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# 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 the chapters of the  
2 Hawaii Revised Statutes relating to mental health and  
3 involuntary transport, examination, hospitalization, and  
4 treatment have been amended in a piecemeal manner over the past  
5 several decades. This has led to some lack in clarity and  
6 inconsistencies. It is imperative that such an important part  
7 of state law receives full and deliberate attention from time to  
8 time to ensure the law's continued force and effectiveness.

9           The legislature further finds that a comprehensive review  
10 of the Hawaii Penal Code has been conducted every decade since  
11 the Code's enactment in 1972. The legislature believes that  
12 periodically reviewing Hawaii's mental health laws would also be  
13 helpful to advance the overall goal of improving mental health  
14 in the State, especially for those unable to help themselves.

15           The purpose of this Act is to require the department of  
16 health to convene an advisory committee on mental health code  
17 review every ten years.



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§321- Advisory committee on mental health code review;  
5 report. (a) Beginning July 1, 2025, and every ten years  
6 thereafter, the department of health shall convene an advisory  
7 committee on mental health code review. The scope of the  
8 advisory committee's review shall be determined by the  
9 department of health; provided that every advisory committee  
10 shall review all federal and state court cases and  
11 constitutional, statutory, and rule changes impacting the Hawaii  
12 Revised Statutes that relate to mental health and involuntary  
13 transport, examination, hospitalization, and treatment,  
14 including assisted community treatment, since the previous  
15 advisory committee's review.

16 (b) Membership of the advisory committee on mental health  
17 code review shall be as follows:

18 (1) The governor's senior advisor for mental health and  
19 the justice system, who shall serve as co-chair;

20 (2) The governor's coordinator on homelessness, who shall  
21 serve as co-chair;



- 1       (3) The attorney general, or the attorney general's  
2           designee;
- 3       (4) A representative from the department of health, adult  
4           mental health division, to be selected by the director  
5           of health;
- 6       (5) A representative from the department of corrections  
7           and rehabilitation, to be selected by the director of  
8           corrections and rehabilitation;
- 9       (6) A representative of the judiciary, to be selected by  
10           the chief justice;
- 11       (7) A member of the senate standing committee with primary  
12           subject matter jurisdiction over health or human  
13           services, to be selected by the senate president;
- 14       (8) A member of the house of representatives standing  
15           committee with primary subject matter jurisdiction  
16           over health or homelessness, to be selected by the  
17           speaker of the house of representatives;
- 18       (9) A representative from the prosecutor's office of each  
19           county, to be selected by the respective prosecuting  
20           attorney of each county;



1        (10) A representative from the city and county of  
2                Honolulu's crisis outreach response and engagement  
3                program, to be selected by the mayor of the city and  
4                county of Honolulu;

5        (11) A representative from a private nonprofit human  
6                services organization focused on ending or preventing  
7                homelessness, to be selected by the senior advisor of  
8                mental health and the justice system and the  
9                governor's coordinator of homelessness;

10       (12) Four members with relevant experience and expertise as  
11                a:

12                (A) Psychologist or social worker;

13                (B) Psychiatrist;

14                (C) Representative from a residential treatment  
15                program; or

16                (D) Representative from a mental health advocacy  
17                group;

18                provided further that the president of the senate and  
19                speaker of the house of representatives shall each  
20                select two members; and



1       (13) Any other representatives the advisory committee deems  
2               necessary.

3       (c) The members of the advisory committee on mental health  
4 code review shall serve without compensation but shall be  
5 reimbursed for expenses, including travel expenses, necessary  
6 for the performance of their duties. The department of health  
7 shall request the necessary funding for the advisory committee  
8 to conduct its review during the regular session immediately  
9 preceding the convening of the advisory committee.

10       (d) The advisory committee on mental health code review  
11 shall submit a report of its findings and recommendations,  
12 including any proposed legislation, to the legislature no later  
13 than twenty days prior to the convening of the regular session  
14 immediately following the convening of the advisory committee."

15       SECTION 3. New statutory material is underscored.

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



**Report Title:**

DOH; Advisory Committee on Mental Health Code Review

**Description:**

Beginning 7/1/2025, and every ten years thereafter, requires the Department of Health to convene an Advisory Committee on Mental Health Code Review. (SD1)

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

