

Honolulu, Hawaii  
, 2020

**FEB 28**

RE: H.B. No. 2680  
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2680, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to more effectively protect mentally ill individuals and the public by:

- (1) Broadening the term of "imminently dangerous to self or others" to persons who will likely be dangerous within the next ninety days, rather than within the next forty-five days; and
- (2) Increasing the maximum period of emergency hospitalization from forty-eight hours to seventy-two hours.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Hawaii Psychiatric Medical Association, and six individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.



Your Committee finds that the use of involuntary hospitalizations must strike an appropriate balance between protecting the community and providing treatment to individuals who pose a danger to themselves or others, while also protecting the constitutional rights of those individuals. Your Committee further finds that extending the time period for classifying a person as imminently dangerous to self and others and for emergency hospitalizations will help individuals receive necessary treatment, thereby ensuring a safer community.

Your Committee has amended this measure by:

- (1) Amending the definition of "dangerous to self" to mean the person:
  - (A) Recently has threatened or attempted suicide or serious bodily harm; or
  - (B) Is gravely disabled;
- (2) Defining the terms "gravely disabled" and "psychiatric deterioration"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2680, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2680, H.D. 2.

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



CHRIS LEE, Chair



State of Hawaii  
House of Representatives  
The THIRTIETH Legislature

HSR 981-20

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2680 HDI	Committee Referral: HSH, JUD	Date: 2/25/20		
<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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.				/
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.				/
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.	/			
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.				/
12. THIELEN, Cynthia	/			
TOTAL (12)	9			3
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				