

STAND. COM. REP. NO.

3128

Honolulu, Hawaii

APR 24 2006

RE: H.C.R. No. 113
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.C.R. No. 113, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO EVALUATE AND RECOMMEND POSSIBLE PROCEDURAL, STATUTORY, AND PUBLIC POLICY CHANGES TO MINIMIZE THE CENSUS AT HAWAII STATE HOSPITAL AND PROMOTE COMMUNITY-BASED HEALTH SERVICES FOR FORENSIC PATIENTS,"

begs leave to report as follows:

The purpose of this measure is to request the Governor to convene a task force to evaluate and recommend possible procedural, statutory, and public policy changes to minimize the census at Hawaii State hospital and promote community-based health services for forensic patients.

Your Committee finds that a task force needs to be established by the Department of Health to evaluate procedural, statutory, and policy changes that may be necessary to effectuate a decreased population at the Hawaii State Hospital and to improve the level of supervision, monitoring, or treatment necessary to ensure the safety of individuals with mental illness and the public.

Your Committee has amended this measure by deleting its contents and replacing it with the contents of Senate Concurrent Resolution No. 117 SD1, a similar measure, the primary difference of which is to request the Department of Health to convene a task

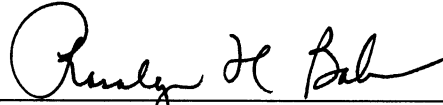
2006-2755HCR SSCR SMA.doc



force, as opposed to requesting the Governor to convene a task force.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 113, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 113, H.D. 1, S.D. 1.

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



ROSALYN H. BAKER, Chair



The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Health
 (Bills and Resolutions)

Measure:* <i>HCR 113 HD1</i>	Committee Referral: <i>HTH</i>	Date: <i>4/21/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
BAKER, Rosalyn H. (C)	✓			
CHUN OAKLAND, Suzanne (VC)	✓			
HANABUSA, Colleen				✓
TSUTSUI, Shan S.	✓			
WHALEN, Paul				✓
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Suzanne Chun Oakland</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.

HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO
EVALUATE AND RECOMMEND POSSIBLE PROCEDURAL, STATUTORY, AND
PUBLIC POLICY CHANGES TO MINIMIZE THE CENSUS AT HAWAII
STATE HOSPITAL AND TO PROMOTE COMMUNITY-BASED HEALTH
SERVICES FOR FORENSIC PATIENTS.

1 WHEREAS, individuals with mental illness may be prosecuted
2 in the criminal justice system, and in the process may be
3 admitted to the Hawaii State hospital by court order; and
4

5 WHEREAS, the current structures of the mental health and
6 criminal justice systems in Hawaii may be able to improve the
7 level of supervision, monitoring, or treatment necessary to
8 ensure the safety of individuals with mental illness and the
9 community at large; and
10

11 WHEREAS, the number of individuals with mental illnesses
12 that come into contact with the criminal justice system may be
13 reduced by coordinated efforts of the mental health and criminal
14 justice systems; now, therefore,
15

16 BE IT RESOLVED by the Senate of the Twenty-third
17 Legislature of the State of Hawaii, Regular Session of 2006, the
18 House of Representatives concurring, that the Department of
19 Health is requested to convene a task force of agency and other
20 stakeholders to analyze the identification, diagnosis, and
21 treatment of persons with mental illness who are committed by
22 the state criminal justice system; and
23

24 BE IT FURTHER RESOLVED that the task force is requested to
25 consider, but is not limited to, the following issues
26

- 27 (1) Developing public policies that address community-
28 based mental health services for forensic patients
29 conditionally released by the courts into the
30 community, with specific attention to supervision and
31 monitoring of the forensic patients;
32



