

SB 44

Measure Title: RELATING TO MENTAL HEALTH.

Report Title: Mental Health; Emergency Admission; Involuntary Hospitalization;
Law Enforcement

Description: Adds definition of "law enforcement officer". Amends references from "police officers" to "law enforcement officers" in the Hawaii Revised Statutes sections relating to emergency admission and involuntary hospitalization.

Companion:

Package: Mental Health, Housing and Homeless

Current Referral: HTH/PSM

Introducer(s): CHUN OAKLAND, GREEN, Baker, Espero, Gabbard, Nishihara,
Shimabukuro, Wakai



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Health

S.B. 44, Relating to Mental Health

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

Monday, January 28, 2013, 2:00 p.m.

1 **Department's Position:** The Department of Health (DOH) supports the intent of this bill.

2 **Purpose and Justification:** The bill changes the term "police officers" to "law enforcement officers,"
3 to be consistent with Section 710-1000 of Hawaii Revised Statutes (HRS) 334-1. The recommended
4 change improves HRS 334-59 and is an integral part of an ongoing need for individual mental health
5 supports at all levels of intervention.

6 The department supports the intent of substituting the term "law enforcement" for "police
7 officers" in Section 2 of HRS 334-59, which allows law enforcement officers to make the determination
8 that an individual who is threatening or attempting suicide, may be transported to a licensed psychiatric
9 facility for evaluation and possible emergency hospitalization without going through the oral exparte
10 process.

11 We have and will continue to work with key stakeholders in this critical area.

12 Thank you for the opportunity to testify on this bill.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Blvd. 4th Floor
Honolulu, Hawaii 96813

TED SAKAI
INTERIM DIRECTOR

MARTHA TORNEY
Deputy Director of
Administration

Deputy Director
Corrections

KEITH KAMITA
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 44
A BILL FOR AN ACT RELATING TO MENTAL HEALTH

By

Ted Sakai, Interim Director
Department of Public Safety

Senate Committee on Health
Senator Josh Green, Chair
Senator Rosalyn H. Baker, Vice Chair

Senate Committee on Public Safety, Intergovernmental and Military Affairs
Senator Will Espero, Chair
Senator Rosalyn H. Baker Vice Chair

Monday, January 28, 2013, 2:00 PM
State Capitol, Room 229

Chairs Green and Espero, Vice Chair Baker and Members of the Committees:

The Department of Public Safety (PSD) supports Senate Bill 44, which expands Section 334, relating to mental health, mental illness, drug addiction, and alcoholism, to apply to all law enforcement officers as defined under Section 710-1000, which includes any public servant, whether employed by the State or subdivisions thereof, or by the United States, vested by law with a duty to maintain public order, or to make arrests for offenses, or to enforce the criminal laws, whether that duty extends to all offenses or is limited to a specific class of offenses. Currently, Section 334 applies only to the county police, and this amendment would allow all law enforcement officers and not just county police are able to utilize Section 334-59, HRS. This section presently allows the

police to contact the mental health emergency workers designated by the Director of Health to make a professional determination if an individual may be a danger to self or others, or is gravely disabled, or is obviously ill, and to authorize the transport of this person to a licensed psychiatric facility for further evaluation and possible emergency hospitalization.

Thank you for the opportunity to testify on this matter.



THE INSTITUTE FOR HUMAN SERVICES, INC.
Planting seeds of self-sufficiency

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TESTIMONY IN SUPPORT OF SB 44: RELATING TO MENTAL HEALTH

TO: Senator Josh Green, M.D. Chair, Senator Rosalyn Baker, Vice Chair,
and Members, Committee on Health

Senator Will Espero, Chair; Senator Rosalyn Baker, Vice Chair and
Members, Committee on Public Safety, Intergovernmental and Military
Affairs

FROM: Connie Mitchell, Executive Director,
IHS The Institute for Human Services, Inc.

Hearing: Monday, 1/28/13; 2:00 pm; CR 229

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Members Emeritus

Chairs Green and Espero, Vice Chair Baker, and Members of the Committees on
Health and Public Safety, Intergovernmental and Military Affairs

Thank you for the opportunity to testify on SB 44, which substitutes the language
"law enforcement officer" for "police officer" as it relates to who may act in assisting,
apprehending or transporting persons believed to be mentally ill for the purposes of
carrying out their duty as law enforcement officers. On behalf of IHS, The Institute
for Human Services, I am submitting this testimony in support of SB44.

Broadening the language will allow sheriffs who have law enforcement duties on
State property to discharge their duties in support of the mental health law that
affects so many persons who are homeless. This will enable sheriffs to assist in
transporting persons suspected of mental illness for emergency evaluation and
treatment. Our community needs to coordinate all law enforcement officers in
supporting homeless mentally ill persons to access treatment that they need and to
execute all necessary support under various mental health statutes that relate to
such persons who may pose a threat to self or others or are so obviously ill that they
require transport to treatment.

Thank you for the opportunity to testify in support of SB44.



Community Alliance for Mental Health

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To: The Hawai'i State Senate Committees on Health and Public Safety
Re: SB 44

To: The Honorable Senators Green and Espero and the members of their committees

Aloha,

The Community Alliance for Mental Health along with United Self Help support SB 44. We feel that this measure offers clarity in an already complex issue.

Mahalo,
Robert Scott Wall
Vice-President

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: aurasaki@hawaiiintel.net
Subject: Submitted testimony for SB44 on Jan 28, 2013 14:00PM
Date: Thursday, January 24, 2013 9:42:02 PM

SB44

Submitted on: 1/24/2013

Testimony for HTH/PSM on Jan 28, 2013 14:00PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki	Individual	Support	No

Comments: I am in support of changing the language to include all law enforcement officers, this would also include federal as well. I urge your passage on this bill

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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