

STAND. COM. REP. NO. 188

Honolulu, Hawaii

FEB 12 2019

RE: S.B. No. 1465
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 1465 entitled:

"A BILL FOR AN ACT RELATING TO TREATMENT INSURANCE BENEFITS,"

begs leave to report as follows:

The purpose and intent of this measure is to require mental health insurers to cover certain expenses related to petitions and hearings for persons obtaining assisted community treatment.

Your Committee received testimony in support of this measure from the Hawai'i Psychological Association; Mental Health America of Hawai'i; Partners in Care; Institute for Human Services, Inc.; Hawaii Kai Homeless Task Force; and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association.

Your Committee finds that Assisted Community Treatment (ACT) was passed by the Legislature in 2013 and was intended to help people who are so impacted by mental illness that they are unable to recognize the need for their own treatment and are unresponsive to repeated homeless outreach efforts. Your Committee further finds that these individuals have a right to treatment in light of these circumstances. ACT enables a court to order individuals like these, who meet very specific criteria, to receive treatment



in the community. Your Committee also finds that severely mentally ill and substance addicted, unsheltered homeless impose the greatest financial burden on communities. The aggregate cost for emergency medical services, law enforcement, repair and cleanup of property, and homeless sweeps amounts to hundreds of millions of dollars per year.

Your Committee additionally finds that filing an ACT petition is a complex process that requires the services of a psychiatrist or advanced practice registered nurse with prescriptive authority and psychiatric specialization. Neither the community nor most family members have the financial resources to pay for such services.

This measure requires ACT petition services to be a covered benefit under health insurance policies and plan contracts. The covered benefits under this measure will improve the ACT process, make successful ACT petitions more feasible, and bring more people with untreated mental illness out of homelessness and into recovery. Your Committee notes that this measure also ensures continued parity between mental health covered benefits and physical health covered benefits issued under health insurance policies and plan contracts in the State.


Your Committee has amended this measure by:

- (1) Clarifying that this measure shall be exempt from the impact assessment report requirements under section 23-51, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1465, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1465, S.D. 1, and be referred to your Committee on Ways and Means.



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



ROSALYN H. BAKER, Chair



