

Honolulu, Hawaii  
Feb 6, 2008

RE: H.B. No. 3127  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 3127 entitled:

"A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES,"

begs leave to report as follows:

The purpose of this bill is to protect adults who are vulnerable and unable to fully care for themselves by expanding the types of abuse from which vulnerable adults are protected and expanding the authority to investigate allegations of abuse, neglect, and financial exploitation.

The Department of Human Services (DHS), State Council on Developmental Disabilities, Office of Hawaiian Affairs, City and County of Honolulu Department of Community Services Elderly Affairs Division, Healthcare Association of Hawaii, and a concerned individual testified in support of this bill. The National Association of Social Workers supported this measure with amendments.

Your Committee notes that several testifiers indicated that they preferred the contents of S.B. No. 2150. Although the language in S.B. No. 2150 contains an appropriation, DHS stated that it may be able to implement the measure without hiring new staff and will report back to the Legislature on its anticipated costs, if any.



Accordingly, your Committee has amended this bill by replacing it with the contents of S.B. No. 2150 and making some additional technical changes. As amended, this bill makes changes including:

- (1) Making conforming amendments to provisions regarding the maintenance of court records;
- (2) Religious and spiritual exemptions relating to treatment of a vulnerable adult;
- (3) Exempting members of the clergy from reporting protected communications;
- (4) Removing provisions under which DHS is not required to investigate a report of abuse;
- (5) Adding an appropriation for DHS to hire additional staff and contract for services to implement this measure; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3127, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services &  
Housing,



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MAILE SHIMABUKURO, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSCR 166-08

**Record of Votes of the Committee on Human Services & Housing**

Bill/Resolution No.: <b>HB 3127</b>	Committee Referral: <b>HSH, JUD, FIN</b>	Date: <b>1/31/08</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SHIMABUKURO, Maile S. L. (C)	X			
2. RHOADS, Karl (VC)	X			
3. AWANA, Karen Leinani	X			
4. BELATTI, Della Au	X			
5. BERTRAM, Joe, III				X
6. CABANILLA, Rida T.R.	X			
7. GREEN, Josh, M.D.	X			
8. MIZUNO, John	X			
9. TOKIOKA, James Kunane	X			
10. WARD, Gene, Ph.D.	X			
<b>TOTAL (10)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> <u><i>Karl Rhoads</i></u>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				