

JAN 22 2016

A BILL FOR AN ACT

RELATING TO THE SPECIAL ACTION TEAM FOR THE HAWAII STATE
HOSPITAL.

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

1 SECTION 1. Purpose. The purpose of this Act is to
2 establish a special action team for the Hawaii state hospital.

3 The legislature finds that in June 2012, the governor
4 established, pursuant to executive memorandum, a special action
5 team to address capacity and census issues at the Hawaii state
6 hospital. Members of the team included representatives from
7 various state and county entities. In its October 2012 report
8 to the governor, the team provided expertise and insight in
9 various aspects of the mental health system. The legislature
10 further finds that the effort and input of the special action
11 team were valuable to the governor, director of health, and
12 legislature.

13 The legislature finds that the establishment of a special
14 action team is again necessary due to remaining capacity and
15 census issues at the Hawaii state hospital.



1 In addition, the department of health is proposing the
2 development of a new forensic facility at the Hawaii state
3 hospital. Accordingly, the legislature finds that the special
4 action team should also provide advice on the development of
5 that facility.

6 SECTION 2. Special action team for the Hawaii state
7 hospital; purpose, establishment, termination. (a) There is
8 established a special action team for the Hawaii state hospital
9 within the department of health for administrative purposes.

10 (b) The purpose of the special action team shall be to
11 assist and advise the department of health to address the
12 capacity and census issues at the Hawaii state hospital and
13 expedite the development there of a new forensic facility ready
14 for occupancy by June 30, 2019.

15 (c) The special action team shall terminate on June 30,
16 2019; provided that the chair and members of the special action
17 team may represent themselves as such after June 30, 2019, when
18 testifying or commenting on actions or recommendations of the
19 team.

20 SECTION 3. Membership. (a) The special action team shall
21 be composed of the following members:



- 1 (1) Director of health, who shall serve as chair;
 - 2 (2) Attorney general;
 - 3 (3) Comptroller;
 - 4 (4) Director of finance;
 - 5 (5) Director of human services;
 - 6 (6) Chairperson of the board of land and natural
7 resources;
 - 8 (7) Chief executive officer of the Hawaii health systems
9 corporation;
 - 10 (8) Chief negotiator for the State;
 - 11 (9) Public defender;
 - 12 (10) A circuit court judge appointed by the chief justice;
13 and
 - 14 (11) Administrative director of the courts.
- 15 (b) The chair of the special action team shall invite the
16 following persons to participate:
- 17 (1) Prosecuting attorney of the city and county of
18 Honolulu; and
 - 19 (2) Director of planning and permitting of the city and
20 county of Honolulu.



1 (b) A special action team member may designate another
2 officer or employee of the member's government entity to attend
3 one or more meetings in place of the member. The special action
4 team member shall make the designation in writing and submit it
5 to the special action team chair before the meeting that the
6 designee is designated to attend. The designation may cover
7 more than one meeting or the entire term of the special action
8 team. The designation may be withdrawn at any time by written
9 notice to the special action team chair.

10 A designee of a special action team member shall have all
11 rights and privileges of a member while serving as a designee.

12 (c) Members of the special action team shall not receive
13 any compensation for service on the team beyond their normal
14 compensation; provided that members shall be reimbursed for
15 expenses incurred for service on the team.

16 (d) The special action team may elect officers from among
17 its members.

18 SECTION 4. Duties. (a) The special action team shall:

19 (1) Conduct an analysis of the capacity and census issues
20 at the Hawaii state hospital;



1 (2) Consider options to address the causes of the
2 overcapacity problem at the Hawaii state hospital; and

3 (3) Develop a priority list of recommendations and
4 proposals for short- and long-term solutions to the
5 overcapacity problem at the Hawaii state hospital.

6 (b) The special action team shall assist and advise the
7 department of health and department of accounting and general
8 services on the expeditious, efficient, and economical
9 development of the new forensic facility at the Hawaii state
10 hospital. The special action team also may recommend the
11 exemption of the facility from state and county permits or
12 approvals deemed unnecessary for the health and safety of
13 hospital staff and patients. The goal of the special action
14 team shall be to have the new forensic facility constructed and
15 ready for occupancy by June 30, 2019.

16 SECTION 5. Interim and final reports. (a) The special
17 action team shall prepare interim reports on its actions from
18 July 1, 2016 to December 31, 2016, January 1, 2017 to December
19 31, 2017, and January 1, 2018 to December 31, 2018. The special
20 action team shall submit the interim reports to the governor and
21 legislature by February 1 of 2017, 2018, and 2019, as



1 applicable. The third interim report shall include a
2 recommendation on whether the special action team should be
3 extended beyond June 30, 2019.

4 (b) The special action team shall submit a final report of
5 its findings and recommendations to the governor and legislature
6 no less than twenty days prior to the convening of the regular
7 session of 2019.

8 SECTION 6. Appropriation. There is appropriated out of
9 the general revenues of the State of Hawaii the sum of \$50,000
10 or so much thereof as may be necessary for fiscal year 2016-2017
11 for the administration and operation of the special action team
12 for the Hawaii state hospital.

13 The sum appropriated shall be expended by the department of
14 health for the purposes of this Act.

15 SECTION 7. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

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S.B. NO. 2539

Report Title:

Special Action Team for the Hawaii State Hospital

Description:

Establishes a temporary special action team for the Hawaii state hospital to address the capacity and census issues at the hospital and the development there of a new forensic facility ready for occupancy by June 30, 2019. Appropriates \$50,000 in general funds for the team.

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