
A BILL FOR AN ACT

RELATING TO HOMELESS INDIVIDUALS WITH SEVERE MENTAL ILLNESS.

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

1 SECTION 1. The legislature finds that the State has a gap
2 in services for homeless individuals with severe mental illness
3 or severe co-occurring mental illness and substance use
4 disorders, as these individuals often cycle between
5 homelessness, emergency room treatment, incarceration, and
6 hospitalization. Individuals with severe mental illness or
7 severe co-occurring mental illness and substance use disorders
8 typically become chronically homeless and further burden the
9 health care system through excessive use of expensive emergency
10 department, inpatient treatment, and crisis services. Due to
11 their mental illness, these individuals routinely reject offered
12 services and remain on the street, putting themselves at risk of
13 further injury and creating a significant burden on the
14 communities where they reside.

15 The purpose of this Act is to require the department of
16 human services to establish a task force to determine specific
17 implementation requirements necessary to establish a pilot



1 program to provide shelter and mental health treatment for
2 homeless individuals with severe mental illness or severe co-
3 occurring mental illness and substance use disorders who are
4 subject to court-ordered guardianship or assisted community
5 treatment orders.

6 SECTION 2. (a) There is established within the department
7 of human services the task force on chronically homeless
8 individuals with severe mental illness or substance use
9 disorders. Co-chaired by the directors of the department of
10 human services and department of health, the task force shall
11 determine specific implementation requirements necessary to
12 establish a pilot program intended to procure the services of a
13 service provider to operate a shelter and provide mental health
14 treatment for homeless individuals with severe mental illness or
15 severe co-occurring mental illness and substance use disorders
16 who are subject to court-ordered guardianship or assisted
17 community treatment orders.

18 (b) The task force shall consider specific implementation
19 concerns and any procedural, legal, or other requirements
20 necessary for a pilot project, including but not limited to:



- 1 (1) Developing specific recommendations to address the
2 population targeted by the pilot program, including
3 specialized levels of treatment, coordination of care,
4 and compliance with all regulatory and licensing
5 requirements;
- 6 (2) Developing procedures to address the safety of clients
7 and staff involved with the pilot program; and
- 8 (3) Ensuring that all legal requirements are met when
9 recommending assisted community treatment for an
10 individual under court-ordered guardianship or an
11 assisted community treatment order, when the
12 individual will not voluntarily participate in
13 treatment.
- 14 (c) The following individuals shall serve as members of
15 the task force:
 - 16 (1) The chair of the senate committee on human services,
17 or a member designated by the president of the senate;
 - 18 (2) The chair of the house committee on human services and
19 homelessness, or a member designated by the speaker of
20 the house of representatives;
 - 21 (3) The governor's coordinator on homelessness;



- 1 (4) The director of human services, or the director's
- 2 designee;
- 3 (5) A representative from the med-QUEST division of the
- 4 department of human services;
- 5 (6) A representative from the homeless programs office of
- 6 the department of human services;
- 7 (7) The director of health, or the director's designee;
- 8 (8) A representative from the adult mental health division
- 9 of the department of health;
- 10 (9) A representative from the office of health care
- 11 assurance of the department of health;
- 12 (10) A representative from the department of the attorney
- 13 general, to be designated by the attorney general;
- 14 (11) A representative from the Hawaii state judiciary; and
- 15 (12) A representative from a mental health advocacy group.

16 The department of human services may recommend additional
17 members with appropriate specialized expertise to the task
18 force.

19 (d) For the purposes of facilitating the work, necessary
20 investigation, and to promote decision-making:



1 (1) The task force members may work together, investigate
2 matters, and make preliminary decisions without regard
3 to provisions of section 92-2.5, Hawaii Revised
4 Statutes; provided that any decisions are:
5 (A) Included in the meeting notice of the task force;
6 and
7 (B) Subject to further review and comment by the task
8 force members and members of the public who are
9 present at a duly noticed meeting of the task
10 force; and
11 provided further that the exemption from section 92-
12 2.5 shall cease on January 1, 2020; and
13 (2) A majority of task force members or their designees
14 present at a duly noticed meeting of the task force
15 shall constitute a quorum of the task force as
16 provided by section 92-15, Hawaii Revised Statutes.
17 (e) The task force shall submit a report of its findings
18 and recommendations, including any proposed legislation, no
19 later than thirty days prior to the convening of the regular
20 session of 2020.



1 (f) The task force shall cease to exist on June 30, 2021,
2 unless extended by an act of the legislature.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2019-2020 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2020-2021 for the purposes of this Act.

8 The sums appropriated shall be expended by the department
9 of human services for the purposes of this Act.

10 .SECTION 4. This Act shall take effect on July 1, 2030.



Report Title:

Homelessness; Severe Mental Illness; Department of Human Services; Task Force; Appropriation

Description:

Requires DHS to establish a task force on the implementation requirements for a pilot program to provide shelter and mental health treatment to certain homeless individuals. Exempts task force from certain provisions of HRS 92 for a limited time. Appropriates funds. (SB1051 HD2)

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