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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO REVIEW AND UPDATE THE RELEVANT CHAPTERS OF THE HAWAII REVISED STATUTES THAT RELATE TO MENTAL HEALTH AND INVOLUNTARY TRANSPORT, EXAMINATION, HOSPITALIZATION, AND TREATMENT, INCLUDING ASSISTED COMMUNITY TREATMENT.

1           WHEREAS, the chapters of the Hawaii Revised Statutes  
2 relating to mental health and involuntary transport,  
3 examination, hospitalization, and treatment have been amended in  
4 a piecemeal manner over the past several decades, which has led  
5 to some lack in clarity and inconsistencies; and

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7           WHEREAS, periodically reviewing the Hawaii Revised Statutes  
8 would be helpful to advance the overall goal of improving mental  
9 health, including for those unable to help themselves; now,  
10 therefore,

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12           BE IT RESOLVED by the House of Representatives of the  
13 Thirty-second Legislature of the State of Hawaii, Regular  
14 Session of 2023, the Senate concurring, that the Department of  
15 Health is requested to convene a working group to review and  
16 update the relevant chapters of the Hawaii Revised Statutes that  
17 relate to mental health and involuntary transport, examination,  
18 hospitalization, and treatment, including assisted community  
19 treatment; and

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21           BE IT FURTHER RESOLVED that the working group is requested  
22 make recommendations for statutory revisions that focus on those  
23 chapters relevant to mental health-related voluntary assessment,  
24 care, and treatment; and

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26           BE IT FURTHER RESOLVED that the working group is requested  
27 to include the following members:  
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- 1 (1) The Director of Health, or the Director's designee;
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- 3 (2) The Attorney General, or the Attorney General's
- 4 designee;
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- 6 (3) A representative from the Department of Health, Adult
- 7 Mental Health Division;
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- 9 (4) A representative from the Department of Public Safety;
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- 11 (5) A representative of the Judiciary, to be selected by
- 12 the Chief Justice;
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- 14 (6) A representative from the Prosecutor's Office from
- 15 each county, to be selected by the respective
- 16 Prosecutor of each county;
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- 18 (7) A member of the Senate Standing Committee with primary
- 19 jurisdiction over Health and Human Services; and
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- 21 (8) A member of the House of Representatives Standing
- 22 Committee with primary jurisdiction over Health and
- 23 Homelessness; and
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25 BE IT FURTHER RESOLVED that the working group is requested  
 26 to invite other individuals with relevant experience and  
 27 expertise to be members of the working group, including:

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- 29 (1) Psychologists or social workers;
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- 31 (2) Psychiatrists;
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- 33 (3) Representatives from residential treatment programs;
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- 35 (4) Representatives from mental health advocacy groups;
- 36 and
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- 38 (5) Any other representatives the working group deems
- 39 necessary; and
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41 BE IT FURTHER RESOLVED that the working group is requested  
 42 to select a chairperson from amongst its members; and

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1 BE IT FURTHER RESOLVED that, upon request of the working  
2 group, the Department of Health is requested to assist in the  
3 preparation of the report; provided that before August 1, 2023,  
4 the working group submits a draft to the Legislative Reference  
5 Bureau, including any information and materials deemed necessary  
6 by the Legislative Reference Bureau, for the preparation of the  
7 final report; and

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9 BE IT FURTHER RESOLVED that the working group, with the  
10 assistance of the Department of Health, is requested to submit a  
11 report of its findings and recommendations, including any  
12 proposed legislation, to the Legislature no later than twenty  
13 days prior to the convening of the Regular Session of 2024; and

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15 BE IT FURTHER RESOLVED that certified copies of this  
16 Concurrent Resolution be transmitted to Director of Health,  
17 Attorney General, Director of Public Safety, Chief Justice of  
18 the Hawaii Supreme Court, Prosecutor of each county, and  
19 Director of the Legislative Reference Bureau.

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