

STAND. COM. REP. NO.

1147

Honolulu, Hawaii

MAR 1 - 2019

RE: S.B. No. 567

S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 567, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require an individual to be examined upon commitment to a psychiatric facility for involuntary hospitalization to determine whether an assisted community plan is indicated and, if so, requires the Department of the Attorney General to assist with the petition for assisted community treatment and related court proceeding; and
- (2) Require the Department of Health to convene a mental health emergencies task force.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Disability Rights Center, Catholic Charities Hawai'i, Partners in Care, and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of the Attorney General.



Your Committees find that following emergency care or hospitalization, many mentally ill patients are released with no plan in place for follow-up care or treatment. Your Committees further find that the assisted community treatment program exists to provide care for such individuals in the community, but that many mentally ill individuals do not participate in community treatment plans. Your Committees additionally find that many private sector providers, community organizers, and families do not have the resources to negotiate the complex proceedings necessary to petition the court for an assisted community plan order. This measure will require individuals to be examined prior to discharge from psychiatric facilities to determine whether an assisted community plan is indicated and require the Department of the Attorney General to assist with assisted community plan petitions.

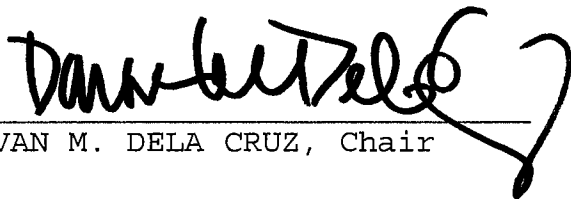
Your Committees have amended this measure by:

- (1) Expanding the examination requirement to include persons admitted to voluntary inpatient treatment at a psychiatric facility and persons delivered for emergency examination and hospitalization;
- (2) Clarifying that a psychiatric facility is not required to delay discharge after an examination is completed;
- (3) Changing the effective date to March 15, 2094, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 567, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 567, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair

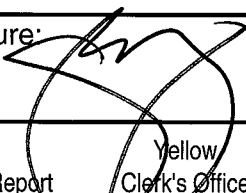


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 567, SDI	CPH, JDC / WAM	2/26/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB567, SD1	Committee Referral: CPH, JDC/WAM	Date: 2/26/2019		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	/			
KEITH-AGARAN, Gilbert S.C. (VC)				/
ENGLISH, J. Kalani	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.				/
KAHELE, Kaiali'i				/
KANUHA, Dru Mamo	/			
KIDANI, Michelle N.	/			
MORIWAKI, Sharon Y.	/			
RIVIERE, Gil				/
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
FEVELLA, Kurt	/			
TOTAL	9			4
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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