



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB2137 SD2
RELATING TO TRANSITIONAL HOUSING.**

RYAN I. YAMANE, CHAIR
HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND HOMELESSNESS
Hearing Date: 3/17/2022 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
4 supports SD2.

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.

19 The Department defers to the Department of the Attorney General on the measure's consistency
20 with the Americans with Disability Act (ADA) and the Fair Housing Act (FHA). Both the ADA

- 1 and the FHA include people recovering from alcoholism and drug addiction as having a handicap
- 2 or disability.
- 3 **Offered Amendments:** None
- 4 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
1177 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON SENATE BILL 2137, SENATE DRAFT 2
RELATING TO TRANSITIONAL HOUSING.

by
Max N. Otani, Director
Department of Public Safety

House Committee on Health, Human Services, and Homelessness
Representative Ryan I. Yamane, Chair
Representative Adrian K. Tam, Vice Chair

March 17, 2022; 9:30 a.m.
Via Videoconference

Chair Yamane, Vice Chair Tam, and Members of the Committee:

The Department of Public Safety (PSD) offers comments on Senate Bill (SB) 2137, Senate Draft (SD) 2, 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 in addition to the amendments in SD 1, balancing community education and client needs, the amendment in SD 2 to enact the law "upon approval" will be important in addressing the needs of clients and increasing understanding and reducing misinformation and complaints.

Thank you for the opportunity to present this testimony.



SB2137 SD2 Relating to Recovery Homes Requiring Information Meetings and Restricting Locations

COMMITTEE ON HEALTH, HUMAN SERVICES, & HOMELESSNESS

Rep. Ryan I. Yamane, Chair

Rep. Adrian K. Tam, Vice Chair

Thursday, Mar 17 2022: 9:30: Videoconference

Hawaii Substance Abuse Coalition supports SB2137 SD2

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.

The Department of Health: ADAD and County can work together to resolve community complaints now that there is a registry process for Clean and Sober homes, which defines proper management procedures.

History

In 2014, State laws were changed under Act 193¹ 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

¹ (HB2224) [https://www.capitol.hawaii.gov/session2014/bills/HB2224_CD1 .pdf](https://www.capitol.hawaii.gov/session2014/bills/HB2224_CD1.pdf)

- 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:

- 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.
- e. Resolve disputes and complaints working with the County.**

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.

SB-2137-SD-2

Submitted on: 3/14/2022 5:49:08 PM

Testimony for HHH on 3/17/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

The Deptment of Health is the Problem and should be Eliminated and we should contract a privat Carier.