

A Bill for an Act Relating to Children.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 350, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§350- Orientation and training. To improve the identification of child abuse and neglect, the department shall offer periodic orientation and training to those responsible for making child abuse and neglect reports pursuant to section 350-1.1."

SECTION 2. Section 350-1.1, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably [foreseeable] foreseeable future, shall immediately report the matter orally to the department or to the police department:

- (1) Any licensed or registered professional of the healing arts and any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including, but not limited to, physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;
- (2) Employees or officers of any public or private school;
- (3) Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance;
- (4) Employees or officers of any law enforcement agency, including, but not limited to, the courts, police departments, correctional institutions, and parole or probation offices;
- (5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution; [and]
- (6) Medical examiners or coroners[.]; and
- (7) Employees of any public or private agency providing recreational or sports activities."

SECTION 3. The department of the attorney general shall develop a plan, including cost estimates, to perform criminal history record checks on those currently required to undergo criminal history record checks pursuant to section 346-154, Hawaii Revised Statutes, namely, applicants to operate a child care facility, prospective employees of the applicant, and new employees of the provider after registration or licensure. The plan shall also incorporate those operators, employees, and prospective employees providing direct services to children in programs provided by the State or contracted for by the State. The department of human services shall cooperate with the department of the attorney general in developing this plan. The plan shall be submitted to the legislature not later than twenty days prior to convening of the regular session of 1989.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$30,000, or so much thereof as may be necessary for fiscal

year 1988-1989, to carry out the purposes of section 1 of this Act. The sum appropriated shall be expended by the department of human services for the purposes of section 1 of this Act.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 6. This Act shall take effect on July 1, 1988.

(Approved June 13, 1988.)

Note

1. Edited pursuant to HRS §23G-16.5.