
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 or well-
16 being of the ward."

17



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 Statutory material to be repealed is bracketed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 on January 7, 2059.



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 by the guardian to pose a risk to the safety or well-being of the ward. Takes effect on 1/7/2059. (SD1)

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

