



**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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**Testimony in SUPPORT of SB0567 SD1
RELATING TO MENTAL HEALTH TREATMENT**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date and Time: Tuesday, February 26, 2019 at 10:00 a.m.

Room: 211

1 **Fiscal Implications:** Undetermined.

2 **Department Testimony:** The Department of Health (DOH) supports SB0567 SD1. The
3 department acknowledges that access to timely mental health treatment is a critical component
4 of ongoing community-based health care and offers the following comments.

5 SB567 SD1 proposes to require that upon commitment to a psychiatric facility for
6 involuntary hospitalization that a determination be made whether an assisted community
7 treatment plan is indicated and, if so, requires the Department of the Attorney General (ATG) to
8 assist with the petition for assisted community treatment and related court proceeding.
9 Additionally, this measure proposes the Department of Health (DOH) convene a mental health
10 emergencies task force.

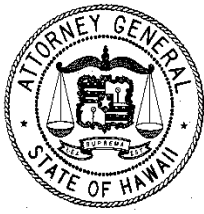
11 The DOH defers to the ATG to address the implications of their work including the
12 proposed responsibilities related to addressing handling of petitions for assisted community
13 treatment.

14 The DOH acknowledges that timely and effective access to treatment for a mental health
15 emergency is a complex issue. The mental health emergencies task force will provide an
16 opportunity for the DOH to work with stakeholders on statutory and programmatic initiatives to
17 support the use of assisted community treatment.

1 The DOH thanks the committee for hearing this measure and looks forward to continued
2 collaboration with legislators, partner agencies, and community stakeholders in addressing the
3 intent and spirit of this measure.

4 Thank you for the opportunity to testify.

5 **Offered Amendments:** None.



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

LATE

ON THE FOLLOWING MEASURE:

S.B. NO. 567, S.D. 1, RELATING TO MENTAL HEALTH TREATMENT.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Tuesday, February 26, 2019 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Erin LS Yamashiro,
Deputy Attorney General, at 693-7081)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General (Department) appreciates the intent of this bill and provides the following comments.

The purpose of this bill is to require a psychiatric facility to determine whether an individual meets the criteria for an assisted community treatment order after he or she is committed to a psychiatric facility pursuant to chapter 334, Hawaii Revised Statutes (HRS), and for the Department to file the petition for assisted community treatment.

The Department will need additional funding and resources to carry out the statewide responsibility articulated in this bill. A similar bill that would also require the Department to file petitions for assisted community treatment, S.B. No. 1464, S.D. 1, appropriates from the general revenues of the State of Hawaii the sum of \$332,000 for fiscal year 2019-2020, and the sum of \$308,000 for fiscal year 2020-2021 for the appointment of two deputy attorneys general and support staff. We suggest that these appropriations be included in this bill to accomplish its stated purpose.

Thank you for the opportunity to provide comments.

SB-567-SD-1

Submitted on: 2/21/2019 10:32:18 PM

Testimony for JDC on 2/26/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	No

Comments:



CATHOLIC CHARITIES HAWAII

TESTIMONY IN SUPPORT OF SB 567, SD1: Relating to Mental Health Treatment

TO: Senator Karl Rhoads, Chair, Senator Donovan Dela Cruz, Chair, and Members, Committee on Judiciary, and Ways and Means.

FROM: Betty Lou Larson, Legislative Liaison, Catholic Charities Hawai'i

Hearing: Tuesday, 2/26/19; 10:00 am; CR 211

Chair Rhoads, Chair Dela Cruz, and Members, Committees on Judiciary and Ways and Means:

Thank you for the opportunity to provide testimony **in support** of SB 567, SD1, which facilitates the assessments of mental health patients who are homeless and may benefit from/need an assisted community treatment plan. I am Betty Lou Larson, with Catholic Charities Hawai'i. We are also a member of Partners in Care.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 70 years. CCH has programs serving elders, children, families, homeless and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i.

Probably the most vulnerable of all the homeless living on the streets in Hawaii are the severely mentally ill individuals who suffer from psychosis, hallucinations and bizarre behaviors. They are living in degrading and inhumane situations. They are at great risk of assault, and for women, rape. They have been unreachable by homeless outreach teams. The public is afraid of them and demands that the government or police "do something". Yet, often they are just moved along to another location.

These homeless individuals often are frequent users of emergency rooms. Assisted community treatment (ACT) is an available but under-utilized option for people with these serious mental illnesses to receive on-going treatment in the least restrictive setting. ACT can reduce the trend toward repeat emergency interventions as the primary course of treatment for the seriously mentally ill.

While judicial oversight of the ACT process is important to preserve the civil rights of mentally ill persons, community providers and others do not have the resources to navigate the complex court system. SB 567 is critical because it addresses the barriers to actually using ACT to improve the lives of these seriously mentally ill persons. The creation of a task force to explore why medical facilities are not diverting more people to this service as well as looking at other options is a big step forward to finding solutions.

We need to seek humane solutions to help these most vulnerable homeless. This bill is an important step forward. We urge your support. Please contact me at (808) 373-0356 or bettylou.larson@catholiccharitieshawaii.org if you have any questions.



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PARTNERS IN CARE

Oahu's Continuum of Care

Our mission is to eliminate homelessness through open and inclusive participation and the coordination of integrated responses.

TESTIMONY IN SUPPORT OF SB 567, SD1: Relating to Mental Health Treatment

TO: Senator Karl Rhoads, Chair, Senator Donovan Dela Cruz, Chair, and Members, Committee on Judiciary, and Ways and Means.

FROM: Marya Grambs, member, Board of Directors, Partners in Care

Hearing: Tuesday, 2/26/19; 10:00 am; CR 211

Chair Rhoads, Chair Dela Cruz, and Members, Committees on Judiciary and Ways and Means:

Thank you for the opportunity to provide testimony **in support** of SB 567, SD1.

I am Marya Grambs, a member of the Board of Directors of Partners in Care, Oahu's continuum of care for individuals experiencing homelessness.

SB567 will increase opportunities for the filing of Assisted Community Treatment (ACT) petitions and therefore increase the numbers of vulnerable, severely mentally ill, chronically homeless individuals who can be helped by such orders. As you know, ACT orders target those individuals who are psychotic, have been repeatedly hospitalized or jailed, live in degraded and inhumane circumstances, are unable to take care of themselves, and are often victims of violence or sexual assault.

SB567 requires that when individuals are committed for involuntary psychiatric hospitalization, they must be examined by the appropriate mental health professional to determine whether they meet the criteria for an ACT order as outlined in SS334.123. This will reduce the current practice of individuals being released from involuntary emergency hospitalization to the streets, only to repeatedly decompensate and be re-admitted (or arrested).

Moreover, SB567 requires the Dept of Health to convene a task force to assess why emergency rooms are currently not filing ACT orders on appropriate individuals, for the above stated reasons. This task force will also explore the creation of a treatment team for such persons, which would reduce the obstacles encountered by community agencies who do not have the resources to hire the expertise required to file petitions. A treatment team would work together collaboratively to bring successful petitions to court. This is done successfully in other jurisdictions.

Finally, SB567 requires that the Attorney General's office assist with the filing of such petitions. This is very important: an attorney is needed to successfully file a petition, and community agencies and families generally do not have the resources to hire an attorney, and are thus unable to successfully file petitions.

LATE

SB-567-SD-1

Submitted on: 2/26/2019 3:10:42 AM

Testimony for JDC on 2/26/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: