

STAND. COM. REP. NO. 2701

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2145
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2145, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to ensure that persons suffering from severe and persistent mental illness receive necessary services.

Specifically, this measure:

- (1) Requires the Adult Mental Health Division of the Department of Health to provide services to persons who have a qualifying diagnosis, including services not covered by an insurance policy; and
- (2) Allows the Department of Health to bill, and receive reimbursement from, an insurer for treatment services provided by the State pursuant to chapter 334, Hawaii Revised Statutes.

Your Committee received written comments in support of this measure from the Hawaii Disability Rights Center; Kokua Council and AARP 60; and three individuals. Your Committee received written comments on this measure from the Department of Health and one individual.



Your Committee finds that Department of Health rules provide that even if an individual has a qualifying diagnosis, the individual is ineligible for any mental health services offered by the Adult Mental Health Division if the individual has any form of health insurance coverage, regardless of whether the services are covered under the individual's health insurance policy. Your Committee finds that this rule restricts, for no compelling reason, the ability of the Adult Mental Health Division to provide valuable services to these individuals.

Your Committee further finds that youth who are in the justice system often face emotional and behavioral challenges. Many of these youth are involved in drugs and have either dropped out of school or aged out of the educational system yet they do not receive necessary mental health services. These youth may be directed by the court to obtain mental health services, but they are no longer eligible to receive mental health services from the Department of Health.

Your Committee has amended this measure by:

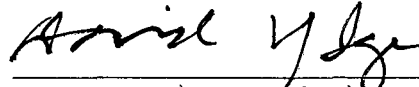
- (1) Adding a requirement for the Department of Health to ensure that children, ages three to twenty-one, receive necessary treatment and rehabilitative services to reach their proper and full development regardless of whether the child is enrolled in school;
- (2) Changing the reference from "mental retardation" to "intellectual disability" for the purpose of consistency with uses of the latter term in the Hawaii Revised Statutes;
- (3) Changing the amount of the appropriation to an unspecified sum;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive amendments for the purposes of style, clarity, and consistency.

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. 2145, S.D. 1, as amended herein, and recommends that it pass



Third Reading in the form attached hereto as S.B. No. 2145,
S.D. 2.

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



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2145, SD1	HTH, WAM	2-29-12		
<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)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado				/
KAHELE, Gilbert				/
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	11	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes