

STAND. COM. REP. NO.

2331

Honolulu, Hawaii

FEB 14 2008

RE: S.B. No. 2396

S.D. 1

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

Madam:

Your Committee on Health, to which was referred S.B. No. 2396
entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the health and
safety of mental health professionals employed by the Hawaii State
Hospital.

Specifically, this measure makes an assault on an employee at
a state-operated or -contracted mental health facility a Class C
felony.

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

Your Committee finds that mental health professionals need to
be protected from criminal behavior that, at times, occurs during
the course of performing their job duties. This measure imposes
the same penalty on a defendant that knowingly assaults a staff
member at the Hawaii State Hospital as is currently in place for
assaults that occur in a school or correctional facility.

Your Committee further finds that violence against nurses,
doctors, and other health care professionals at mental health
facilities is a problem that needs an immediate solution. This

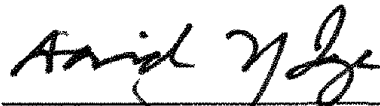


measure is only a step towards a solution implementing effective and protective change.

Your Committee has amended this measure by correcting a reference to the statute being amended and making other technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

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. 2396, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2396, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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




DAVID Y. ICE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 2396	Committee Referral: HTH, JDL	Date: 02-11-08		
<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
IGE, David Y. (C)	✓			
FUKUNAGA, Carol (VC)	✓			
BAKER, Rosalyn H.	✓			
MENOR, Ron				✓
WHALEN, Paul	✓			
TOTAL	4			1
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