

Honolulu, Hawaii

February 17, 2016

RE: H.B. No. 2385

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 2385 entitled:

"A BILL FOR AN ACT RELATING TO COURT ORDERS TO PROVIDE MEDICAL TREATMENT IN CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to amend the procedures and criteria for involuntary medical treatment of inmates and detainees in correctional facilities. Specifically, this measure:

- (1) Clarifies the criteria for finding that an inmate or detainee may be subject to involuntary treatment because of danger to self or others;
- (2) Amends notice and documentary requirements for hearings on a petition to compel involuntary treatment;
- (3) Provides for the appointment of a temporary guardian or guardian ad litem for an inmate or detainee who is not competent or otherwise able to participate in proceedings; and
- (4) Provides for the continuation of an order for involuntary treatment upon the return to custody of an inmate or detainee prior to the expiration of the order and extension of an order upon motion of the Department of Public Safety.



The Department of the Attorney General and Department of Public Safety supported this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2385 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,


GREG TAKAYAMA, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HXL 297-16

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: HB 2385	Committee Referral: PBS, JUD	Date: 2-11-16		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.				/
4. HAR, Sharon E.	/			
5. ICHIYAMA, Linda	/			
6. JOHANSON, Aaron Ling	/			
7. KEOHOKALOLE, Jarrett	/			
8. NAKASHIMA, Mark M.	/			
9. SAN BUENAVENTURA, Joy A.	/			
10. TAKUMI, Roy M.	/			
11. TUPOLA, Andria P.L.	/			
TOTAL (11)	10	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
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