

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2212
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2212, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE,"

begs leave to report as follows:

The purpose of this bill is to provide young people with the help they need by improving the process by which public school students are assessed and treated for substance abuse by:

- (1) Allowing certified substance abuse counselors to conduct substance abuse assessments to qualify individuals for substance abuse-related insurance benefits;
- (2) Requiring assessments to be completed within 10 days of the request for a determination if the applicant faces disciplinary action for violating the zero tolerance policy for drugs and alcohol in public schools;
- (3) Making permanent the provisions that allow a child who violates the zero tolerance policy to return to school earlier than indicated in the original disciplinary determination;
- (4) Requiring public schools to use a department-approved screening tool to screen students who face substance abuse-related discipline to determine if a need exists for a substance abuse assessment referral;



- (5) Mandating the parent or legal guardian of a child facing discipline, but who has been assessed as not needing substance abuse treatment or counseling, to consent to follow-up counseling or other student support services for the child and the child's family;
- (6) Requiring the school administrator, in determining whether to allow a child to return to school early, to review and determine the nature and severity of the child's offense, its impact on others, the offender's age, and whether the child is a repeat offender; and
- (7) Clarifying that the expungement of disciplinary records for certain first-time violators of the zero tolerance policy means the records are segregated and kept confidential, not destroyed.

The Department of Education (DOE) supported this bill in part. The Drug Policy Action Group offered qualified support of this measure. Hina Mauka, Hawaii Substance Abuse Coalition, and a concerned individual supported this bill with amendments. The Hawaii Medical Service Association provided comments.

Your Committee wishes to note that the DOE expressed concerns over the mandated 10-day interim in which a substance abuse assessment is to be completed by a certified provider. In practice, it may take between 30 and 45 days to have an assessment completed, given workload demands.

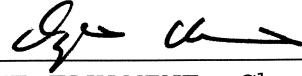
Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to promote further discussion; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2212, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2212, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Finance,



DWIGHT TAKAMINE, Chair



State of Hawaii
House of Representatives
The Twenty-third Legislature

HSCR 934-06

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 2212 HD1	Date: 2-27-06			
Committee Referral: EDN/HLT, JUD, FIN	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAMINE, Dwight Y. (C)	✓			
2. KAWAKAMI, Bertha C. (VC)	✓			
3. CARROLL, Mele				✓
4. CHONG, Pono	✓			
5. EVANS, Cindy	✓			
6. LEE, Marilyn B.	✓			
7. MAGAOAY, Michael Y.	✓			
8. NAKASONE, Bob	✓			
9. NISHIMOTO, Scott Y.	✓			
10. TANAKA, Kameo	✓			
11. TSUJI, Clift	✓			
12. WAKAI, Glenn	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MEYER, Colleen Rose				✓
16. MOSES, Mark S.		✓		
17. PINE, Kymberly				✓
18. STEVENS, Anne V.				✓
TOTAL	13	1		4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				