
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 United States Food and Drug Administration have indicated
6 that methylenedioxymethamphetamine, commonly known as MDMA, and
7 psilocybin will be rescheduled to enable therapeutic use. MDMA
8 and psilocybin have already been granted the United States Food
9 and Drug Administration's breakthrough therapy designation to
10 fast-track research and potential approval, given their efficacy
11 in treating treatment-resistant depression and post-traumatic
12 stress disorder. These treatments, while effective for certain
13 conditions and patients, do not treat all mental health
14 conditions. Research supports the effectiveness of natural and
15 alternative medicines and therapies, such as the use of MDMA,
16 psilocybin, and other therapies, as safe and effective ways to



1 treat depression, post-traumatic stress disorder, addiction,
2 end-of-life psychological distress, and 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 executive director of the office of wellness
17 and resilience, who shall serve as the
18 chairperson of the advisory council;

19 (B) The attorney general;

20 (C) The chairpersons of the senate and house standing
21 committees whose purviews include health; 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) A physician duly licensed pursuant to chapter
11 453, with specialties in substance abuse and
12 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 training
18 for professionals on the use of psychedelic
19 modalities.

20 (b) The members of the advisory council shall serve
21 without compensation but shall be reimbursed for expenses,



1 including travel expenses, necessary for the performance of
2 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 on December 31,
5 2050.



Report Title:

Beneficial Treatments Advisory Council; DOH; Mental Health

Description:

Establishes the Beneficial Treatments Advisory Council to review mental health treatment information and advise the Department of Health. Effective 12/31/2050. (SD1)

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