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# A BILL FOR AN ACT

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RELATING TO HOMELESSNESS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

**PART I**

SECTION 1. Ohana is a group of closely- or distantly-related people who share nearly everything, from land and food to responsibility for taking care of children and elders.

Members of an ohana, whether or not related by blood, treat each other as extended family and share generously with each other.

The legislature finds that some homelessness encampments in the islands embody this ethic of ohana and have the capacity to improve the lives of people experiencing homelessness.

The legislature also finds that, while significant strides have been made, current attempts to address homelessness in Hawaii remain insufficient. Hawaii continues to have the highest number of individuals experiencing homelessness per capita of any state in the nation. The city and county of Honolulu, which has the highest number of individuals experiencing homelessness of any county in Hawaii, has seen the number of unsheltered individuals experiencing homelessness rise



1 over the past five years and the number of people in shelters  
2 decline during the same period despite increased investment in  
3 shelters and enforcement.

4 Therefore, the legislature finds that addressing  
5 homelessness requires the courage to try something new.

6 The legislature finds that ohana zones have the potential  
7 to serve individuals experiencing homelessness in a way that  
8 existing programs are currently unable. Ohana zones will have  
9 the goal of improving the health and well-being of individuals  
10 experiencing homelessness and providing access to needed  
11 services. The use of the term ohana is not meant to suggest  
12 that the use of an ohana zone is limited to nuclear families or  
13 people related by blood, but rather that an ohana zone provides  
14 a welcoming, safe haven where individuals experiencing  
15 homelessness and those who serve them treat each other as an  
16 extended family.

17 Because it is unclear what costs and benefits will accrue  
18 using the new model of an ohana zone, the legislature finds that  
19 these costs and benefits should be carefully studied, and that  
20 ohana zones should, at least initially, be temporary.



1       The purpose of this part is to establish a pilot program  
2       for the establishment of ohana zones, with the goal of improving  
3       the health and well-being of individuals experiencing  
4       homelessness and providing individuals experiencing homelessness  
5       with needed services.

6       SECTION 2. **Definitions.** For purposes of this part:

7       "Department" means the department of human services.

8       "Office" means the department's homeless programs office.

9       "Homeless" means the same as in section 346-361, Hawaii  
10      Revised Statutes.

11      "Ohana zone" or "ohana zones" means a place:

12      (1) That has a program to provide individuals experiencing  
13          homelessness with basic needs including food, shelter,  
14          bathrooms, showers, and other hygiene needs; and

15      (2) Where wrap-around services, social health care  
16          services, transportation, and other similar services  
17          are offered with the goals of alleviating  
18          intergenerational poverty and transitioning  
19          individuals experiencing homelessness into affordable  
20          housing.



1       SECTION 3. (a) There is established within the office for  
2 administrative purposes a three-year pilot program to be known  
3 as the ohana zone pilot program. The office, in consultation  
4 with the Hawaii interagency council on homelessness and any  
5 other appropriate agency and with people experiencing  
6 homelessness, shall serve as the administrator of the pilot  
7 program.

8       (b) Contracts entered into by the office, pursuant to the  
9 ohana zone pilot program, shall be exempt from the requirements  
10 of chapters 103D and 103F, Hawaii Revised Statutes.

11       (c) For the purpose of the ohana zone pilot program, the  
12 department and department of land and natural resources may  
13 develop interim administrative rules without regard to chapter  
14 91, Hawaii Revised Statutes.

15       (d) The office shall consult with the department of land  
16 and natural resources, the governor's coordinator on  
17 homelessness, and with people experiencing homelessness to  
18 identify and evaluate locations in which an ohana zone may be  
19 established, beginning with the locations previously identified  
20 as potential safe zone sites in the final report submitted by



1 the working group to examine the feasibility of safe zones  
2 pursuant to Act 212, Session Laws of Hawaii 2017.

3 The office shall also consider locations that are on  
4 private property and may inquire with private property  
5 landowners regarding the availability of the private property as  
6 a possible location of an ohana zone.

7 (e) The office shall consider whether there are any  
8 benefits to establishing multiple ohana zones that address  
9 specific target populations, such as individuals who are  
10 experiencing homelessness and who are frail, elderly, disabled,  
11 have a mental condition, or victims of domestic violence, or  
12 establishing ohana zones targeting the general homeless  
13 population.

14 (f) The office, in consultation with people experiencing  
15 homelessness, shall establish no later than December 31, 2018,  
16 the following:

17 (1) The criteria that the office will use to evaluate  
18 potential ohana zone locations;

19 (2) A monthly timetable of milestones that the office  
20 expects to meet in establishing one or more ohana  
21 zones over the course of the three-year pilot program;



1 (3) The specific, measurable, attainable, reasonable, and  
2 time-based performance measures that the office  
3 expects to meet at the end of each fiscal year;

4 (4) The evaluation criteria and process that the office  
5 intends to use each year when reviewing the success  
6 and sustainability of the ohana zones; and

7 (5) The monitoring and oversight controls that the office  
8 will have over the ohana zones to identify, address,  
9 and prevent possible fraud, waste, and abuse and  
10 ensure compliance with local, state, and federal laws.

11 (g) The office shall establish an ohana zone at one or  
12 more of the sites approved for an ohana zone no later than  
13 June 30, 2019.

14 (h) The construction cost of each dwelling in an ohana  
15 zone shall not exceed \$15,000. At least fifty per cent of the  
16 manufacturing and labor costs of each dwelling in an ohana zone  
17 shall be purchased in the State.

18 (i) The office shall submit reports to the legislature no  
19 later than twenty days prior to the convening of the regular  
20 sessions of 2019, 2020, and 2021.



1 (1) The report submitted no later than twenty days prior  
2 to the convening of the regular session of 2019 shall  
3 include, at minimum, the following information:

4 (A) A summary and explanation of the process that the  
5 office engaged in to identify possible ohana zone  
6 locations;

7 (B) A list of the locations considered, including but  
8 not limited to physical location, whether the  
9 property was owned by state or local government  
10 or by a private landowner; the cost of obtaining  
11 the use of the property; and any remediation  
12 costs needed to make the property suitable for  
13 individuals experiencing homelessness to reside  
14 upon;

15 (C) Identification of approved and rejected ohana  
16 zone locations, and the rationale for the  
17 selection or rejection of the sites; and

18 (D) A summary of the information required under  
19 subsection (e).

20 (2) The reports submitted no later than twenty days prior  
21 to the convening of the regular sessions of 2020 and



1           2021 shall include, at minimum, the following  
2           information:

3           (A)   The milestones established pursuant to subsection  
4               (f) that were met by the office and ohana zones  
5               established during the fiscal year;

6           (B)   An evaluation of the ohana zones to determine  
7               whether the objectives set have been met or  
8               exceeded;

9           (C)   Any proposed changes that need to be made to the  
10               performance measures used to assess the  
11               achievement of program goals; and

12           (D)   An assessment of the impact of the ohana zone  
13               model on the homelessness problem in Hawaii.

14           (j)   The pilot program shall cease to exist on June 30,  
15           2021.

16           SECTION 4.   There is appropriated out of the general  
17           revenues of the State of Hawaii the sum of \$               or so  
18           much thereof as may be necessary for fiscal year 2018-2019 to  
19           the department of human services to implement the ohana zone  
20           pilot program, including all program costs and hiring of  
21           necessary staff.





1       The sum appropriated shall be expended by the department of  
2 human services for purposes of this part.

3                               **PART II**

4       SECTION 5. The legislature finds that the over-utilization  
5 of emergency department services for non-emergency conditions by  
6 individuals experiencing homelessness puts upward pressure on  
7 medical costs for everyone. When hospital bills go unpaid,  
8 institutions are usually able to shoulder the costs in the  
9 short-term. Eventually, however, hospitals are forced to  
10 recover costs by passing the unpaid costs on to customers who  
11 are able to pay.

12       The legislature finds that it is in the public's interest  
13 to explore methods to mitigate the increasing cost of medical  
14 care due to the unnecessary use of emergency department visits  
15 by patients experiencing homelessness.

16       Additionally, the legislature finds that identifying  
17 patients experiencing and at risk for homelessness in emergency  
18 departments and conducting individualized assessments of those  
19 patients may increase the likelihood that those patients will  
20 receive referrals to services that address their particular  
21 situations. The legislature further finds that providing these



1 patients with referrals to appropriate social services and other  
2 necessary services, such as preventative medical care and mental  
3 health treatment, may decrease the number of unnecessary,  
4 repeated emergency department visits by patients experiencing  
5 homelessness.

6 The purpose of this part is to establish a pilot program to  
7 place multidisciplinary teams that include physicians, advanced  
8 practice registered nurses, social workers, social worker  
9 designees, and patient navigators in emergency departments to  
10 identify individuals experiencing or at risk for homelessness  
11 and provide individualized assessments and referrals for wrap-  
12 around social services with a goal of reducing costs associated  
13 with chronic use of emergency departments.

14 SECTION 6. **Definitions.** For purposes of this part:

15 "Advanced practice registered nurse" means a person  
16 licensed as an advanced practice registered nurse under chapter  
17 457, Hawaii Revised Statutes.

18 "Emergency department" means a department in a hospital  
19 designated to provide critical care to stabilize and support a  
20 patient's condition due to sudden illness or injury.



1 "Governing body" means the policy making authority, whether  
2 an individual or a group, that exercises general direction over  
3 the affairs of a facility and establishes policies concerning  
4 the facility's operation and the welfare of the individuals it  
5 serves.

6 "Homeless" means the same as in section 346-361, Hawaii  
7 Revised Statutes.

8 "Hospital" means any institution with an organized medical  
9 staff that admits patients for inpatient care, diagnosis,  
10 observation, and treatment.

11 "License" means a document issued by the relevant  
12 department regulating the profession at issue that certifies  
13 that an individual practicing the profession is in compliance  
14 with all existing state and federal laws and rules.

15 "Medical staff" means physicians and other individuals  
16 licensed by the State, who are permitted by law and who have  
17 been authorized by the governing body to provide patient care  
18 services within a facility.

19 "Multidisciplinary team" means a team of physicians,  
20 advanced practice registered nurses, social workers, social  
21 worker designees, patient navigators, and other individuals



1 necessary to identify individuals experiencing or at risk of  
2 experiencing homelessness and provide individualized assessments  
3 and referrals for social services.

4 "Patient navigator" means an individual who assists  
5 patients through the continuum of healthcare as it pertains to  
6 their specific disease, ensuring that any and all barriers to  
7 that care are resolved.

8 "Physician" means a doctor of medicine or osteopathy  
9 licensed by the Hawaii medical board pursuant to chapter 453,  
10 Hawaii Revised Statutes.

11 "Social worker" means the same as in section 467E-1, Hawaii  
12 Revised Statutes.

13 "Social worker designee" means a staff person other than a  
14 social worker but with similar professional qualifications, such  
15 as nursing, psychology, psychiatry, counseling, or human  
16 development, and two years of supervised social work experience  
17 in a health care setting working directly with individuals and  
18 who is supervised by means of consultation with a social worker.

19 SECTION 7. (a) There is established within the department  
20 of health for administrative purposes a pilot program to be  
21 known as the emergency department homelessness assessment pilot



1 program. The department of health, in consultation with the  
2 Hawaii interagency council on homelessness and any other  
3 appropriate agency, shall serve as the administrator of the  
4 pilot program.

5 (b) A participating hospital in the pilot program shall  
6 place multidisciplinary teams in its emergency departments. The  
7 multidisciplinary teams shall identify patients experiencing  
8 homelessness or patients at risk of experiencing homelessness,  
9 assess the patients' current circumstances, and refer those  
10 patients to appropriate and available social services with a  
11 goal of reducing costs associated with chronic use of emergency  
12 departments.

13 The individuals on a multidisciplinary team who provide  
14 services as part of this pilot program shall not be employees of  
15 the State. The individuals on a multidisciplinary team shall be  
16 either employees of the participating hospital or individuals  
17 who are otherwise permitted by law and the governing body of a  
18 hospital to provide social services in the hospital.

19 (c) Each participating hospital shall submit to the  
20 department of health qualitative and quantitative data as  
21 determined by the department of health to demonstrate whether



1 there is any correlation between interventions by a  
2 multidisciplinary team and the repeated use of emergency  
3 departments by patients experiencing homelessness.

4 (d) The department of health shall submit a report to the  
5 legislature no later than twenty days prior to the convening of  
6 the regular session of 2019. The report shall contain a summary  
7 and explanation of the data submitted by participating hospitals  
8 regarding the efficacy of emergency department intervention by a  
9 multidisciplinary team in mitigating the number of unnecessary  
10 emergency department visits by patients experiencing  
11 homelessness or patients at risk of experiencing homelessness.  
12 The report shall also contain findings and recommendations,  
13 including any proposed legislation, for continuation,  
14 modification, or termination of the pilot program.

15 (e) The emergency department homelessness assessment pilot  
16 program shall cease to exist on June 30, 2019.

17 SECTION 8. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2018-2019 to  
20 the department of health for implementation of the emergency



1 department homelessness assessment pilot program, including all  
2 program costs and hiring of necessary staff.

3       The department of health shall reimburse participating  
4 hospitals for expenses directly related to the emergency  
5 department homelessness assessment pilot program; provided that  
6 no funds shall be disbursed to participating hospitals unless  
7 matched on a dollar-for-dollar basis by the participating  
8 hospital. All funds designated as matching funds by the  
9 participating hospital shall be funds expended by the  
10 participating hospital for the pilot program.

11       The sum appropriated shall be expended by the department of  
12 health for the purposes of this part.

13                                   **PART III**

14       SECTION 9. The legislature finds that many homeless  
15 persons are known to thrive better when they have ready access  
16 to familiar support groups or family members. The intent of the  
17 return-to-home program is to ensure that those individuals who  
18 find themselves homeless in the islands are able to reconnect  
19 with support networks ready and able to receive them.



1       The purpose of this part is to authorize the department of  
2 human services to establish a return-to-home program for  
3 eligible homeless individuals.

4       SECTION 10. (a) The department of human services may  
5 coordinate a voluntary homeless assistance pilot program to be  
6 known as the return-to-home pilot program to provide eligible  
7 homeless individuals with assistance in being reunited with  
8 family and relatives in the individual's home state. The  
9 department may contract with eligible non-profit organizations,  
10 for profit organizations, or foundations to administer the pilot  
11 program.

12       (b) No individual who is homeless shall be eligible to  
13 participate in the return-to-home pilot program unless:

14       (1) The individual's participation is completely  
15 voluntary;

16       (2) The individual, if on parole, probation, or awaiting a  
17 court hearing or sentencing, has proper clearance from  
18 the court to participate in the pilot program; and

19       (3) The individual is indigent and lacks the financial  
20 resources necessary to secure transportation to return  
21 to the individual's home state.





1 (c) An individual may participate in the return-to-home  
2 pilot program only once and shall sign an agreement to this  
3 effect before participating in the pilot program. The agreement  
4 shall be kept on file with the pilot program.

5 (d) The return-to-home pilot program shall actively seek  
6 the participation of local airlines, cruise lines, charter  
7 companies, homeless programs, travel agencies, and the visitor  
8 industry to coordinate and implement the pilot program.

9 (e) The return-to-home pilot program shall assist program  
10 participants with necessary and proper preparations for travel,  
11 including obtaining proper identification, accessing public  
12 transportation to the airport, providing orientation relating to  
13 airport security, and ensuring sufficient personal hygiene.

14 (f) The return-to-home pilot program shall cease to exist  
15 on December 31, .

16 SECTION 11. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so  
18 much thereof as may be necessary for fiscal year 2018-2019 for  
19 implementation of the return-to-home pilot program, including  
20 all program costs and hiring of necessary staff.



1       The sum appropriated shall be expended by the department of  
2 human services for the purposes of this part.

3                               **PART IV**

4       SECTION 12. The legislature finds that individuals with  
5 mental health or substance abuse challenges are particularly  
6 vulnerable to becoming homeless. According to the 2017 Hawaii  
7 Statewide Homeless Point-in-Time count, twenty-three per cent of  
8 the homeless population reported suffering from serious mental  
9 illness, while nineteen per cent of the homeless population  
10 reported suffering from a substance abuse disorder.

11       The purpose of this part is to establish a pre-arrest  
12 diversion pilot project for individuals with mental health or  
13 substance abuse challenges. The pilot project shall apply to  
14 individuals who commit certain nonviolent, nonfelony offenses on  
15 state property and are referred by deputy sheriffs to the  
16 services of the department of health. The legislature is  
17 establishing the pilot project under state auspices to avoid  
18 intruding into the jurisdiction of any county.

19       SECTION 13. Pre-arrest diversion pilot project for  
20 individuals with mental health or substance abuse challenges;  
21 establishment. There is established a pre-arrest diversion



1 pilot project for individuals with mental health or substance  
2 abuse challenges.

3 The purpose of the pilot project shall be to refer  
4 individuals with mental health or substance abuse challenges who  
5 commit nonviolent, nonfelony offenses on state property to  
6 appropriate community mental health services instead of  
7 arresting or citing them. The pilot project shall be operated  
8 in a county having a population of not less than six hundred  
9 thousand.

10 SECTION 14. **Definitions.** For the purposes of this part:

11 "Individual with mental health or substance abuse  
12 challenges" means a "mentally ill person" or "person suffering  
13 from substance abuse", as those terms are defined in section  
14 334-1, Hawaii Revised Statutes.

15 "Nonviolent, nonfelony offense" means an offense that:

16 (1) Is not a felony; and

17 (2) Does not involve physical harm to a person's self or  
18 another person.

19 "Pilot project" means the pre-arrest diversion pilot  
20 project for individuals with mental health or substance abuse  
21 challenges established by this part.



1 "Responsible state officer" means the state executive  
2 branch officer who is assigned by the governor to coordinate and  
3 have overall responsibility for the pilot project.

4 SECTION 15. Responsible state officer; assignment by  
5 governor; coordination and overall responsibility for pilot  
6 project. (a) No later than September 1, 2018, the governor  
7 shall assign a state executive branch officer to serve as the  
8 responsible state officer for the pilot project.

9 (b) The responsible state officer shall coordinate and  
10 have overall responsibility for the pilot project.

11 The responsible state officer shall work with the  
12 department of public safety, department of health, department of  
13 human services, and the governor's coordinator on homelessness  
14 to establish the protocols and processes for operation of the  
15 pilot project.

16 SECTION 16. Pilot project basic principles. (a) The  
17 pilot project shall be operated in accordance with the following  
18 basic principles:

- 19 (1) When observing or responding to an incident that the  
20 deputy sheriff reasonably believes may constitute a  
21 nonviolent, nonfelony offense on state property, a



1 deputy sheriff who is appropriately trained under the  
2 pilot project shall preliminarily determine, based on  
3 the deputy sheriff's reasonable belief, whether the  
4 alleged violator may be a potential participant in the  
5 pilot project;

6 (2) If the deputy sheriff reasonably believes that the  
7 alleged violator is a potential participant in the  
8 pilot project, the deputy sheriff shall determine  
9 whether the alleged violator has been convicted within  
10 the past three years of an offense involving violence  
11 against another person;

12 (3) If the deputy sheriff determines that the alleged  
13 violator has not been convicted within the past three  
14 years of an offense involving violence against another  
15 person, the deputy sheriff may:

- 16 (A) Refer the alleged violator to the department of  
17 health for assessment; and  
18 (B) Not arrest or cite the alleged violator.

19 If the deputy sheriff determines otherwise, the deputy  
20 sheriff may arrest, cite, or take other action with



1           respect to the alleged violator as deemed appropriate  
2           by the deputy sheriff;

3           (4)   Upon receiving a referral from a deputy sheriff of an  
4           alleged violator, the department of health shall  
5           assess whether the alleged violator is an individual  
6           with mental health or substance abuse challenges;

7           (5)   If the assessment is in the affirmative, and the  
8           alleged violator voluntarily agrees to participate in  
9           the pilot project, the department of health shall:

10          (A)   Accept the individual with mental health or  
11          substance abuse challenges into the pilot  
12          project; and

13          (B)   Refer the individual with mental health or  
14          substance abuse challenges to appropriate  
15          community mental health services;

16          (6)   Upon the acceptance by the department of health of an  
17          individual with mental health or substance abuse  
18          challenges into the pilot project, the department of  
19          public safety shall have no further responsibility  
20          regarding the individual or the disposition of the  
21          alleged violation; and



(7) If the department of health does not accept an alleged violator into the pilot project, the department of health shall inform the department of public safety. Upon being so informed, the department of public safety shall arrest, cite, or take other action with respect to the alleged violator, as deemed appropriate by the department.

(b) The department of health may limit the number of individuals with mental health or substance abuse challenges who are accepted into the pilot project, based on the availability of funds for the project.

**SECTION 17. Community mental health services of department of health.** The department of health shall provide the community mental health services of the pilot project under the authority of chapter 334, Hawaii Revised Statutes, and any other applicable law. The department of health may contract with any qualified person to provide the community mental health services.

**SECTION 18. Services of the department of human services.** The responsible state officer or department of health may enter into an agreement with the department of human services for the



1 provision of transitional housing, housing first, or other  
2 services to individuals accepted into the pilot project.

3       **SECTION 19. Nonviolent, nonfelony offense; identification.**

4       (a) The responsible state officer, in consultation with the  
5 department of public safety, shall identify the nonviolent,  
6 nonfelony offenses under the Hawaii Penal Code, other state law,  
7 or administrative rule, the commission of which on state  
8 property may qualify the alleged violator to participate in the  
9 pilot project. In identifying the nonviolent, nonfelony  
10 offenses, the responsible state officer shall consider the  
11 following offenses, at minimum: offenses against the possession  
12 or consumption of liquor in public or on a public place; being  
13 in a state park after hours of closure; camping on a sidewalk,  
14 beach, or other restricted public place; trespassing;  
15 obstruction; prostitution; and possession of an illegal drug.

16       (b) To identify the offenses, the responsible state  
17 officer may seek the advice of the judiciary, police department,  
18 and department of the prosecuting attorney of the county in  
19 which the pilot project is implemented.

20       **SECTION 20. Timeline for pilot project.** (a) During  
21 fiscal year 2018-2019, the responsible state officer and





1 relevant state departments shall prepare for the commencement of  
2 the pilot project on July 1, 2019.

3 (b) The pilot project shall be operated from July 1, 2019,  
4 until June 30, 2020.

5 SECTION 21. **Interim report, final report.** (a) The  
6 responsible state officer shall submit an interim report on the  
7 status of the pilot project to the legislature no later than  
8 January 1, 2019.

9 (b) The responsible state officer shall submit a final  
10 report on the pilot project to the legislature no later than  
11 twenty days prior to the convening of the regular session of  
12 2020. The final report shall include an evaluation of the pilot  
13 project, findings on problems and issues pertaining to the pilot  
14 project, and a recommendation on whether or not a pre-arrest  
15 diversion program for individuals with mental health or  
16 substance abuse challenges should be made permanent.

17 SECTION 22. (a) There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2018-2019 for  
20 the pre-arrest diversion pilot project.



1       The sum appropriated shall be expended by the office of the  
2 governor for the purposes of this part.

3       (b) Notwithstanding any other law to the contrary, the  
4 governor may transfer all or a portion of the appropriation in  
5 this section to the responsible state officer, the department of  
6 public safety, or the department of health for expenditure to  
7 implement the pilot project.

8       The responsible state officer, the department of public  
9 safety, or the department of health may expend any transferred  
10 appropriation for the performance of its duties under the pilot  
11 project.

12                                   **PART V**

13       SECTION 23. The legislature finds that the coordinated  
14 statewide homeless initiative provides important, cost-effective  
15 homelessness prevention and rapid rehousing services statewide  
16 and increases coordination through the statewide information and  
17 referral system on behalf of homeless individuals and those at  
18 risk of homelessness.

19       The coordinated statewide homeless initiative originated in  
20 April 2016 to help hundreds of families escape or avoid  
21 homelessness. According to Aloha United Way, since the program



1 began, the program has helped more than one thousand four  
2 hundred households consisting of four thousand eight hundred  
3 individuals. About three-quarters of households had been at  
4 risk of losing housing, and the rest were already homeless. Of  
5 these numbers, sixty-four per cent included children.

6 Accordingly, the purpose of this part is to appropriate  
7 moneys to continue and improve the coordinated statewide  
8 homeless initiative to prevent homelessness and rehouse homeless  
9 people in the State.

10 SECTION 24. (a) There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2018-2019 to  
13 continue and improve the coordinated statewide homeless  
14 initiative, which shall be allocated as follows:

15 (1) \$ for the continuation of the statewide  
16 homeless initiative; and  
17 (2) \$ for landlord outreach and liaison  
18 activities within the coordinated statewide homeless  
19 initiative, subject to subsection (b).

20 (b) The following provisions shall apply to the  
21 appropriation under subsection (a):



1 (1) The department of human services shall:

2 (A) Procure the services of a master contractor to  
3 procure and oversee subcontracts for the  
4 provision of coordinated statewide homeless  
5 initiative services, in accordance with chapter  
6 103D or 103F, Hawaii Revised Statutes;

7 (B) Have oversight or manage the funds expended by  
8 the master contractor; and

9 (C) Develop policies and procedures for a fair and  
10 equitable procurement process consistent with the  
11 goals of public accountability and public  
12 procurement practices;

13 (2) The master contractor shall:

14 (A) Operate a coalition of agencies providing  
15 homeless diversion services for the State by  
16 providing short-term financial assistance to  
17 households that have entered the eviction  
18 process;

19 (B) Coordinate with the coordinated entry system  
20 mandated by the United States Department of  
21 Housing and Urban Development to provide



1 navigation services and placement of homeless  
2 households into permanent housing;

3 (C) At a minimum, provide quarterly reports to the  
4 house of representatives and senate committees on  
5 housing and human services, respectively;

6 (D) Develop reporting procedures and timelines for  
7 providing performance information to respective  
8 state agencies; and

9 (E) Be accountable for funds expended;

10 (3) The master contractor may retain administrative fees  
11 of fifteen per cent in total from the amounts paid  
12 under the master contract between the master  
13 contractor and subcontractors; and

14 (4) The total sum of funding shall be provided at the  
15 start of the coordinated statewide homeless initiative  
16 program to be managed by the master contractor;  
17 provided that the administration of the funds shall  
18 conform to accepted industry financial accounting and  
19 performance standards;

20 provided further that any subcontracts to the master contract  
21 executed and using the appropriations authorized pursuant to



1 this part shall not be subject to chapters 42F, 103D, and 103F,  
2 Hawaii Revised Statutes.

3 The sum appropriated shall be expended by the department of  
4 human services for the purposes of this part.

5 **PART VI**

6 SECTION 25. The legislature finds that the State has a gap  
7 in services for homeless individuals with severe mental illness,  
8 as these individuals often cycle between homelessness, emergency  
9 room treatment, incarceration, and hospitalization. Individuals  
10 with severe mental illness typically become chronically homeless  
11 and further burden the health care system through excessive use  
12 of expensive emergency department, inpatient treatment, and  
13 crisis services. Due to their mental illness, these individuals  
14 routinely reject offered services and remain on the street,  
15 putting themselves at risk of further injury and creating a  
16 significant burden on the communities where they reside.

17 The purpose of this part is to require the department of  
18 human services, in consultation with the department of health,  
19 to establish a pilot project to provide housing and mental  
20 health treatment for homeless individuals with severe mental



1 illness who are subject to an assisted community treatment order  
2 or court ordered guardianship.

3 SECTION 26. (a) The department of human services, in  
4 consultation with the department of health, shall establish a  
5 pilot project to operate a facility to provide shelter and  
6 mental health treatment for homeless individuals with severe  
7 mental illness who are subject to an assisted community  
8 treatment order or court ordered guardianship, with the goal of  
9 enabling these individuals to find permanent housing through  
10 housing first programs; provided that prior to the establishment  
11 of the pilot project, adult protective services shall seek a  
12 court ordered guardianship for homeless individuals with severe  
13 mental illness and consult with the family court and other  
14 appropriate agencies about homeless individuals with severe  
15 mental illness who were subjected to an assisted community  
16 treatment order.

17 (b) No more than ten homeless individuals with severe  
18 mental illness may receive shelter and mental health treatment  
19 at the facility at any given time; provided that a homeless  
20 individual with severe mental illness shall provide appropriate  
21 identification documentation, including but not limited to a



1 social security card, driver's license, or civil identification  
2 card, to be eligible for shelter and mental health treatment at  
3 the facility.

4 (c) The department of human services shall use a suitable  
5 unused state facility to provide shelter and mental health  
6 treatment services; provided that the department shall make any  
7 necessary changes to the facility to serve individuals with  
8 severe mental illness.

9 (d) The pilot project shall end on June 30, . The  
10 department of human services, in consultation with the  
11 governor's coordinator on homelessness, shall submit a report  
12 detailing findings and recommendations regarding the pilot  
13 project, including findings regarding the pilot project's  
14 contribution to successfully transitioning homeless individuals  
15 with severe mental illness to permanent housing, challenges or  
16 failures of the pilot project, and any proposed legislation, to  
17 the legislature no later than twenty days prior to the convening  
18 of the regular session of .

19 (e) The department of human services shall enter a  
20 memorandum of understanding with the department of health and  
21 any appropriate agencies assisting the department of human





1 services in providing shelter and mental health treatment to  
2 homeless individuals with severe mental illness subject to an  
3 assisted community treatment order or court ordered  
4 guardianship.

5 (f) The department of human services may adopt rules  
6 pursuant to chapter 91, Hawaii Revised Statutes, to effectuate  
7 this part.

8 SECTION 27. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2018-2019 to  
11 establish a pilot project to operate a shelter, including the  
12 hiring of a social worker and social service assistant,  
13 administrative expenses, and any necessary renovations to the  
14 facility, to provide shelter and mental health treatment for  
15 homeless individuals with severe mental illness pursuant to this  
16 part; provided that the department of human services may procure  
17 mental health treatment services pursuant to chapter 103F,  
18 Hawaii Revised Statutes.

19 The sum appropriated shall be expended by the department of  
20 human services for the purposes of this part.

21 PART VII



SECTION 28. The purpose of this part is to appropriate funds for the department of human services to plan and construct various housing projects for vulnerable homeless populations, including but not limited to youth, elderly, veterans, individuals who are disabled, and individuals with a mental illness or substance abuse challenge.

SECTION 29. (a) There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2018-2019 for the planning and construction of various housing projects for vulnerable homeless populations, including but not limited to youth, elderly, veterans, individuals who are disabled, and individuals with a mental illness or substance abuse challenge.

The sum appropriated shall be expended by the department of human services for the purposes of this part.

(b) The department of human services shall adopt rules without regard to chapter 91, Hawaii Revised Statutes, necessary for the purpose of this part.

#### PART VIII

SECTION 30. This Act shall take effect on July 1, 3000; provided that section 4 shall take effect on July 1, 3000;



1 provided further that part VI shall take effect upon the  
2 approval of the department of the attorney general.  
3



**Report Title:**

Homelessness; Ohana Zone Pilot Program; Emergency Department Homelessness Assessment Pilot Program; Return-to-Home Pilot Program; Pre-arrest Diversion Pilot Project; Individuals with Severe Mental Illness; Coordinated Statewide Homeless Initiative; Report; Appropriation

**Description:**

Part I: Establishes and appropriates funds for the Ohana Zone Pilot Program. Part II: Establishes and appropriate funds for the Emergency Department Homelessness Assessment Pilot Program. Part III: Authorizes DHS to establish the Return-to-Home Pilot Program and appropriates funds for the program. Part IV: Establishes and appropriates funds for a pre-arrest diversion pilot project. Part V: Appropriates funds to the Department of Human Services for the coordinated statewide homeless initiative. Part VI: Establishes and appropriates funds for a pilot project to operate a facility to provide shelter and mental health treatment for homeless individuals with severe mental illness who are subject to an assisted community treatment order or court ordered guardianship. Takes effect upon approval of the Department of the Attorney General. Part VII: Appropriates funds for various housing projects for vulnerable homeless individuals. Exempts the Department of Human Services from rulemaking pursuant to chapter 91, HRS, in the planning and construction of housing for vulnerable homeless populations. Effective 7/1/3000. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

