

Submitter: Robert Sowdon

On Behalf Of:

Committee: House Committee On Early Childhood and Human Services

Measure, Appointment or Topic: HB4059

Chair and Committee members,

HB 4059 – The Act changes what “threatened harm” means when talking about hurting a child. It says that DHS can only look into some reports of child abuse. It also makes a rule for how certain reports of child abuse are resolved. It is an emergency law and starts right away.

Narrowing “Abuse” to Financial Capacity is a trap. HB 4059 modifies “negligent treatment” to account for a parent’s financial ability. The bill conditions this on the parents’ duty to accept “appropriate services”. This creates a subjective “compliance trap” where the state’s failure to provide accessible services, such as specialized respite for a child with a disability, could be used to justify intervention while simultaneously raising the bar so high that the state ignores the child until a crisis occurs.

Prevention works only when adults are allowed to act early — not after damage has already been done. By changing the definition of “threatened harm,” HB 4059 risks allowing serious psychological and emotional abuse to go unrecognized and unaddressed until it escalates. Children with disabilities are especially vulnerable, as they may have difficulty reporting mistreatment or being believed when they do.