
SENATE CONCURRENT RESOLUTION

ESTABLISHING A SPECIAL MENTAL HEALTH TASK FORCE TO STUDY WHETHER
HAWAII SHOULD PROVIDE A CONTINUUM OF MENTAL HEALTH CARE FOR
INCARCERATED PERSONS.

1 WHEREAS, chapter 334, part VIII, Hawaii Revised Statutes,
2 relating to involuntary outpatient mental health treatment,
3 provides procedures and criteria for the involuntary outpatient
4 treatment for persons in need of mental health services; and
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6 WHEREAS, the existing law on involuntary outpatient mental
7 health treatment was originally enacted by Act 251, Session Laws
8 of Hawaii 1984, and remains today in substantially the same
9 language; and
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11 WHEREAS, the involuntary outpatient treatment law provides
12 for a maximum outpatient treatment period of not more than one
13 hundred eighty days or six months; and
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15 WHEREAS, existing law does not provide for follow-up mental
16 health treatment after the expiration of six months, which in
17 many instances is sorely needed for the benefit of the patient
18 and the safety of society; and
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20 WHEREAS, in Hawaii, a white paper submitted to the 2002
21 National Conference on Mental Health Statistics, by a professor
22 at the University of Hawaii at Manoa, Department of Psychology,
23 and the Adult Mental Health Division of the Hawaii Department of
24 Health, estimates that the population with severe and persistent
25 mental illness is 2.6 per cent of adults, or approximately
26 24,000 people; and
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28 WHEREAS, the white paper found that 4,500 adults were
29 served by the Adult Mental Health Division, leaving a
30 discrepancy of nearly 20,000 adults who may not have received
31 needed mental health services, correcting for such variables as
32 insurance coverage and Medicaid; and



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2 WHEREAS, persons who have been discharged from further
3 treatment after a maximum period of six months have a high
4 probability of needing continuous mental health care, but in all
5 likelihood do not receive such care because of a lack of further
6 professional attention and care; and
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8 WHEREAS, discharged persons may go on to become involved in
9 the criminal justice system; and
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11 WHEREAS, *The Honolulu Advertiser*, on January 14, 2007,
12 reported on its investigation that found that the care of
13 mentally ill inmates in Hawaii's prison system is so deficient
14 that many fail to get treatment and are subjected to conditions
15 considered harmful and likely to worsen their symptoms; and
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17 WHEREAS, the prison mental health services are one
18 component of the total mental health care system in Hawaii in
19 which the entry point for mental health services is assisted
20 outpatient treatment; and
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22 WHEREAS, a special mental health task force would be able
23 to expertly assess whether Hawaii should provide some form of
24 post-involuntary outpatient mental health care, and assess the
25 quality and effectiveness of mental health services provided to
26 incarcerated persons; now, therefore,
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28 BE IT RESOLVED by the Senate of the Twenty-fourth
29 Legislature of the State of Hawaii, Regular Session of 2007, the
30 House of Representatives concurring, that the Department of
31 Health is requested to establish a special mental health task
32 force and provide administrative support thereto; and
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34 BE IT FURTHER RESOLVED that the special mental health task
35 force be chaired by the Director of Health, or designee; the
36 Chief of the Adult Mental Health Division, or designee, of the
37 Department of Health; the Chief of the Alcohol and Drug Abuse
38 Division, or designee, of the Department of Health; the Chief
39 Justice of the Hawaii Supreme Court, or designee; the Director
40 of Public Safety, or representative; a representative of the
41 Hawaii Housing Finance and Development Corporation, selected by
42 the corporation; the Prosecuting Attorney of the City and County
43 of Honolulu, or designee; the Public Defender or designee; a
44 representative of the Mental Health Association in Hawaii, to be



1 selected by that organization; a representative of the Hawaii
2 Medical Psychiatric Association, to be selected by that
3 organization; a representative of the Hawaii Psychological
4 Association, to be selected by that organization; a
5 representative of the Community Alliance on Prisons, to be
6 selected by that organization; a representative of the American
7 Civil Liberties Union, to be selected by that organization; and
8 the Legal Aid Society, to be selected by that organization; and
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10 BE IT FURTHER RESOLVED that the special mental health task
11 force select a chair; and
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13 BE IT FURTHER RESOLVED that the special mental health task
14 force is requested to conduct a study to assess whether Hawaii
15 should provide some form of post-involuntary outpatient mental
16 health care, and assess the quality and effectiveness of mental
17 health services provided to incarcerated persons; and
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19 BE IT FURTHER RESOLVED that the special mental health task
20 force is requested to report its findings and recommendations,
21 including proposed legislation, to the Legislature no later than
22 thirty days prior to the convening of the Regular Session of
23 2008; and
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25 BE IT FURTHER RESOLVED that certified copies of this
26 Concurrent Resolution be transmitted to the Director of Health
27 the Chief of the Adult Mental Health Division, the Chief of the
28 Alcohol and Drug Abuse Division, the Chief Justice of the Hawaii
29 Supreme Court, the Director of Public Safety, the Executive
30 Director of the Hawaii Housing Finance and Development
31 Corporation, the Prosecuting Attorney of the City and County of
32 Honolulu, the Public Defender, the Mental Health Association in
33 Hawaii, the Hawaii Medical Psychiatric Association, the Hawaii
34 Psychological Association, the Community Alliance on Prisons,
35 the American Civil Liberties Union, and the Legal Aid Society.
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OFFERED BY: _____


By Request

