

STAND. COM. REP. NO.

2578

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 2886
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2886, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AGE OF CONSENT FOR ADOLESCENT
MENTAL HEALTH SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to reduce barriers
in accessing mental health care for adolescents by lowering the
age of consent to receive treatment from eighteen years old to
twelve years old.

Your Committee received testimony in support of this measure
from the Judiciary, Department of Health, Hawaii Youth Services
Network, and six individuals. Your Committee received testimony
in opposition to this measure from four individuals. Your
Committee received comments on this measure from the Department of
Education.

Your Committee finds that requiring parental consent for
minors to receive substance abuse treatment and family planning
services may pose a barrier to health care. Minors may find
desired mental health services inaccessible due to the discomfort
and even opposition caused by obtaining parental consent. By
allowing access to mental health services for consenting minors,
this measure enables individuals who seek improved emotional well-
being to be served in a timely manner.



Your Committee notes that other statutes relating to the ability of minors to consent to services without previous parental consent, including chapter 577D, Hawaii Revised Statutes, relating to primary care services, fix the minimum age at fourteen years old. Your Committee encourages stakeholders to discuss this minimum age issue as the measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2886, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2886, S.D. 2.


Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2886 SD1	Committee Referral: CPH/HMS, JDL	Date: 2/26/16		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	/			
SHIMABUKURO, Maile S.L. (VC)				/
GABBARD, Mike		/		
KAHELE, Kaiali'i		/		
KIM, Donna Mercado				/
THIELEN, Laura H.		/		
SLOM, Sam				/
TOTAL	1	3		3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes