

STAND. COM. REP. NO.

71

Honolulu, Hawaii

February 6, 2019

RE: H.B. No. 629
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Public Safety, Veterans, & Military
Affairs, to which was referred H.B. No. 629 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RELEASE,"

begs leave to report as follows:

The purpose of this measure is to create a medical release
program within the Department of Public Safety (DPS) for certain
ill, disabled, and geriatric inmates who pose a low risk to public
safety. Specifically, this measure:

- (1) Requires DPS to assess and refer inmates to the Hawaii
Paroling Authority (HPA) for possible medical release;
- (2) Allows an inmate to be considered for medical release at
the request of the director, the inmate, or the inmate's
representative, if the inmate meets specified criteria;
- (3) Requires HPA to grant or deny the request after a
hearing, to set reasonable conditions on an inmate's
medical release, and to promptly order an inmate
returned to custody to await a revocation hearing if HPA
receives credible information that an inmate has failed
to comply with any reasonable conditions of medical
release; and



- (4) Makes inmates on medical release presumptively eligible to receive medical assistance from the Department of Human Services.

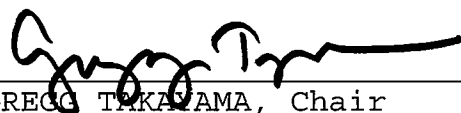
DPS, Office of Hawaiian Affairs, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and several concerned individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Department of Human Services, HPA, Community Alliance on Prisons, and a concerned individual offered comments.

Your Committee has amended this measure by:

- (1) Requiring that medical release requests initiated by an inmate's representative be immediately referred to the Director of Public Safety;
- (2) Conforming the criteria for determining which inmates are eligible for medical release to the existing PSD medical release policy; and
- (3) Adding definitions of "terminal illness" and "debilitating disease or illness".

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 629, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 629, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Veterans, & Military Affairs,



GREGG TAKAHAMA, Chair



