



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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**Testimony in SUPPORT of HB 947
RELATING TO RECORDS OF FORENSIC EXAMINATIONS**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH (HLT)

Hearing Date: February 18, 2015
8:30 a.m.

Room Number: 329

1 **Fiscal Implications:** Undetermined at this time.

2 **Department Testimony:** The Department of Health (DOH) supports this Administration's
3 proposed bill. At the Hawaii State Hospital (HSH), the treatment teams, along with the Forensic
4 Coordinator, review copies of the court examinations. Creating consistency between statutes
5 pertaining to Unfit to Proceed and Acquit and Commit regarding HSH receiving copies of court
6 examinations upon commitment to the hospital is essential in creating an effective and safe
7 treatment environment.

8 For example, under HRS §704-406 (Unfit to Proceed), the DOH is privileged to receive
9 the order of commitment accompanied by copies of the court ordered examination reports
10 regarding the physical and mental condition of the defendant pursuant to HRS §704-404. Under
11 HRS §704-411(1)(a) (Acquit/Commit), DOH only receives the court order and not copies of the
12 court examination reports. HRS §704-406 states, "A copy of the report filed pursuant to section
13 704-404 shall be attached to the order of commitment or order of release on conditions." Same

1 or similar language is proposed for HRS §704-411(1)(a) including changing §704-406 from
2 "report" to "reports."

3 Forensic evaluations are critical in helping treating professionals at HSH with specific
4 information about treatment focus, treatment planning and assessment and management of risk.
5 Consistency in accessing court examinations will contribute to improved assessment, treatment
6 planning, care coordination and HSH discharge planning.

7 **Offered Amendments:** None.

8 Thank you for the opportunity to testify on this measure.