STAND. COM. REP. NO. 1692

, 2019

Honolulu, Hawaii

MAR 22

RE: S.B. No. 567

S.D. 2 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 567, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATED TO MENTAL HEALTH TREATMENT,"

begs leave to report as follows:

The purpose of this measure is to require:

- (1) An individual to be examined prior to being discharged from an involuntary commitment or voluntary admission to a psychiatric facility, or after transport for an emergency examination, to determine whether an assisted community plan is indicated;
- (2) The Department of the Attorney General (AG) to assist with the petition for assisted community treatment and related court proceeding; and
- (3) The Department of Health to convene a Mental Health Emergencies Task Force.

The Office of the Public Defender, Oahu Region of the Hawaii Health Systems Corporation, Councilmember representing District 9 of the City and County of Honolulu, a member of Neighborhood Board No. 15 of the City and County of Honolulu, Hawaii Kai Homeless

Task Force, Partners in Care, The Institute for Human Services, Inc., Catholic Charities Hawai'i, Treatment Advocacy Center, Americans for Democratic Action, and two individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Governor's Coordinator on Homelessness, AG, and Hawaii Disability Rights Center provided comments.

Your Committee has amended this measure by:

- (1) Moving the language that requires an individual to be examined prior to being discharged and requires the AG to assist with the petition and related court proceeding for assisted community treatment into a more appropriate statutory section;
- (2) Requiring that the representative from the Hawaii Health Systems Corporation (HHSC) on the Mental Health Emergencies Task Force be determined by the Chief Executive Officer of the HHSC;
- (3) Appropriating funds to the AG to assist with petitions for assisted community treatment and related court proceedings; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 567, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 567, S.D. 2, H.D. 2.

STAND. COM. REP. NO. | 6 12
Page 3

Respectfully submitted on behalf of the members of the Committee on Judiciary,

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR1692

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 567, SD2, HDI	Committee Referral: HLT, JVD, FIN	Date:	129/19	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
2. SAN BUENAVENTURA, Joy A.	(VC)			
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BROWER, Tom		<u> </u>	<u> Samukumi Luk S. A. Sasai Sunai</u>	
4. CREAGAN, Richard P.				
5. LOWEN, Nicole E.		. 人员 等建设建设	A. 16.7能,是不可	
6. McKELVEY, Angus L.K.			A	
7. MORIKAWA, Dee				and the second of the second o
8. SAY, Calvin K.Y.				
9. TAKAYAMA, Gregg				
7. TAKATAMA, Glegg				
10. YAMANE, Ryan I.			grade a Maken Tuddhilan dhamailinin an an	
11. THIELEN, Cynthia				
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TOTAL (11)	8		1	2
The recommendation is: If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				