

STAND. COM. REP. NO.

304

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 937

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 937
entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify statutory provisions that govern the process and standards of decision making on applications for conditional release and discharge of forensic patients at the Hawaii State Hospital.

Specifically, this measure repeals sections 704-411(5) and (6), Hawaii Revised Statutes, which established hearing and application procedures for persons committed to the Hawaii State Hospital due to an acquittal based on the ground of physical or mental disease, disorder, or defect excluding responsibility. In addition, the measure includes a time frame of sixty days for decisions on motions for conditional release or discharge.

Your Committee received testimony in support of this measure from the Department of Health.

Copies of written testimony are available for review on the Legislature's website.

Your Committee finds that this measure will clarify that the provisions of section 704-412, Hawaii Revised Statutes, govern the timing and standards of decision for applications for conditional release or discharge from the custody of the Director of Health.

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Thus, the measure removes the possibility of a two-step process to apply for conditional release or discharge and any confusion regarding the standard for conditional release or discharge.

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. 937 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

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



DAVID Y. IGE, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 937	Committee Referral: HTH, JGO	Date: 2/13/19		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will				/
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred	✓			
TOTAL				
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