

STAND. COM. REP. NO. 247

Honolulu, Hawaii

FEB 18 2015

RE: S.B. No. 1130

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Public Safety, Intergovernmental and Military Affairs and Health, to which was referred S.B. No. 1130 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend involuntary medical treatment criteria to include an inmate or detainee who poses a danger of physical harm to others;
- (2) Define "danger of physical harm to others" and "danger of physical harm to self";
- (3) Allow for a declaration to be filed with the petition as an alternative to an affidavit for the initiation of a proceeding for involuntary medical treatment;
- (4) Authorize the court to appoint a guardian ad litem or a temporary guardian to represent a person, if the person is unable to participate, at any point during the proceedings and after the filing of the petition;
- (5) Amend the time requirement for filing a court order for medical treatment from a period of within two days of an examination of the person to within five days;



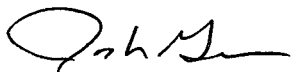
- (6) Amend the list of persons who must be notified of the hearing on petition for involuntary medical treatment to either the person's legal guardian or emergency contact listed;
- (7) Clarify the effective expiration date of the order for persons who return to custody after release; and
- (8) Authorize the extension of an existing involuntary treatment order if certain criteria are met.

Your Committees received testimony in support of this measure from the Department of the Attorney General and Department of Public Safety.

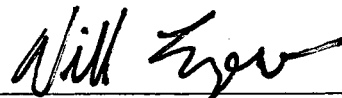
Your Committees find that an efficient and responsive court process enables medical staff at correctional facilities to provide critical and necessary medical treatment. Timely medical treatment results in the improved mental and physical condition of inmates and detainees. Implementation of this measure addresses necessary modifications to the process of petitioning for involuntary medical treatment orders for inmates and detainees in the custody of the Department of Public Safety.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental and Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1130 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental and Military
Affairs and Health,



JOSH GREEN, Chair



WILL ESPERO, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:	Committee Referral:	Date:
SB 1130	PSM/HCH, JDL	2-11-2015

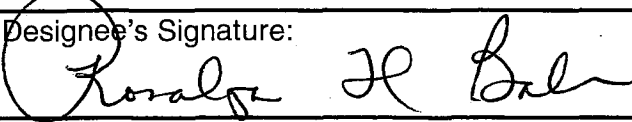
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
KEITH-AGARAN, Gilbert S.C.	✓			
SLOM, Sam				✓
TOTAL	3	-	-	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 1130	Committee Referral: PSM/HTH, JDL	Date: 2/11/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
GABBARD, Mike				✓
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	5	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
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