

STAND. COM. REP. NO.

3752

Honolulu, Hawaii

JUL 02 2020

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

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2043, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow 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) Require a mental health professional to ensure that the covered entity has been notified that minor-initiated mental health treatment or counseling services should not be disclosed; and
- (3) Require a covered entity, upon notification that minor-initiated mental health treatment or counseling services should not be disclosed, to maintain the confidentiality of minor-initiated mental health treatment or counseling services.



Your Committee received testimony in support of this measure from the Department of Health, Mental Health America of Hawai'i, Hawai'i Psychological Association, Democratic Party of Hawai'i, LGBT Caucus of the Democratic Party of Hawai'i, Hawaii Youth Services Network, Hawaii Substance Abuse Coalition, Hawaii Medical Service Association, Planned Parenthood Votes Northwest and Hawaii, Pride at Work - Hawaii, and one individual. Your Committee received testimony in opposition to this measure from ten individuals.

Your Committee finds that Act 13, Session Laws of Hawaii 2018, established a Sexual Orientation Counseling Taskforce to address the concerns of minors seeking counseling on sexual orientation, gender identity, gender expressions, and related behaviors. Your Committee further finds that LGBTQ youth often feel alienated from their parents and other family members or fear revealing their struggles relating to sexual orientation or gender identity to their parents. The ability to find a counselor without having to involve a parent can be especially crucial for youth who are at elevated risk of serious mental health difficulties and suicide. This measure seeks to remove barriers to ensure that all minors seeking mental health care may have access to it.

Your Committee has amended this measure by inserting an effective date of January 30, 2021.

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 H.B. No. 2043, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2043, H.D. 2, S.D. 2.

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

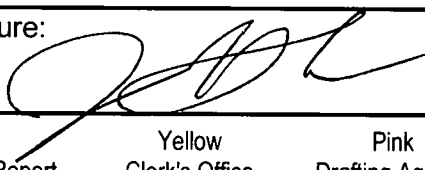


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2043 HD2 SD1	CPH, JDC	06/30/2020		
<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)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike			/	
KIM, Donna Mercado		/		
FEVELLA, Kurt			/	
TOTAL	2	1	2	
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				

*Only one measure per Record of Votes