



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of SB 1175
RELATING TO THE HAWAII STATE HOSPITAL

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 18, 2015 Room Number: 329
8:45 A.m.

1 **Fiscal Implications:** Potentially significant, but indeterminate at this time.

2 **Department Testimony:** The Department of Health (DOH) and the Hawaii State Hospital
3 (HSH) support SB 1175 SD2.

4 The measure calls for a status report twenty days prior to the beginning of the 2016
5 session and a final report twenty days prior to the start of the 2017 session. The DOH and the
6 HSH fully support this requirement and will submit a written report either as part of the HSH
7 Annual Report or as a standalone report.

8 The DOH and the HSH have taken all of the committee's recommendations very
9 seriously and addressed and substantially completed several. For example,

10 (1) The recommendation to facilitate the transfer of dangerous patients to mainland
11 facilities is complete and is being implemented;

12 (2) HSH will soon roll out an enhanced training program including the development of
13 new and relevant training and education which will address the recommendation
14 concerning training;

15 (3) The recommendations for improving human resources are being addressed;

1 (4) In response to the concerns regarding the hiring of agency staff, HSH has
2 implemented a modified process by which agency staff is interviewed to mirror the
3 process used for civil service staff;

4 (5) In consultation with union representatives on the implementation of a sick leave
5 abuse program and the development of a fair and transparent procedure for
6 assigning overtime, the recommendations regarding this matter are being addressed.

7 The DOH and the HSH would like your committee to be aware that some
8 recommendations in SB 1175 SD2 will require a detailed and specific cost/benefit analysis,
9 specifically the recommendation for the installation of the perimeter fence.

10 Further evidence of the attention that the DOH and the HSH has given to addressing the
11 seriousness of the situation at the hospital can be seen in the prioritization of the Administration
12 appropriation request. This request includes funding for additional security staff and
13 supplemental staffing resources to provide for overtime costs and hiring of agency staff.

14 **Offered Amendments:** None

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



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Eighth Legislature, State of Hawaii
House of Representatives
Committee on Health

Testimony by
Hawaii Government Employees Association
March 18, 2015

S.B. 1175, S.D. 2 – RELATING TO THE
HAWAII STATE HOSPITAL

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, supports the purpose and intent of S.B. 1175, S.D. 2, which implements specific recommendations of the Senate Special Investigating Committee on Hawaii State Hospital. Clearly, much more needs to be done to make the hospital a safe working environment for staff and patients.

One of the most important actions requested in the bill is to obtain forensic care accreditation or designation for the Hawaii State Hospital (HSH). During the Special Investigative hearings, the Department of Health (DOH) admitted that virtually all of the admissions at HSH are the forensic type. Therefore, the entire hospital must operate as such. In addition, the bill requests the DOH and the Adult Mental Health Division to explore and develop short-term strategies for the physical improvement and renovations of the existing facility. To correct this problem, the state needs a properly designed forensic facility. Therefore, we support issuing general obligation bonds to finance the planning and design of a state forensic mental health hospital, which is long overdue.

There are other areas of this bill that we support in concept; however, further discussions are needed prior to implementing such changes and recommendations.

Thank you for the opportunity to testify in support of S.B. 1175, S.D. 2.

Respectfully submitted,

Randy Perreira
Executive Director



HAWAII DISABILITY RIGHTS CENTER

1132 Bishop Street, Suite 2102, Honolulu, Hawaii 96813

Phone/TTY: (808) 949-2922 Toll Free: 1-800-882-1057 Fax: (808) 949-2928

E-mail: info@hawaiidisabilityrights.org Website: www.hawaiidisabilityrights.org

THE HOUSE OF REPRESENTATIVES THE TWENTY-EIGHTH LEGISLATURE REGULAR SESSION OF 2015

Committee on Health Testimony on S.B. 1175, SD2 Relating to The Hawaii State Hospital

**Wednesday, March 18, 2015, 8:450 A.M.
Conference Room 329**

Chair Belatti and Members of the Committee:

The Hawaii Disability Rights Center appreciates the need (be it a separate wing or a new facility) to address the patients who need stricter security or a higher level of services. Clearly it goes without saying that these are necessary steps the state must take. Most of the professionals who are knowledgeable on the issue have suggested for some time that the current Hawaii State Hospital, which was designed to be a treating hospital has essentially "lost its way". Although it was intended to be a treating hospital for individuals with mental illness, it has become a de facto forensic facility simply because Criminal Court Judges continue to order defendants placed there. As a result two things occur. One is that it is a forensic facility not really equipped to be a forensic facility. The other is that it has no capacity to serve its original purpose and so individuals who actually need to go there for treatment are unable to do so.

