

Honolulu, Hawaii

**March 24**, 2016

RE: S.B. No. 2914  
S.D. 1  
H.D. 1

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

Sir:

Your Committees on Public Safety and Judiciary, to which was referred S.B. No. 2914, S.D. 1, entitled:

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

beg 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) Adds definitions of danger of physical harm to others or self to clarify when the petitions are to be used;
- (2) Allows declarations as an alternative to affidavits in the filing of the petition;
- (3) Increases the number of days of the examination prior to the petition submission from two days to five days, allowing for better operational coordination;
- (4) Limits the petition notification requirement to persons identified as emergency contacts or legal guardians of the subject of the petition, to support timelier proceedings; and



- (5) Clarifies the ability of the Department of Public Safety to seek an extension of an order to treat prior to expiration if necessary.

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


Your Committees have amended this measure by changing its effective date to upon its approval.

As affirmed by the records of votes of the members of your Committees on Public Safety and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2914, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2914, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety and  
Judiciary,



KARL RHOADS, Chair



GREGG TAKAYAMA, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR 1220-16

**Record of Votes of the Committee on Public Safety**

<b>Bill/Resolution No.:</b> SB 2914, SD1	<b>Committee Referral:</b> PBS/JUD, FIN	<b>Date:</b> 3-17-16		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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	/			W K75
7. KEOHOKALOLE, Jarrett				-
8. NAKASHIMA, Mark M.	/			
9. SAN BUENAVENTURA, Joy A.	/			
10. TAKUMI, Roy M.	/			W K75
11. TUPOLA, Andria P.L.				/
<b>TOTAL (11)</b>	8	-	-	3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				

