

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES DIVISION
CHILD WELFARE SERVICES BRANCH

NOTICE OF PUBLIC HEARING

Pursuant to sections 91-3 and 92-41, Hawaii Revised Statutes, notice is hereby given that the Department of Human Services will hold a public hearing to consider a proposed chapter 17-1605, "Child Abuse or Neglect Central Registry", Hawaii Administrative Rules (HAR), for the Social Services Division, Child Welfare Services Branch, for the purpose of establishing the requirements for the administration, implementation, and maintenance of the department's central registry of confirmed reports of child abuse or neglect and the process for expungement from the central registry, when applicable. A brief description of the proposed rules in chapter 17-1605 are below.

This new chapter includes the following definitions, establishments, processes, and actions specific to the Child Welfare Services Branch of the Social Services Division or the Department of Human Services.

CHAPTER 17-1605, CHILD ABUSE OR NEGLECT CENTRAL REGISTRY

1. §17-1605-1, Purpose. This section states the purpose of the chapter.
2. §17-1605-2, Definitions. Provides definitions as used in this chapter, including the following:
 - A. Aggravated circumstances;
 - B. Applicant;
 - C. Central registry;
 - D. Child;
 - E. Child abuse or neglect;
 - F. Confirmed;
 - G. Department;
 - H. Electronic medium;
 - I. Expungement;
 - J. Harm;
 - K. Not confirmed;
 - L. Preponderance of the evidence;
 - M. Report;
 - N. Severe forms of trafficking in persons;
 - O. Sex trafficking; and
 - P. Threatened harm.

3. §17-1605-3, Establishment of registry. This section outlines the requirements and provisions for the establishment of the central registry of reported child abuse or neglect cases, the inclusion of a person's name in the central registry, and for searches of the central registry for a person's name.
4. §17-1605-20, Expungement when a report is not confirmed. This section describes the circumstances that the department is required to expunge a person's name from the central registry and affirms that the family court retains exclusive jurisdiction while the family court matter is pending.
5. §17-1605-21, Criteria for expungement of confirmed reports by request. This section establishes the criteria for when a person may submit to the department a request for expungement of the person's name from the central registry.
6. §17-1605-22, Requests for expungement. This section describes the process for a person to submit to the department a request for expungement of the person's name from the central registry.
7. §17-1605-23, Denial of request for expungement. This section specifies the reasons the department shall deny a request for expungement.
8. §17-1605-24, Notice of disposition of request for expungement. This section specifies the responsibilities and requirements of the department in providing written notice of the disposition to a person who has submitted a request for expungement and of the right to submit a written request for a hearing if the expungement request is denied by the department.
9. §17-1605-25, Expungement by department's own action. This section specifies that the department may review and, in its discretion, may expunge the name of a confirmed perpetrator of child abuse or neglect from the central registry and what the department shall consider when doing its own reviews.
10. §17-1605-26, Action upon approval of request for expungement. This section specifies that the department shall complete the expungement of the person's name from the central registry within 30 days of the approval of the request.
11. §17-1605-30, Hearings. This section describes the requirements to request an administrative hearing to contest the denial of a request for expungement, including timelines to request a hearing, references chapter 17-1602, HAR, and specifies that the burden of proof is upon the person requesting the hearing.
12. §17-1605-31, Confidentiality. This section provides that all requests for expungement and supporting documents shall be confidential. This section also clarifies that the department shall maintain for future risk and safety assessment

the records and information related to a report for which a person's name has been expunged from the central registry.

A public hearing will be held on:

Monday, July 14, 2025, at 1:00 p.m.

This will be a virtual event using Microsoft Teams. There are two ways to participate in the public hearing: virtually online via the internet or by telephone conference call, or by written testimony. All interested persons are invited to attend the public hearing and present relevant information to state their views relative to the proposed rules either verbally or in writing for the department to consider.

Virtually online via Internet or Telephone Conference Call: Persons may present live video testimony via the internet or verbal testimony via telephone, during the virtual public hearing. To virtually participate in the hearing, a computer with internet access, video camera and a microphone, or a telephone, is required. To attend, please email your request, at least 48 hours prior to the hearing date above, to CWS.HAR@dhs.hawaii.gov to receive the weblink to attend the virtual hearing via Microsoft Teams. In your email request, please include your email address, full name, and telephone number. A confirmation will be sent to you with instructions, the meeting link, and a call-in telephone number.

Written Testimony: Should written testimony be presented, one (1) copy of the written testimony shall be provided to the presiding officer at the public hearing or within seven working days (7) before the hearing to:

**Department of Human Services
Social Services Division
Child Welfare Services Branch
1010 Richards Street, Room 216
Honolulu, Hawaii 96813**

If written testimony would be provided without attending the public hearing, written testimony must be received by 4:30 p.m. on Monday, July 14, 2025.

A copy of the proposed rules will be mailed at NO COST to any interested person who requests a copy by writing to:

**Department of Human Services
Social Services Division
Child Welfare Services Branch
1010 Richards Street, Room 216
Honolulu, Hawaii 96813**

OR by calling (808) 586-5680. The proposed rules may also be accessed via the Internet at <http://humanservices.hawaii.gov/admin-rules-2/proposed-rules/>.

If you need any auxiliary aid/service or other accommodation due to a disability, or visual or hearing impairment, please contact as soon as possible, (808) 586-5680. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.



RYAN I. YAMANE
DIRECTOR