

Honolulu, Hawaii

MAR 22

, 2019

RE: S.B. No. 768
S.D. 1
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 Consumer Protection & Commerce, to which was referred S.B. No. 768, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADOLESCENT MENTAL HEALTH SERVICES,"

begs leave to report as follows:

The purpose of this measure is to address the privacy of minor patients receiving mental health treatment by:

- (1) Requiring licensed mental health professionals, as part of the standard of care, to educate minor patients on their confidentiality rights and inquire whether minor patients want their mental health treatment or counseling services to be confidential from their parents or guardians;
- (2) Clarifying that the minor, or the minor's parent or legal guardian, is not responsible for payment of out-of-pocket costs for a minor patient's mental health treatment or counseling services; and
- (3) Restricting the disclosure of billing and payment history for a minor patient's mental health treatment or counseling services under certain conditions.



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The Department of Health, LGBT Caucus of the Democratic Party of Hawai'i, Hawaii Youth Services Network, Mental Health America of Hawai'i, and Hawaii Psychological Association supported this measure. A few individuals opposed this measure. Hawaii Medical Service Association and Hawaii Association of Health Plans offered comments.

Your Committee has amended this measure by:

- (1) Allowing minors who are fourteen years of age or older to consent to mental health treatment or counseling services provided by certain mental health professionals who are working under the supervision of a licensed mental health professional; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 768, S.D. 1, 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. 768, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



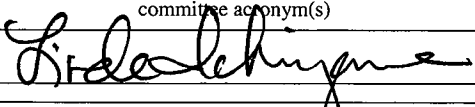
ROY M. TAKUMI, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

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Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 768, SDI, HDI	Committee Referral: HLT, CPC, FIN	Date: 3/2/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.				✓
4. BELATTI, Della Au				✓
5. CABANILLA ARAKAWA, Rida	✓			
6. CACHOLA, Romy M.	✓			
7. HAR, Sharon E.				✓
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.				✓
10. ONISHI, Richard H.K.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	7	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				