



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
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WRITTEN  
TESTIMONY ONLY

**Testimony in SUPPORT of SB2137 SD1  
RELATING TO TRANSITIONAL HOUSING.**

SENATOR KARL RHOADS, CHAIR  
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 2/25/2022

Room Number: Via videoconference

1 **Fiscal Implications:** Undetermined

2 **Department Testimony:** The Department supports the intent of the measure that clean and  
3 sober homes should comply with all county, state, and federal nondiscriminatory laws and offers  
4 the following comments on this measure.

5 Hawaii continues to have limited resources for those in recovery to have a stable and safe  
6 environment in which to reside. The Department's clean and sober homes registry currently has  
7 59 clean and sober homes statewide, with up to 534 bed spaces in dwelling units that provide a  
8 stable independent environment and living conditions free of alcohol and drugs to support and  
9 sustain the recovery process. Because clean and sober homes are a critical strategy to assist a  
10 client's recovery, the Department is working to expand the number of homes and thus improve  
11 the state's recovery capacity. According to the National Survey on Drug Use and Health, over  
12 76,000 Hawaii adults statewide need but are not receiving treatment for substance use disorders.  
13 The transition from active addiction into lasting recovery is often difficult and emotionally trying  
14 for many with a substance-use disorder. According to an August 2018 report by the National  
15 Institute on Drug Abuse (NIDA), relapse rates for substance-use disorders are approximately 40-  
16 60 percent. Drug relapses could signify the need to reexamine a client's course of treatment, as  
17 relapses can be very dangerous and in many instances deadly. Relapse rates suggest the critical  
18 role clean and sober homes play in supporting the recovery process.

1 The Department defers to the Department of the Attorney General on the measure's consistency  
2 with the Americans with Disability Act (ADA) and the Fair Housing Act (FHA). Both the ADA  
3 and the FHA include people recovering from alcoholism and drug addiction as having a handicap  
4 or disability.

5 The Department supports the amendments in SD1.

6 **Offered Amendments:** None

7 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE  
GOVERNOR



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TESTIMONY ON SENATE BILL SB 2137, SENATE DRAFT 1  
RELATING TO TRANSITIONAL HOUSING.

by  
Max N. Otani, Director  
Department of Public Safety

Senate Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

February 25, 2022; 9:45 a.m.  
Via Videoconference

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

The Department of Public Safety (PSD) offers comments on Senate Bill (SB) 2137, Senate Draft (SD) 1, which requires the Department of Health (DOH) and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes and requires DOH to educate the public about clean and sober homes.

As an interagency partner helping to coordinate and oversee offender substance abuse treatment programs, PSD is acutely aware of the shortage of transitional housing, such as clean and sober homes, which have proven to be highly effective and beneficial to the individuals they serve. The Department believes that the amendments in SD 1, balancing community education and client needs, will be important in increasing understanding and reducing misinformation and complaints.

Thank you for the opportunity to present this testimony.



## **SB2137 SD1 Relating to Recovery Homes Requiring Information Meetings and Restricting Locations**

### **COMMITTEE ON JUDICIARY**

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

Friday, Feb 25 2022: 9:45: Videoconference

### **Hawaii Substance Abuse Coalition supports SB2137 SD1**

*ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies.*

### **HSAC supports this bill that was amended.**

In 2014, State laws were changed under Act 193<sup>1</sup> to comply with:

1. The Americans with Disability Act (ADA) and Fair Housing Act as well as the U.S. Supreme Court rulings that protect people recovering from alcoholism and drug addiction because they fall within the definition of handicap (disability).
2. Group homes or sober houses for people in recovery from drug or alcohol addiction are protected from discrimination by the state and federal fair housing laws same as any other disability.

Federal precedence has created increasingly protective measures to safeguard equal access to housing for people with disabilities.

**We understand that some communities have been frustrated** with lack of accountability and so Hawaii Department of Health:

- Recognizing that clean and sober housing arrangements have protective civil rights and
- Recognizing that recovery homes are a cost effective and valuable means to transition recovering individuals back into their chosen communities, and
- Recognizing that quality and compliance would improve if government could establish and monitor performance criteria, therefore,

**Act 193 also passed a VOLUNTARY registration** process to accomplish this objective. The Department of Health established a registry to:

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<sup>1</sup> (HB2224) [https://www.capitol.hawaii.gov/session2014/bills/HB2224\\_CD1 .pdf](https://www.capitol.hawaii.gov/session2014/bills/HB2224_CD1.pdf)

- a. Help clean and sober housing facilities obtain proper county permits and meet all zoning requirements.
- b. Train registered clean and sober operators on policies and procedures for good management, including good neighbor practices.
- c. Respond and enforce compliance for registered houses.**
- d. Provide a list to referring agencies that they refer to registered homes.

**Summary:**

**Recognizing that clean and sober homes are protected, we have empathy for communities who are frustrated for any poor performance issues and look forward to the Department of Health and the County working together to resolve conflicts.**

**As treatment providers, we stand ready to help as well.**

We appreciate the opportunity to provide testimony and are available for questions.