

STAND. COM. REP. NO. **3328**

Honolulu, Hawaii

**MAR 30 2026**

RE: H.B. No. 2009  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 2009, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY CAREGIVER SUPPORT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend child care subsidies to disabled parents or guardians, regardless of their employment status;
- (2) Require the Department of Human Services to evaluate caregiver capacity and dependent-care responsibilities when determining eligibility for Medicaid Home- and Community-Based Services;
- (3) Require the Department of Human Services to update its health and functional assessment protocols related to at-risk needs determinations; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Indivisible Hawai'i, Hawai'i Women



Lawyers, Hawai'i Children's Action Network Speaks!, Kona Indivisible & Matriarchy Rising, and twenty-one individuals.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that child care subsidies for caregivers are governed by federal eligibility requirements that generally require that the parent be employed, in training, or in school and do not adequately account for situations in which disabled adults are responsible for caring for dependents. These eligibility rules often assume that family members can provide care for another household member without evaluating caregiver capacity, leaving families vulnerable when caregivers themselves face significant health or functional limitations, resulting in denial of essential services, increased caregiver strain, unsafe conditions for children or dependents, and even family separation or institutionalization. This measure would promote equity in caregiving by ensuring that disabled parents are not unfairly excluded from support systems simply because they are unable to work.

However, your Committee notes the concerns raised in testimony by the State Council on Developmental Disabilities that because the Child Care and Development Fund (CCDF), the federal funding source that supports the State's childcare subsidy program, is governed by federal eligibility requirements, if the State were to expand eligibility to include caregiver capacity without meeting federal CCDF participation requirements, those childcare subsidies would not qualify for federal funding match and would instead require state general funds for both benefits and administration. Your Committee also notes the discussion with testifiers at the public hearing on this measure supporting further collaboration on this issue and acknowledging that the intent of this measure may be accomplished in alternative ways, considering this measure's apparent conflict with CCDF eligibility requirements. Therefore, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Deleting language that would have:



- (A) Extended child care subsidies to disabled parents or guardians, regardless of their employment status;
  - (B) Required the Department of Human Services to evaluate caregiver capacity and dependent-care responsibilities when determining eligibility for Medicaid Home- and Community-Based Services; and
  - (C) Required the Department of Human Services to update its health and functional assessment protocols related to at-risk needs determinations;
- (2) Inserting language to establish a Disability and Caregiver Support Working Group to explore compliant and fiscally responsible approaches that address the longstanding gap affecting parents and guardians with disabilities whose caregiving capacity may be substantially impaired due to disability or serious medical conditions, while preserving federal funding integrity;
  - (3) Amending section 1 to reflect its amended purpose; and
  - (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2009, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2009, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Health and Human  
Services,



JOY A. SAN BUENAVENTURA, Chair



