

STAND. COM. REP. NO. 1742-08

Honolulu, Hawaii

Aj-04, 2008

RE: S.B. No. 2396
S.D. 1
H.D. 3

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 2396, S.D. 1, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to augment an understanding of forensic patient data at the Hawaii State Hospital, and promote community-based health services for forensic patients by, among other things:

- (1) Requiring the Department of Health (DOH) to submit an annual report that, at a minimum, summarizes yearly data on forensic patients;
- (2) Requiring yearly court status hearings for individuals ordered to be conditionally released by the mental health court;
- (3) Reducing the minimum length of hospitalization from 90 to 30 days for individuals who are recommitted after conditional release; and
- (4) Appropriating funds for the operation and expansion of the mental health court.



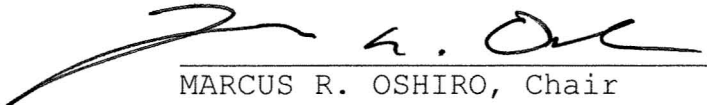
The Department of the Attorney General, Hawaii Disability Rights Center, and a concerned individual supported this bill. DOH, the Judiciary, and Hawaii Government Employees Association submitted comments.

Your Committee has amended this bill by:

- (1) Providing that except where an individual acquitted of a felony because of physical or mental disease, disorder, or defect, has applied for conditional release or discharge within the previous year, a status hearing will be held once per year for the next four years, and then in biennial intervals thereafter;
- (2) Deleting the savings clause; and
- (3) 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 S.B. No. 2396, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2396, S.D. 1, H.D. 3.

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


MARCUS R. OSHIRO, Chair



Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 2396, SDI, HD2		Committee Referral: HLT, JUD, FIN		Date: 3-31-2008
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au	✓			
5. BROWER, Tom	✓			
6. CARROLL, Mele	✓			
7. HANOHANO, Faye P.	✓			
8. HAR, Sharon E.	✓			
9. KARAMATSU, Jon Riki	✓			
10. MAGAOAY, Michael Y.	✓			
11. MANAHAN, Joey				✓
12. MIZUNO, John	✓			
13. NAKASONE, Bob				✓
14. RHOADS, Karl	✓			
15. SAGUM, Roland D., III	✓			
16. TOKIOKA, James Kunane	✓			
17. MEYER, Colleen Rose	✓			
18. PINE, Kymberly Marcos	✓			
19. WARD, Gene, Ph.D.				✓
TOTAL (19)	16	0	0	3
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: <u>Marilyn B. Lee</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				