

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2043
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Judiciary and Consumer Protection & Commerce, to which was referred H.B. No. 2043, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to improve minors' access to mental health care by:

- (1) Allowing an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation;
- (2) Requiring a mental health professional to assist a minor with completing a nondisclosure notification form to send to covered entities, when appropriate; and
- (3) Requiring a covered entity, upon receiving a completed notification form, to maintain the confidentiality of minor-initiated mental health treatment or counseling services.



Your Committees received testimony in support of this measure from the Department of Health, Hawaii Medical Service Association, Pride at Work - Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, Planned Parenthood Votes Northwest and Hawaii, Rainbow Family 808, Hawaii Substance Abuse Coalition, Democratic Party of Hawaii, Hawaii Island HIV/AIDS Foundation, Filipina Advocacy Network, Hawaii Psychological Association, Parents And Children Together, and twelve individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that this measure is based on the November 2018 report submitted to the Legislature by the Sexual Orientation Counseling Task Force convened pursuant to Act 13, Session Laws of Hawaii 2018. In its report, the task force generally agreed that existing laws should be amended to increase access to adolescent mental health services by allowing unlicensed mental health professionals to provide minor-initiated mental health treatment or counseling services under the supervision of licensed mental health professionals and maintain the confidentiality of those services.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2043, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2043, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Consumer Protection & Commerce,



ROY M. TAKUMI, Chair



CHRIS LEE, Chair



