

JAN 25 2023

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that mental health
2 conditions are treated in various ways, depending on the
3 condition, and can include medication, therapy, and psychosocial
4 services. Congress, through the Breakthrough Therapies Act, and
5 the Food and Drug Administration have indicated that
6 methylenedioxymethamphetamine, commonly known as MDMA, and
7 psilocybin will be rescheduled to enable therapeutic use. MDMA
8 and psilocybin have already been granted the Food and Drug
9 Administration's breakthrough therapy designation to fast-track
10 research and potential approval given efficacy in treating
11 treatment-resistant depression and post-traumatic stress
12 disorder. These treatments, while effective for certain
13 conditions and patients, do not treat all mental health
14 conditions. Research supports that the effectiveness of natural
15 and alternative medicines and therapies, such as the use of
16 MDMA, psilocybin, and other therapies, as being safe and
17 effective ways to treat depression, post-traumatic stress



1 disorder, addiction, end-of-life psychological distress, and
2 other afflictions.

3 The purpose of this Act is to establish the beneficial
4 treatments advisory council to review, evaluate, and recommend
5 new medicinal treatments for mental health.

6 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
7 amended by adding a new section to part I to be appropriately
8 designated and to read as follows:

9 "§321- Beneficial treatments advisory council;
10 established. (a) There is established within the department
11 for administrative purposes only, a beneficial treatments
12 advisory council. The council shall consist of the following
13 members:

14 (1) Five of the members shall be the following ex officio,
15 voting members, or their respective designees:

16 (A) The director of health, who shall serve as the
17 chairperson of the advisory council;

18 (B) The attorney general;

19 (C) The chairpersons of the health standing
20 committees within the senate and house of
21 representatives; and



1 (D) The chairperson of the Hawaii state council on
2 mental health; and

3 (2) Four of the members shall be appointed pursuant to
4 section 26-34 and shall consist of:

5 (A) A physician who is duly licensed pursuant to
6 chapter 453 or an advanced practice registered
7 nurse who is authorized to prescribe psychotropic
8 medication and is duly licensed pursuant to
9 chapter 457;

10 (B) One physician duly licensed pursuant to
11 chapter 453, with specialties in substance abuse
12 and psychiatry;

13 (C) One representative from an organization that
14 advocates for the therapeutic use of plant-based
15 psychedelic modalities; and

16 (D) One representative from an accredited research
17 institution providing certification and train for
18 professionals on the use of psychedelic
19 modalities.

20 (b) Members appointed pursuant to subsection (a)(2) shall
21 serve without compensation, but may be reimbursed for the



1 necessary expenses, including reasonable travel expenses,
2 incurred in the performance of their duties.

3 (c) The beneficial treatments advisory council shall:

4 (1) Examine federal, state, and local laws, regulations,
5 administrative rules, and procedures regarding the
6 treatment of mental health;

7 (2) Examine available medical, psychological, and
8 scientific studies, research, and other information
9 relating to the safety and efficacy of methods to
10 treat mental health conditions;

11 (3) Examine requirements, specifications, and guidelines
12 for a medical professional to prescribe and provide
13 various treatments to patients in jurisdictions in
14 which the treatment is used to treat mental health
15 conditions;

16 (4) Develop a long-term strategic plan to ensure the
17 availability of therapeutic psilocybin,
18 psilocybin-based products, and
19 methylenedioxymethamphetamine that are safe,
20 accessible, and affordable for adults twenty-one years
21 of age or older; and



1 (5) Advise the department on new and revised mental health
2 treatment options."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY: 



S.B. NO. 1531

Report Title:

Beneficial Treatments Advisory Council; DOH; Mental Health

Description:

Permanently establishes the Beneficial Treatments Advisory Council to review mental health treatment information and advise the Department of Health.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

