

**REPORT TO THE TWENTY-FOURTH HAWAII STATE
LEGISLATURE 2008**

**IN ACCORDANCE WITH THE PROVISIONS OF ACT 213,
PART III, SECTION 55
SESSION LAWS OF HAWAII 2007**

**DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES DIVISION
DECEMBER 2007**

**REPORT ON ACT 213, PART III, SECTION 55, RELATING TO THE STATE
BUDGET, SESSION LAWS OF HAWAII 2007**

ACT 213, PART III, SECTION 55, SLH 2007, provided an appropriation of \$150,000 in general funds to the Department of Human Services (DHS) to conduct child abuse and neglect background checks for foster and adoptive parents. Section 55 also requires the Department to prepare a report to include but not be limited to: 1) the name of agency receiving the contract; 2) a breakdown of costs and services related to this contract; 3) the number of adults with completed child abuse and neglect clearance checks; 4) the number of adults in process for clearance checks as of the date of the report; 5) the number of adults anticipated to receive clearance checks for fiscal year 2008-2009; and 6) the number of foster homes receiving full licensing (without provisions) as a result of completed child abuse and neglect clearance checks.

P.L. 109-248 reauthorized the federal Child Abuse Protection and Treatment Act (CAPTA) in June 2003 and amended Section 471(a)(20) of the Act in several ways with regard to the background checks for prospective foster and adoptive parents:

- States must have procedures for conducting fingerprint-based checks through the National Crime Information Center (NCIC) for all prospective foster and adoptive parents (Section 471(a)(20)(A) of the Act as amended);
- States must check any child abuse and neglect registry in each State where the prospective foster and adoptive parents, and any other adult(s) living in the home have resided in the preceding five years. These checks must be made regardless of whether Title IV-E foster care maintenance payments or adoption assistance payments are to be made on behalf of the child (new Section 471(a)(20)(C)(i) of the Act); and
- States must have safeguards in place to: 1) prevent the unauthorized disclosure of information in any child abuse and neglect registry maintained by the State; 2) prohibit the State from sharing the information obtained from the registry pursuant to the foster and adoptive parent check requirement for any other purpose; and 3) comply with child abuse and neglect registry check requests made by other States (new Section 471(a)(20)(C)(ii) and (iii) of the Act).

1) The name of agency receiving the contract.

The contracted agency is Insights to Success (ITS), which is also the same contractor providing fingerprinting and criminal history background checks to the Department.

2) A breakdown of costs and services related to this contract.

The costs of this contract, thus far, have been approximately \$50,000, which was used to purchase computers and to hire staff to conduct the child abuse and neglect clearances.

- 3) The number of adults with completed child abuse and neglect clearance checks.

Since July 2007, approximately 300 adults have completed child abuse and neglect clearance checks.

- 4) The number of adults in process for clearance checks as of the date of the report.

There are no adults in the process of waiting for child abuse and neglect clearance checks as of the date of the report. Through the combined efforts of the Department and ITS, the backlog of clearance requests has been cleared.

- 5) The number of adults anticipated to receive clearance checks for fiscal year 2008-2009.

We have projected that over 1,000 adults will receive child abuse and neglect background checks in FY 2008-2009.

- 6) The number of foster homes receiving full licensing (without provisions) as a result of completed child abuse and neglect clearance checks.

This request for information assumes that the licensing of a foster home is dependent only on a completed child abuse and neglect clearance check. This is not correct so we cannot provide this information. The licensing of a foster home would be the result of a family successfully meeting all licensing requirements, of which the child abuse and neglect clearance is only a single component. The purpose of the child abuse and neglect clearances is not only to complete the foster home licensing process, but also to screen out inappropriate applicants who pose a safety risk to children and thus cannot be licensed due to a confirmed history of child abuse or neglect.