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DEPT. COMM. NO. 437



LEGISLATIVE REFERENCE BUREAU
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**2023 LISTING OF OPINIONS
ISSUED BY THE ATTORNEY GENERAL
STATE OF HAWAII**

OPINION NO. (Date Issued)	DIGEST
23-01 (April 20, 2023)	Standards for Mental Health Intervention and the Assisted Community Treatment Law. An opinion was requested to provide clarity on the standards and functions of chapter 334, Hawaii Revised Statutes, and the assisted community treatment provisions under part VIII of that chapter. The Attorney General concluded that: (1) to be deemed "imminently dangerous to self or others," the individual does not need to be currently dangerous to self or others; (2) determinations surrounding whether a person is "dangerous to self" or "imminently dangerous to self or others" are mixed questions of fact and law; (3) if an individual is not "imminently dangerous to self or others," the individual may be placed under an assisted community treatment order, if appropriate; and (4) an individual may be forcibly medicated under an assisted community treatment order if the individual is within an emergency department or admitted to a hospital, it is determined there that the individual is "imminently dangerous to self or others," and the administration of medication pursuant to the assisted community treatment order is indicated by good medical practice.

Compiled by:
LEGISLATIVE REFERENCE BUREAU
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