



**GOV. MSG. NO. 1283**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 1, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 1, 2016, the following bill was signed into law:

SB2886 SD2 HD2 CD1

RELATING TO AGE OF CONSENT FOR  
ADOLESCENT MENTAL HEALTH SERVICES  
**ACT 181 (16)**

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 577, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§577- Mental health services relating to minors;  
5 diagnosis, counseling, and related activities. (a)  
6 Notwithstanding any other law to the contrary, a minor who is  
7 fourteen years of age or older may consent to mental health  
8 treatment or counseling services provided by a licensed mental  
9 health professional if, in the opinion of the licensed mental  
10 health professional, the minor is mature enough to participate  
11 intelligently in the mental health treatment or counseling  
12 services; provided that the consent of the minor's parent or  
13 legal guardian shall be required to prescribe medication to the  
14 minor or to place the minor into an out-of-home or residential  
15 treatment program.

16 (b) The mental health treatment or counseling services  
17 provided to a minor as authorized by this section shall include

1 involvement of the minor's parent or legal guardian, unless the  
2 licensed mental health professional, after consulting with the  
3 minor, determines that the involvement would be inappropriate.

4 The licensed mental health professional shall state in the  
5 client record whether and when the treating clinician attempted  
6 to contact the minor's parent or legal guardian, and whether the  
7 attempt to contact was successful or unsuccessful, or the reason  
8 why, in the treating licensed mental health professional's  
9 opinion, it would be inappropriate to contact the minor's parent  
10 or guardian.

11 (c) A minor may not abrogate consent provided by a parent  
12 or legal guardian on the minor's behalf. A parent or legal  
13 guardian may not abrogate consent given by the minor on the  
14 minor's own behalf.

15 (d) If a minor consents to receive mental health treatment  
16 or counseling services pursuant to this section, the minor shall  
17 not be liable for payment.

18 (e) The minor's parent or legal guardian is not liable for  
19 payment for mental health treatment or counseling services  
20 provided pursuant to this section unless the parent or guardian  
21 participates in the mental health treatment or counseling



1 services, and then only for services rendered with the  
2 participation of the parent or guardian.

3 (f) As used in this section:

4 "Mental health treatment or counseling services" means the  
5 provision of outpatient mental health treatment or counseling by  
6 a licensed mental health professional.

7 "Licensed mental health professional" means any of the  
8 following:

9 (1) A person licensed as a mental health counselor  
10 pursuant to chapter 453D;

11 (2) A person licensed as a marriage and family therapist  
12 pursuant to chapter 451J;

13 (3) A clinical social worker licensed pursuant to chapter  
14 467E;

15 (4) A person licensed as a psychologist pursuant to  
16 chapter 465; or

17 (5) A board certified, or board eligible, licensed  
18 psychiatrist."

19 SECTION 2. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on July 1, 2016.

APPROVED this 1 day of JUL, 2016



GOVERNOR OF THE STATE OF HAWAII