

Honolulu, Hawaii

MAR 21 2014RE: H.B. No. 1723
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer
Protection, to which was referred H.B. No. 1723, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to streamline the
notification process prior to the discharge of a patient civilly
committed. Specifically, this measure:

- (1) Requires the administrator or attending physician of a
psychiatric facility to provide notice of intent to
discharge a patient or notice of the patient's admission
to voluntary treatment;
- (2) Applies section 334-60.7, Hawaii Revised Statutes, to
only civil commitments as a direct result of legal
proceedings;
- (3) Requires the notice of intent to discharge or patient's
admission to voluntary treatment to be served by mail to
the appropriate prosecuting attorney and to any person
entitled to receive notice at the person's last known
address, unless the person waives this right in writing;
- (4) Increases from three to five days the period of time
after mailing of the notice within which an objection
must be filed or the administrator or attending



physician shall discharge or accept the patient for voluntary inpatient treatment; and

- (5) Requires courts to conduct hearings as soon as possible, and prior to the termination of the current commitment order, to determine if the patient still meets the criteria for involuntary hospitalization.

Your Committees received testimony in support of this measure from the Department of Health; Healthcare Association of Hawaii; Department of the Prosecuting Attorney, City and County of Honolulu; The Queen's Health Systems; and one individual.

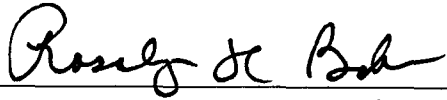
Your Committees find that patients are remaining involuntarily committed to hospitals due to the difficulty of obtaining a court hearing and order, even after the patient is ready to be discharged. Your Committees further find that while these patients remain involuntarily committed, hospitals are forced to use precious resources that could serve other patients in need. This measure streamlines the notification process prior to discharge of a patient civilly committed after initially being committed pursuant to criminal statutes, allowing for a simplified discharge process while safeguarding the right of individuals who require notification of the patients' discharge to object.

Your Committees have amended this measure by making the measure effective upon approval.

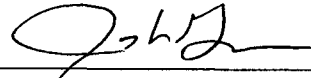
As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1723, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1723, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committees on Health and
Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair

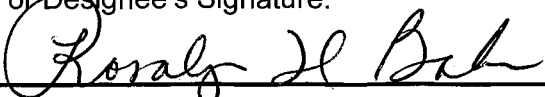


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i


Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1723, HD2	HTH/CPN, JDL	3-17-2014		
<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
GREEN, M.D., Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam				✓
TOTAL	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1723 HD2	HTH/CPN, JDL	3/18/2014		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes