
A BILL FOR AN ACT

RELATING TO GUARDIANSHIP.

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

1 SECTION 1. Section 560:5-316, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) A guardian, without authorization of the court, [~~may~~]
4 shall not [~~revoke~~]:

5 (1) Revoke any health care directions set forth in any
6 medical directive or health care power of attorney of
7 which the ward is the principal [~~—However,~~]; provided
8 that the appointment of a guardian shall automatically
9 [~~terminates~~ terminate the authority of any agent
10 designated in the medical directive or health care
11 power of attorney [~~—~~]; or

12 (2) Restrict the personal communication rights of the
13 ward, including the right to receive visitors,
14 telephone calls, and personal mail, unless deemed by
15 the guardian to pose a risk to the safety and well-
16 being of the ward."



1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Uniform Probate Code; Guardianship; Adult; Rights; Communication

Description:

Prohibits guardians of an adult ward from restricting the ward's right to communicate, unless it is deemed to pose a risk to the safety and well-being of the ward by the guardian. (HB1585 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

