

STAND. COM. REP. NO.

1348

Honolulu, Hawaii

MAR 24 2023

RE: H.B. No. 950
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 950, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ASSISTED COMMUNITY TREATMENT ORDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the time period that a family court may order continued assisted community treatment; and
- (2) Reduce the time period that a family court needs to determine whether assisted community treatment should continue.

Your Committee received testimony in support of this measure from the State Council on Mental Health and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that if a person suffers from a serious mental illness or severe substance abuse, but can still make decisions, treatment cannot be administered to the person unless the person consents to treatment. However, if the person suffering from a serious mental illness or severe substance abuse



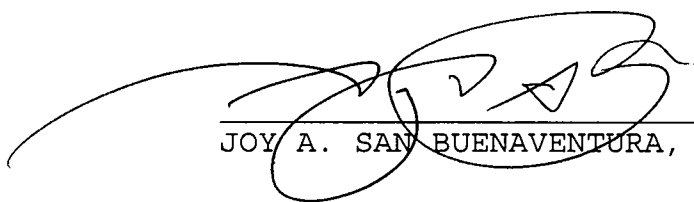
does not have decision making capacity, under existing law, a family court may order the person to obtain assisted community treatment for a period of not more than one year. Your Committee finds that for persons who meet the criteria for court ordered assisted community treatment, one year is often not enough time for the person to be stabilized. In these cases, another court order is necessary for the person to receive another one-year period of assisted community treatment. This measure extends the time a court may order assisted community treatment from one year to two years, allowing a person suffering from a serious mental illness or severe substance abuse to receive an appropriate level of treatment to address their needs.

Your Committee has amended this measure by:

- (1) Deleting language that would have extended the time period that a family court may order continued assisted community treatment to two years and inserting a blank number of years instead; and
- (2) Inserting an effective date of June 30, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 950, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 950, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



