
A BILL FOR AN ACT

RELATED TO MENTAL HEALTH TREATMENT.

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

1 SECTION 1. Section 334-60.7, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 " (b) ~~[For civil commitments that do not result directly~~
4 ~~from legal proceedings under chapters 704 and 706, when]~~ When
5 the administrator or attending physician of a psychiatric
6 facility contemplates discharge of an involuntary patient, the
7 administrator or attending physician ~~[may]~~ shall assess whether
8 an assisted community treatment plan is indicated pursuant to
9 section 334-123 and, if so indicated, ~~[may communicate with an~~
10 ~~aftercare provider as part of discharge planning, as~~
11 ~~appropriate.]~~ a license psychiatrist or advanced practice
12 registered nurse of the facility shall prepare the certificate
13 specified by section 334-123(b), and shall notify the department
14 of the attorney general, which shall assist with the petition
15 for assisted community treatment and the related court
16 proceeding. The facility may notify another mental health



1 program for assistance with the coordination of care in the
2 community."

3 SECTION 2. Act 221, Session Laws of Hawaii 2013,
4 section 24, as amended by Act 114, Session Laws of Hawaii 2016,
5 section 6, is amended to read as follows:

6 "SECTION 24. This Act shall take effect on January 1,
7 2014; provided that:

8 (1) Petitions filed pursuant to section 334-123, Hawaii
9 Revised Statutes, for assisted community treatment
10 involving a designated mental health program that is a
11 state-operated provider shall not be filed until after
12 July 1, 2015;

13 (2) Any private provider wishing to file a petition
14 pursuant to section 334-123, Hawaii Revised Statutes,
15 for assisted community treatment may do so after
16 January 1, 2014, [~~using its own resources,~~] if the
17 petitioner is to be the designated mental health
18 program; [~~and~~]

19 (3) Any interested party wishing to file a petition
20 pursuant to section 334-123, Hawaii Revised Statutes,
21 for assisted community treatment may do so after



1 January 1, 2014, [~~using the party's own resources,~~] if
2 the designated mental health program is a private
3 provider[-]; and

4 (4) The department of the attorney general shall assist
5 with the petitions brought pursuant to section
6 334-123, Hawaii Revised Statutes, and the related
7 court proceeding, unless the private provider or other
8 interested party declines."

9 SECTION 3. The department of health shall convene a mental
10 health emergencies task force. The task force shall include one
11 representative from the Hawaii health systems corporation, to be
12 determined by the chief executive officer of the Hawaii health
13 systems corporation. The task force shall:

14 (1) Develop recommendations for building a comprehensive
15 continuum of care that includes leveraging assisted
16 community treatment as well as civil commitment as
17 part of that continuum;

18 (2) Assess the reasons that medical facilities are not
19 evaluating persons brought to their emergency rooms
20 for mental health emergencies for whether the person
21 meets the criteria for an assisted community treatment



- 1 plan and for other mental health services including
2 inpatient psychiatric care;
- 3 (3) Explore options for creating a state-funded treatment
4 team for persons not under the care of the director of
5 health who may be in need of an emergency examination
6 and hospitalization or an assisted community treatment
7 plan;
- 8 (4) Explore the feasibility of Leahi hospital and Maluhia
9 for community-based health care;
- 10 (5) Submit a report of its findings and recommendations,
11 including any proposed legislation, to the legislature
12 no later than sixty days prior to the convening of the
13 regular session of 2020; and
- 14 (6) Involve representatives from private sector facilities
15 with emergency rooms and community-based service
16 providers.

17 SECTION 4. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2019-2020 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2020-2021 for the department of the attorney general to assist



1 with petitions for assisted community treatment and related
2 court proceedings.

3 The sums appropriated shall be expended by the department
4 of the attorney general for the purposes of this Act.

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect on March 15, 2094.



Report Title:

Assisted Community Plan; AG; Mental Health Petitions; DOH; Task Force

Description:

Requires the administrator or attending physician to assess whether an assisted community treatment plan is indicated and to make certain arrangements if so indicated. Requires and appropriates funds the AG to assist with the petition for assisted community treatment and related court proceeding. Requires DOH to convene a Mental Health Emergencies Task Force. (SB567 HD2)

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