- 1 (2) Considering the further and enhanced use of mental
2 health interventions and jail diversion programs to
3 assist persons with mental illness who come into
4 contact with the criminal justice system;
5
- 6 (3) Collaborating with the Judiciary to expand and enhance
7 the Mental Health Court statewide;
8
- 9 (4) Reviewing Chapter 704, Hawaii Revised Statutes,
10 "Fitness to Proceed and Penal Responsibility," for
11 possible revisions that include, but are not limited
12 to:
13
- 14 (A) Clarifying the time frames for persons held
15 pursuant to this chapter and setting maximum
16 court turnaround dates;
17
- 18 (B) Simplifying the "orders to treat" process, where
19 applicable; and
20
- 21 (C) Clarifying the revocation process for those
22 forensic patients conditionally released by the
23 courts into the community; and
24
- 25 (5) Encouraging the continued and expanded use of video-
26 conferencing for forensic patients' court appearances;
27
- 28 (6) Improving the forensic mental health examiner training
29 content, selection, oversight, continuing education,
30 management, and continuous quality improvement
31 processes; and
32
- 33 (7) Improving the coordination of post-release aftercare
34 services for incarcerated severely and persistently
35 mentally ill individuals; and
36

37 BE IT FURTHER RESOLVED that the task force be comprised of
38 the following:
39

- 40 (1) Representatives from:
41
- 42 (A) The Department of Health, including the Adult
43 Mental Health Division's (AMHD) Forensic
44 Director, forensic and line staff from the Hawaii



- 1 State Hospital, community mental health center
- 2 forensic coordinators, and AMHD forensic
- 3 evaluators;
- 4
- 5 (B) The Department of the Attorney General;
- 6
- 7 (C) The Judiciary;
- 8
- 9 (D) The Public Safety Division;
- 10
- 11 (E) The Hawaii Disability Rights Center;
- 12
- 13 (F) The Hawaii Government Employees Association;
- 14
- 15 (G) The County Police Departments; and
- 16
- 17 (H) The Offices of the Public Defender and the
- 18 Prosecutor; and
- 19
- 20 (2) Individuals, including:
- 21
- 22 (A) A forensic specialist from the Hawaii Psychiatric
- 23 Medical Association;
- 24
- 25 (B) Qualified mental health consumers who have
- 26 knowledge of forensic mental health issues;
- 27
- 28 (C) A forensic mental health service provider;
- 29
- 30 (D) A forensic specialist from the National
- 31 Association of Social Workers-Hawaii Chapter;
- 32
- 33 (E) The chairs of the Senate and House Health
- 34 Committees or designees; and
- 35
- 36 (F) Other organizations, as identified by the co-
- 37 chairs, to serve on the task force or to
- 38 participate on an ad hoc basis; and
- 39

40 BE IT FURTHER RESOLVED that the Chairs of the Senate and
41 House Health Committees, or their designees, co-chair the task
42 force; and
43



1 BE IT FURTHER RESOLVED that the Department of Health, in
2 conjunction with the Department of the Attorney General, is
3 requested to provide the administrative and staff support
4 necessary to fulfill the purpose and duties of the task force;
5 and

6
7 BE IT FURTHER RESOLVED that the Legislative Reference
8 Bureau shall assist the task force in drafting recommended
9 legislation, if any; and

10
11 BE IT FURTHER RESOLVED that the task force shall meet at
12 least monthly from August 2006 through November 2007 and submit
13 a progress report with any recommendations regarding the issues
14 reviewed, including any necessary legislation, no later than
15 twenty days prior to the convening of the Regular Session of
16 2007, and a final report, including any necessary legislation,
17 no later than twenty days prior to the convening of the Regular
18 Session 2008; and

19
20 BE IT FURTHER RESOLVED that certified copies of this
21 Concurrent Resolution be transmitted to the Director of Health,
22 the Attorney General, the Chief Justice, the President of the
23 Hawaii Psychiatric Medical Association, the President of the
24 Hawaii Disability Rights Center, NASW-Hawaii, the Public
25 Defender, the Prosecutor, the County Police Chiefs, the
26 Executive Director of the Hawaii Government Employees
27 Association, and the Acting Director of the Legislative
28 Reference Bureau.

