

STAND. COM. REP. NO. **2387**

Honolulu, Hawaii  
**FEB 17**, 2006

RE: S.B. No. 2539  
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 S.B. No. 2539  
entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to allow parents to admit a  
minor child between the ages of fifteen and seventeen in non-  
emergency situations for in-patient treatment at a mental health  
facility.

Your Committee received testimony in support of this measure  
from the Hawaii Psychiatric Medical Association and one  
individual. Your Committee received testimony in opposition to  
the measure as written from the Department of Health and the  
Office of the Public Defender.

Your Committee finds that parents need to have the authority  
to admit their children for psychiatric non-emergency situations.  
Individuals suffering from the onset of mental illness or suicidal  
ideation do not simply comply with physicians or parental  
assistance to receive needed psychiatric treatment.

Your Committee has amended this measure by adopting the  
suggestions of the Department of Health and defining "neutral  
factfinder" as a board certified psychiatrist or child  
psychiatrist for purposes of admission to a hospital or  
hospital-based program, or a Qualified Mental Health Professional  
as defined by Medicaid for purposes of admission to



community-based or therapeutic group home residential program. Your Committee additionally amended this measure by requiring the neutral factfinder to certify in the evaluation for admission that the admission is appropriate for mental health treatment of the youth and is the least restrictive alternative setting needed for treatment.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2539, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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:* <b>SB 2539</b>	Committee Referral: <b>HTH, JHW</b>	Date: <b>2/13/06</b>		
<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	<b>3</b>	<b>0</b>	<b>0</b>	✓
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.