

STAND. COM. REP. NO. 495

Honolulu, Hawaii
Feb 18, 2011

RE: H.B. No. 65
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 65
entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL TREATMENT FACILITIES,"

begs leave to report as follows:

The purpose of this bill is to require public approval for
the granting or renewal of licenses for special treatment
facilities.

A Honolulu Councilmember and numerous concerned individuals
testified in support of this bill. The Attorney General,
Department of Health, Hawaii Disability Rights Center, Child &
Family Service, Hawaii Youth Services Network, and several
concerned individuals opposed this bill.

Your Committee amended this bill by:

- (1) Defining "at-risk youth" and "at-risk young adult";
- (2) Clarifying that for the purposes of this bill "special
treatment facility" does not include any special
treatment facility that is subject to Chapter 334,
H.R.S. or a facility requiring a certificate of need
under Chapter 323D, Hawaii Revised Statutes;

HB65 HD1 HSCR HLT HMS 2011-2303

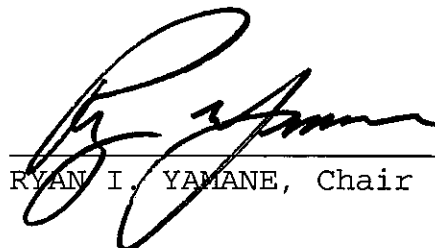


- (3) Requiring the petitioner to file notice of a public hearing and removing the Director of Health from the public hearing notice process, with the exception of providing the master list and mailing list for public review upon request;
- (4) Requiring the first notice of public hearing to be published at least 30 days prior to the hearing;
- (5) Requiring public notice to be given to owners, lessees, condominiums projects, and school within 200 yards of the proposed or existing location of the special treatment facility;
- (6) Omitting the provisions for a community veto of special treatment facility licensure or license renewal;
- (7) Omitting the requirements for applicants to address community protests;
- (8) Granting the Director of Health full discretion to approve or deny requests for special treatment facility licensure or license renewal; and
- (9) Changing its effective date to July 1, 2250.

Your Committee recommends that this bill be referred to the Judiciary Committee.

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 H.B. No. 65, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 65, H.D. 1, and be referred to the Committee on Finance.

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



RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 495

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 65	Committee Referral: HLT, FIN	Date: 2/15/11		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. JORDAN, Jo	✓			
6. LEE, Chris	✓			
7. MIZUNO, John M.	✓			
8. WOOLEY, Jessica	✓			
9. CHING, Corinne W.L.				✓
10. PINE, Kymberly Marcos	✓			
TOTAL (10)	8			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				