary information for an investigation
9 and to recommend corrective action if a complaint is found to be
10 substantiated.

11 As a first step in addressing concerns raised by the malama
12 ohana working group, the legislature wishes to fully utilize the
13 office of the ombudsman by raising awareness of the office as a
14 resource for those who have complaints related to the child
15 welfare services branch of the department of human services.

16 Therefore, the purpose of this Act is to:

- 17 (1) Require specialized training for all employees of the
18 office of the ombudsman to develop relevant expertise;
19 (2) Require the office of the ombudsman to publish a
20 quarterly report on its website that identifies the
21 number and nature of complaints that it receives



1 regarding the child welfare services branch of the
2 department of human services; and

3 (3) Require the child welfare services branch of the
4 department of human services to notify birth families,
5 children, and resource caregivers that they can file a
6 complaint with the office of the ombudsman.

7 SECTION 2. (a) All employees of the office of the
8 ombudsman shall undergo specialized training to develop
9 expertise in addressing complaints about the child welfare
10 services branch of the department of human services, including
11 training about best practices; trauma-informed training; and
12 training in diversity, equity, and inclusion. This training
13 shall occur over three sessions and shall be completed by
14 December 2026.

15 (b) The office of the ombudsman shall publish on its
16 website a quarterly report that identifies:

17 (1) The number and nature of complaints that the office of
18 the ombudsman receives regarding the child welfare
19 services branch of the department of human services;
20 and

21 (2) The disposition of those complaints.



1 SECTION 3. The child welfare services branch of the
2 department of human services shall notify all individuals,
3 including birth families, children, and resource caregivers,
4 that they can also file a complaint with the office of the
5 ombudsman if they disagree with a decision made by the child
6 welfare services branch when a case is first established and
7 again at the time that an oral or written complaint is made to
8 employees of the child welfare services branch.

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2025-2026 for
12 the training identified in section 2(a) of this Act.

13 The sum appropriated shall be expended by the office of the
14 ombudsman for the purposes of this Act.

15 SECTION 5. This Act shall take effect on July 1, 2025.

16

INTRODUCED BY: _____

Hal Hironaka



S.B. NO. 1108

Report Title:

Office of the Ombudsman; Child Welfare Services Branch of the Department of Human Services; Complaints; Appropriation

Description:

Requires specialized training for all employees of the Office of the Ombudsman to develop relevant expertise to handle complaints about the child welfare system. Requires the Office of the Ombudsman to publish a quarterly report on its website that identifies the number and nature of complaints that it receives regarding the Child Welfare Services Branch of the Department of Human Services. Requires the Child Welfare Services Branch of the Department of Human Services to provide notification that complaints can also be filed with the Office of the Ombudsman. Appropriates funds.

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