

Honolulu, Hawaii

Feb 3, 2006

RE: H.B. No. 2212

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

Sir:

Your Committees on Education and Health, to which was referred H.B. No. 2212 entitled:

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

beg leave to report as follows:

The purpose of this bill is to ensure student health and safety by improving the process by which public school students are assessed and treated for substance abuse.

Specifically, this bill:

- (1) Allows certified substance abuse counselors to conduct substance abuse assessments to qualify individuals for substance abuse-related insurance benefits;
- (2) Requires assessments to be completed within ten days of the request for a determination that the applicant for substance abuse-related insurance benefits suffers from alcohol or drug dependence;
- (3) Makes permanent the provisions allowing a child who violates the zero tolerance policy for drugs and alcohol in public schools to return to school earlier than indicated in the original disciplinary determination;
- (4) Requires public schools to screen students facing substance abuse-related discipline to determine if a need exists for a substance abuse assessment referral;



- (5) Requires the parent or legal guardian of a child facing discipline but who has been assessed as not needing treatment to consent to follow-up counseling for the child and the child's family;
- (6) Requires 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) Clarifies that the expungement of certain records does not allow the destruction of the records.

The Department of Education, Hina Mauka, Hawaii Substance Abuse Coalition, and a concerned individual submitted testimony in support of this bill. The Drug Policy Forum of Hawaii and the Drug Policy Action Group supported the intent of this measure. The Hawaii Medical Service Association offered comments.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2212 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Health,



DENNIS A. ARAKAKI, Chair



ROY TAKUMI, Chair





