

ACT 177

H.B. NO. 2277

A Bill for an Act Relating to Child Welfare Services.

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

SECTION 1. The legislature finds that the east Hawaii child welfare services section on Hawaii island faces unique challenges as the office responsible for the safety and well-being of vulnerable children who have been abused or neglected or who are at high risk for abuse and neglect.

The east Hawaii child welfare services section is responsible for the safety of endangered children in a vast geographic area that extends from Honokaa to Ocean View, including the districts of north Hilo, south Hilo, Puna, and much of Hamakua and Kau. This is an area approximately the size of all of the other Hawaiian islands combined.

In 2015, the rate of confirmed cases for abuse or neglect in the area serviced by the east Hawaii child welfare services section was two hundred thirteen children per one hundred thousand residents, which is nearly triple the rate of confirmed cases per one hundred thousand residents on the island of Oahu.

The legislature further finds that the great recession triggered deep cuts in Hawaii's already overburdened child welfare system and caused a long-term impact on the safety and well-being of the most vulnerable children. Layoffs and hiring restrictions caused the east Hawaii child welfare services section to lose nineteen of the fifty-six positions it had in 2009. That reduction in staffing has caused a dramatic increase in average caseloads. The Child Welfare League of America recommends caseloads for social workers of no more than fifteen children. In the east Hawaii child welfare services section, social workers regularly have caseloads of forty to fifty children. These higher caseloads increase the potential for harm to children who are already experiencing or are at risk for neglect or abuse and contribute to a crisis situation in east Hawaii.

The east Hawaii child welfare services section workloads have become so unmanageable that the department of human services, child welfare services

branch, has been sanctioned by the family court because of late filings of reports and failure to meet court deadlines.

Apart from the moral obligation to protect the most vulnerable children, the legislature is frustrated with the very large sums of money paid each year for legal claims and settlements, including some caused by tragedies in the State's child welfare system.

Child and family services reviews conducted by the United States Department of Health and Human Services have found that the more time a social worker spends with a child and a family, the better the outcomes for those children and families.

The purpose of this Act is to establish a five-year pilot project within the department of human services to ensure the safety and well-being of at-risk children and families in east Hawaii on Hawaii island by appropriating funds for four full-time equivalent (4.0 FTE) child/adult protective services specialists, administrative costs for the east Hawaii child welfare services section on Hawaii island, and travel costs for the child welfare services division to train new hires.

SECTION 2. (a) There is established within the department of human services a five-year pilot project to assist children and families in east Hawaii on Hawaii island. The department of human services shall oversee the pilot project, which shall be known as the east Hawaii child welfare services pilot project.

(b) The pilot project shall add four full-time equivalent (4.0 FTE) child/adult protective services specialists to the east Hawaii child welfare services section on Hawaii island.

(c) The department of human services shall evaluate the effectiveness of the pilot project annually. The evaluation shall include:

- (1) Findings as to whether the reduction in caseload helps social workers engage families, deliver quality services, and achieve positive outcomes for children and families;
- (2) Findings as to whether the reduction in caseload affects employee performance, satisfaction, and attrition at the east Hawaii child welfare services section;
- (3) A comparison of the number and types of sanctions imposed by the family court on the east Hawaii child welfare services section on Hawaii island because of late filings of reports and failure to meet court deadlines:
 - (A) During the five years preceding the pilot project;
 - (B) During the pendency of the pilot project; and
 - (C) Twelve months after the pilot project ends;
- (4) A comparison of the number of legal claims filed against the State that relate to the child welfare system and the east Hawaii child welfare services section on Hawaii island brought and their disposition:
 - (A) During the five years preceding the pilot project;
 - (B) During the pendency of the pilot project; and
 - (C) Twelve months after the pilot project ends; and
- (5) Any other data and analysis the department of human services deems necessary for the purposes of the pilot project.

(d) The department of human services shall collect data on the conduct and efficacy of the pilot project from service providers that work directly with children who are assigned to social workers in the east Hawaii child welfare services section. The department of human services shall collect this data every six months for evaluation purposes for the duration of the pilot project and twelve months after it ends.

(e) The department of human services shall submit to the legislature an annual report of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the regular sessions of 2019, 2020, 2021, 2022, 2023, 2024, and 2025.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$321,598 or so much thereof as may be necessary for fiscal year 2018-2019 for the east Hawaii child welfare services section pilot project, including the hiring of four full-time equivalent (4.0 FTE) child/adult protective services specialists, administrative costs for the east Hawaii child welfare services section on Hawaii island, and travel costs for the child welfare services division to train new hires.

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

SECTION 4. This Act shall take effect upon its approval; provided that section 3 shall take effect on July 1, 2018.

(Approved July 10, 2018.)