A separate facility or wing could appropriately house the forensic population with well trained staff operating at a sensible ratio. It would also free up space at the current facility to serve non forensic individuals who need to be treated for their mental illness. It might actually reduce some of the problems we are seeing on the streets which are occupied by many untreated individuals who have not committed crimes. It might help to break the sad cycle which currently states that the only way to receive treatment in Hawaii for mental illness is to get arrested.

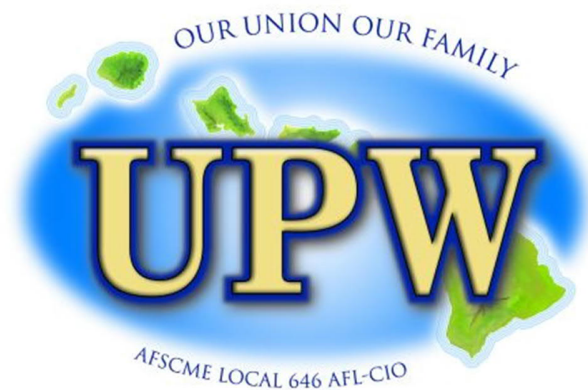
We had observed with great interest the hearings conducted last session in response to the reports of patient assaults on staff members at the hospital. Obviously that is a matter of great concern. Yet, several things need to be stated. One is that in truth, we



believe that a study of the data would demonstrate that patient assaults against other patients are more prevalent than assaults against the staff. The other is that advocates in the mental health community have been coming to the legislature for the past several years to ask that cuts in community based mental health services be restored. The notion is that if these services were properly funded, (which would be infinitely cheaper) it might reduce the number of individuals who needed to be hospitalized. We continue to believe that that is true and we hope that as this session progresses, the legislature will take a "holistic" look at the system of mental health delivery in Hawaii. It is unfortunate that it took a clamoring from unionized state employees to point out what those who have been working with the mental health population have known and been saying for years. Yet it is also fortunate that the issue has finally received front burner attention from the legislature and we hope that the safety concerns of the workers and the treatment needs of the patients can be properly addressed in a way that helps all of them.

We do wish to express our concern about the provision regarding the transfer of patients to out of state facilities. Whatever one believes about the wisdom of transferring convicted criminals to prisons on the mainland, the residents of the Hawaii State Hospital have by definition not been convicted of any crime. Therefore they have legal and constitutional rights that convicted criminals might not enjoy and to the degree they meet the criteria of an individual with a disability they may have certain rights to reside in their home community under the Olmstead decision. For that reason, we urge the Committee to tread carefully and be clear on the legalities of that provision before proceeding further.

Thank you for the opportunity to testify on this measure.



THE HAWAII STATE HOUSE OF REPRESENTATIVES
The Twenty-Seventh Legislature
Regular Session of 2015

COMMITTEE ON HEALTH

The Honorable Representative Della Au Belatti, Chair
The Honorable Representative Richard P. Creagan, Vice Chair

DATE OF HEARING: Wednesday, March 18, 2015
TIME OF HEARING: 8:45 a.m.
PLACE OF HEARING: Conference Room 329
State Capitol
415 South Beretania Street

TESTIMONY ON SENATE BILL 1175, SD2 RELATING TO THE HAWAII STATE HOSPITAL

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua and I am the State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive bargaining representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

The UPW supports this measure requiring the Department of Health to consider recommendations of the Senate Special Investigative Committee.

Thank you for the opportunity to submit this testimony in support of the measure.