

STAND. COM. REP. NO. 2597

Honolulu, Hawaii

FEB 28 2008

RE: S.B. No. 2160
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2160, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to enact recommendations made by the task force convened by Senate Concurrent Resolution No. 117, S.D. 1, H.D. 1, 2006, 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."

Specifically, this measure:

- (1) Requires the Department of Health to produce an annual report on forensic patients;
- (2) Requires yearly court status hearings for individuals ordered to be conditionally released or hospitalized as inpatients by the mental health court;
- (3) Reduces the minimum length of hospitalization from ninety days to thirty days for individuals who are recommitted after conditional release;
- (4) Provides the alternative of further temporary hospitalization instead of proceeding immediately to a revocation of a person's conditional release when a



person is in violation of the conditions of the conditional release; and

- (5) Makes an appropriation for mental health court operations.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association. The Judiciary and the Department of Health submitted comments.

Your Committee has amended this measure by:

- (1) Including language from S.B. No. 3071 that authorizes the Director of Health to petition the court on behalf of any individual served by the Department of Health for discharge from conditional release in appropriate cases;
- (2) Clarifying that the period to be covered in the Department of Health's annual report is the fiscal year and that the annual report is to be submitted no later than twenty days prior to the convening of each regular legislative session;
- (3) Clarifying that the annual report's information on the underlying crimes of committed persons should include information on the types of offenses committed in addition to the grade of offenses committed; and
- (4) By making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2160, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2160, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


Rosalyn H Baker

ROSALYN H. BAKER, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <i>SB2160, SDI</i>	Committee Referral: <i>HTH/JDL, WAM</i>	Date: <i>2/21/08</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: <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	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUYE, Lorraine R.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
WHALEN, Paul	/			
TOTAL	<i>12</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes