

Honolulu, Hawaii

APR 27 2018

RE: S.B. No. 122
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 122, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Provide designated family members and other interested persons with:
 - (A) Notice when an individual with a mental health emergency is subject to admission to a facility, examination, hospitalization, commitment, or assisted community treatment; and



- (B) The right to be present for the individual's hearings and receive a copy of the hearing transcript or recording unless the court determines otherwise; and
- (2) Require a court to adjourn or continue a hearing for failure to timely notify a person entitled to be notified or for failure by the individual to contact an attorney, with certain exceptions.

Your Committee on Conference finds that family members provide a valuable support network for individuals with mental illness, especially as those individuals try to navigate the State's health, mental health, and court systems. Your Committee on Conference also finds that family members are often kept in the dark about their loved ones' status, location, and treatment, including notice of relevant legal proceedings. Your Committee on Conference finds that this measure balances the importance of providing family members with more information about their loved ones with mental illness with the need to protect individual privacy rights.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2018.

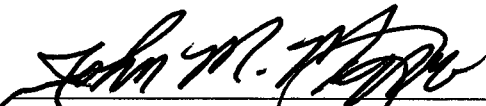
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 122, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 122, S.D. 2, H.D. 2, C.D. 1.



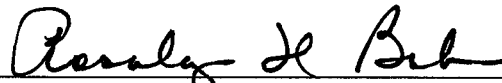
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



JOHN M. MIZUNO
Co-Chair



ROSALYN H. BAKER
Chair



SCOTT Y. NISHIMOTO
Co-Chair



KARL RHOADS
Co-Chair



TY S.K. CULLEN
Co-Chair



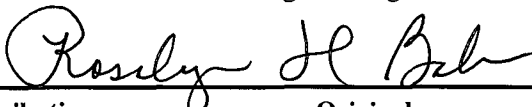
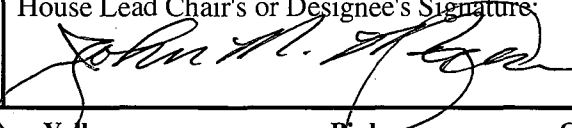
J. KALANI ENGLISH
Co-Chair



Hawai'i State Legislature

CCR 121-18

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 122, SD 2, HD 2					Date/Time: 4-24-2018 9:33 AM				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				MIZUNO, John M., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				CULLEN, Ty J.K., Co-Chr.	✓			
NISHIHARA, Clarence K.				✓	TUPOLA, Andria P.L.				✓
RUDERMAN, Russell E.	✓								
TANIGUCHI, Brian T.	✓								
TOTAL	5	-	-	1	TOTAL	3	-	-	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original File with Conference Committee Report			Yellow House Clerk's Office		Pink Senate Clerk's Office		Goldenrod Drafting Agency