
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A WORKING GROUP
RELATING TO PATIENTS REQUIRING AN EMERGENCY MENTAL HEALTH
EXAMINATION.

1 WHEREAS, under section 334-59, Hawaii Revised Statutes, any
2 person who exhibits behavior that is deemed by law enforcement
3 to be an imminent threat to themselves or others shall be
4 transported to a licensed psychiatric facility to receive an
5 emergency mental health examination to determine whether the
6 individual should be hospitalized; and

7
8 WHEREAS, patients transported and examined under this
9 process are referred to as MH-1 patients; and

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11 WHEREAS, there are currently sixteen facilities that are
12 designated by the Department of Health to receive MH-1 patients,
13 including acute care hospitals and a federally qualified health
14 center; and

15
16 WHEREAS, some facilities designated by the Department of
17 Health receive an outsized number of MH-1 patients and the high
18 volume strains the ability of these facilities to provide care
19 to all residents in the State; and

20
21 WHEREAS, some facilities do not feel they are equipped to
22 care for MH-1 patients because of a lack of adequate
23 infrastructure and fears about patient and staff safety; and

24
25 WHEREAS, some MH-1 patients may benefit from transport to
26 alternative health care services, as not all patients require an
27 emergency psychiatric evaluation or hospital services; and

28
29 WHEREAS, increased support and clearer guidance are needed
30 by law enforcement to ensure that patients are directed to the
31 most appropriate setting of care; and

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H.C.R. NO. 204

1 WHEREAS, there is a need to determine the state-wide
2 capacity for inpatient and outpatient mental health services,
3 where gaps exist in service availability, and the barriers to
4 getting individuals in crisis to the appropriate setting of
5 care; now, therefore,
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7 BE IT RESOLVED by the House of Representatives of the
8 Thirtieth Legislature of the State of Hawaii, Regular Session of
9 2019, the Senate concurring, that the Director of Health is
10 requested to form a working group to evaluate the issue of
11 treating MH-1 patients experiencing a mental health crisis; and
12

13 BE IT FURTHER RESOLVED that the working group:
14

- 15 (1) Develop criteria for the Director of Health to
16 designate facilities to transport, examine, and treat
17 MH-1 patients;
18
- 19 (2) Review existing laws, law enforcement protocols, and
20 procedures to ensure MH-1 patients are appropriately
21 transported and identify areas that may need
22 clarification to ensure standardized transportation of
23 MH-1 patients in jurisdictions statewide;
24
- 25 (3) Develop recommendations for appropriate distribution
26 of transported patients for emergency examination
27 across health care facilities in a given county;
28
- 29 (4) Provide an assessment of current law enforcement and
30 health care facility needs and capacities for
31 evaluation and treatment of MH-1 patients, including
32 the availability of beds and services necessary for
33 treating patients experiencing a mental health crisis,
34 preventing crisis situations, and avoiding unnecessary
35 transport of patients;
36
- 37 (5) Develop recommendations for building a coordinated
38 system of care with capacity for crisis services,
39 community services, and outpatient and inpatient
40 services to address the needs of persons with mental
41 illness and substance use disorders who are in crisis,



1 including discussions on alternative sites of
2 treatment; and

- 3
4 (6) Develop recommendations for reimbursement to support
5 these efforts; and

6
7 BE IT FURTHER RESOLVED that the working group, at the
8 invitation of the Director of the Department of Health, is
9 requested to include:

- 10
11 (1) The Deputy Director of Behavioral Health
12 Administration or the Deputy Director's designee, who
13 shall serve as chairperson of the working group;
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15 (2) Seven representatives from a hospital or hospital
16 system; provided that at least two representatives
17 shall represent a neighbor island and one shall
18 represent a public hospital;
19
20 (3) One representative from any federally qualified health
21 center designated to receive MH-1 patients;
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23 (4) One representative from a residential mental health or
24 substance abuse treatment facility;
25
26 (5) One representative from the Healthcare Association of
27 Hawaii;
28
29 (6) Two representatives from law enforcement, one of which
30 shall represent a neighbor island;
31
32 (7) One representative from a mental health services
33 provider; and
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35 (8) One representative from the Department of Human
36 Services; and

37
38 BE IT FURTHER RESOLVED that the working group is requested
39 to submit a report of its findings and recommendations,
40 including any proposed legislation, to the Legislature no later
41 than twenty days prior to the convening of the Regular Session
42 of 2020; and



H.C.R. NO. 204

1
 2 BE IT FURTHER RESOLVED that the working group be dissolved
 3 on June 30, 2020; and
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 5 BE IT FURTHER RESOLVED that certified copies of this
 6 Concurrent Resolution be transmitted to the Director of Health,
 7 Director of Human Services, and the Healthcare Association of
 8 Hawaii.
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OFFERED BY: Jon Brun

John M. [Signature]
[Signature]
Lyn D. Coite
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