

Honolulu, Hawaii

Feb 17 , 2012

RE: H.B. No. 2011
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2011, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC HOSPITALIZATION,"

begs leave to report as follows:

The purpose of this measure is to establish new procedures for the examination and involuntary hospitalization of persons that meet criteria for commitment to psychiatric facilities, including extended involuntary emergency treatment.

Three private individuals testified in support of this measure.

One private individual testified in support of the intent of this measure.

The Department of the Attorney General, Office of the Public Defender, American Civil Liberties Union of Hawaii, United Self Help, Mental Health America of Hawaii, and two private individuals testified in opposition to this measure.

Your Committee amended this measure by:

- (1) Deleting references to "mental health workers";



- (2) Deleting sections 2 (relating to emergency examination and hospitalization) and 6 (relating to the transfer of patients between facilities);
- (3) Extending the period within which a hearing on a petition for court-ordered involuntary hospitalization shall be held from five days to ten days;
- (4) Deleting the preference for hearings on petitions to be open to the public;
- (5) Changing the effective date to January 7, 2059, to facilitate further discussion on the measure; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2011, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2011, H.D. 2.

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



GILBERT KEITH-AGARAN, Chair



