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The Twenty-Sixth Legislature, State of Hawaii
Hawaii State Senate

Committee on Public Safety, Government Affairs and Military Affairs
Committee on Health

Testimony by
Hawaii Government Employees Association

February 16, 2012

S.B. 2681 – Relating to Defendants Committed
to the Custody of the Director of Health

The Hawaii Government Employees Association AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 2681, which allows for the transfer of patients at the Hawaii State Hospital (HSH) to a correctional facility under certain conditions. Under S.B. 2681, the Director of Health would file a petition with the court of original jurisdiction and request a transfer to a correctional facility under the following conditions:

1. The patient does not require inpatient clinical support and their mental health needs can be adequately addressed at correctional facility;
2. The patient no longer requires inpatient clinical support, but is not suitable for discharge into a less restrictive community or residential setting;
3. The patient requires stricter security than can be provided at HSH.

We concur with amendments suggested in S.B. 2681 Proposed S.D. 1 by the Department of Health. The amendments provide for joint planning between the DOH and the Department of Public Safety on the patient transfer. The court of original jurisdiction will make the determination about the transfer. In addition, the amendments include a means to extend a current and valid involuntary order to treat the individual with medication to the correctional facility to continue after the transfer. S.B. 2681 Proposed S.D. 1 will be an effective means to transfer individuals who need a higher level of security to a more appropriate setting.

While we realize that the proposed legislation will likely affect a small number of individuals each year, we believe it will help to make the hospital a safer place in which to work. Ensuring the safety of our members is extremely important to the HGGEA. Thank you for the opportunity to testify in support of S.B. 2681 with the suggested amendments by the DOH.

Respectfully submitted

Leiomalama E. Desha
Deputy Executive Director

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 1:05 AM
To: PGM Testimony
Cc: anthony_higa_hi@yahoo.com
Subject: Testimony for SB2681 on 2/15/2012 2:45:00 PM

Testimony for PGM/HTH 2/15/2012 2:45:00 PM SB2681

Conference room: 229
Testifier position: Comments Only
Testifier will be present: No
Submitted by: Anthony Higa
Organization: Individual
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Submitted on: 2/15/2012

Comments:

1) Will this only apply to patients admitted to Hawaii State Hospital after the bill is passed or will it also affect the patients that were admitted before the bill will be passed (assuming that it does)?

1) Is the director of public safety the one who has the final say on who gets transferred? If so, how will this person assess the patients? Meaning, what assessment tools will be used?