

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of S.B. 2246  
RELATING TO CRISIS INTERVENTION**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR GLENN WAKAI, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Friday, February 2, 2024, 3:00 pm, Room 225/VIDEO

1 **Fiscal Implications:** The Department of Health (Department) requests funding for this measure  
2 be considered as a vehicle to expand services, including staff support, provided it does not  
3 supplant the requests outlined in the Governor's executive budget request.

4 **Department Position:** The Department supports this measure and offers comments. The  
5 Department provides the following comments on this measure.

6 **Department Testimony:** The Adult Mental Health Division (AMHD) provides the following  
7 testimony on behalf of the Department.

8 The Department supports this measure which proposes expanding crisis intervention  
9 and diversion activities program with the Department.

10 The Department of Health already has a Mental Health Emergency Worker (MHEW)  
11 program in which a certified provider provides assessment and triage to law enforcement for  
12 MH-1 emergency evaluations.

1           The Department supports crisis intervention training for law enforcement officers as  
2 officers who are trained in crisis intervention are equipped with additional knowledge,  
3 empathy, and improved de-escalation techniques that allow them to more effectively and  
4 safely respond to behavioral health emergencies. The Department will continue to work closely  
5 with law enforcement.

6           Section 3 of this bill requires the Department to certify crisis intervention officers. As  
7 this responsibility will place a burden on our workforce, given ongoing recruitment challenges  
8 and staffing shortages, we kindly request to omit this requirement.

9           **Offered Amendments:**

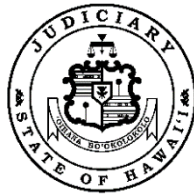
10           The Department respectfully requests the following amendments.

11           In Section 3, "and certified by the department of health as specialized first responders  
12 for calls involving persons in crisis" be deleted from the definition of "Crisis intervention  
13 officer."

14           In Section 4, the addition of "crisis intervention officer" be deleted.

15           Also in Section 4, on page 4, line 6 of the bill replace "designated behavioral health crisis  
16 center" with "facility designated by the director of health."

17           Thank you for the opportunity to testify on this measure.



*The Judiciary, State of Hawai'i*

**Testimony to the Thirty-Second State Legislature  
2024 Regular Session**

**Senate Committee on Public Safety and Intergovernmental and Military Affairs**

Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice-Chair

**Senate Committee on Health and Human Services**

Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice-Chair

Friday, February 2, 2024 at 3:00 p.m.  
Conference Room 225 & Videoconference

**WRITTEN TESTIMONY ONLY**

by

Rodney A. Maile  
Administrative Director of the Courts

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**Bill No. and Title:** Senate Bill No. 2246, Relating to Crisis Intervention.

**Purpose:** Establishes an expanded crisis intervention and diversion activities program within the Department of Health to expand existing activities to divert those with mental health issues to appropriate health care services. Defines "crisis intervention officer". Authorizes a person believed to be imminently dangerous to self or others by a law enforcement officer to be assisted by a crisis intervention officer and transported to a designated crisis center. Makes appropriations for the expanded crisis intervention and diversion activities program and certification of law enforcement officers in mental health first aid and crisis intervention team model.

**Judiciary's Position:**

The Judiciary strongly supports the intent of this measure. The establishment and use of behavioral health crises centers will improve the government response to individuals suffering

Testimony for Senate Bill No. 2246, Relating to Crisis Intervention  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs  
Senate Committee on Health and Human Services  
Friday, February 2, 2024 at 3:00 p.m.  
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from serious mental illness, particularly for those who may become, or already are, involved in the criminal justice system. Early access to, and the provision of, mental health care and services is integral to diverting those individuals who, but for their mental health crisis, would not be involved with the criminal justice system. As there are several bills presented that authorize and fund the use of behavioral crises centers, the Judiciary defers to the Department of Health as to the measure best suited to effectuate the purpose of this bill.

Thank you for the opportunity to testify on this measure.

**SB-2246**

Submitted on: 1/31/2024 5:52:56 PM

Testimony for HHS on 2/2/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	Remotely Via Zoom

Comments:

There is no doubt that trained crisis officers would be better equipped to handle these situations. While we mean no disrespect to "regular" police officers, they are frequently not as well trained to deal with individuals with a mental illness. This has tragically led to many needless injuries and deaths. Trained crisis officers would be a significant improvement. We also think transporting people to a behavioral crisis center is a much preferred option than an emergency room at a hospital.



## **Sb2246 Crisis Intervention**

### COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair

Senator Brandon J.C. Elefante, Vice Chair

### COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

3Friday, Feb 2, 2024: 3:00 : Room 225 Videoconference

## **Hawaii Substance Abuse Coalition Strongly Supports SB2246:**

*ALOHA CHAIRS, VICE CHAIRS, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.*

**HSAC strongly supports** a Crisis Intervention and Diversion Program within the Department of Health to divert those with mental health issues from the criminal justice system to appropriate health care services:

- This program would divert patients with mental illness health providers and services instead of criminal justice system by DOH crisis program collaborating with law enforcement, courts, mental health providers and the community.
- This may include leasing or buying a behavioral health crisis center.
- A crisis intervention officer means a law enforcement officer trained in mental health response and communication.

**HSAC recommends inclusion of more substance use disorder language.** Often people who have severe substance use disorders with stimulants like methamphetamine have drug induced psychosis, or for those who are severely mentally impaired often have co-occurring substance use disorders in addition to mental illness such that they are frequently arrested are unsheltered homeless and in dire need of co-occurring (mental health and substance abuse) intervention and crisis care.

**§334- Expanded crisis intervention and diversion activities program.** (a) There is established within the department of health an expanded crisis intervention and diversion activities program to expand existing crisis intervention and diversion activities to redirect persons

experiencing mental illness **or co-occurring disorders (mental illness and substance use disorders)** who are at risk for involvement with the criminal justice system,

We support a Crisis Intervention and Diversion Services program so that there can be collaboration with law enforcement, mental health providers and community including:

- The alternative is a danger to public safety when criminal defendants, who could qualify for commitment due to severe mental health issues, are released back into the community without appropriate care.

**In Section 4 (a) (1) We see it is stated as such and want to emphasize that it is most important that a person can be transported to another facility designated by the director that is not a licensed psychiatric facility because crisis bed services are generally not licensed psychiatric facilities.**

**In Section 4 (a) (2)** Upon a executed document from a acceptable licensed health behavioral health person, a judge may order that a person is mentally ill or suffering from substance abuse and depending on meeting probable cause criteria, a law enforcement officer or such takes the person to a designated mental health program.

- Recommend changing to The order shall direct that a law enforcement officer or other suitable individual take the person into custody and deliver the person to a designated mental health program **or co-occurring (mental health and substance use disorder)program**, if subject to.....

- The issue is that methamphetamine addicts with drug induced psychosis are a significant part of this population that the police have to address.

## Summary

**HSAC commends the legislature for developing diversion and crisis stabilization** alternatives for people subject to their mental health or co-occurring substance use disorder disease. This is an exciting time for Hawaii to expand both our criminal justice diversion programs and our crisis stabilization services.

It's important that this bill responds to the **need for more behavioral health crisis** centers so that more diversions and crisis stabilization can happen in our justice systems.

**These stabilization services will ultimately help people to better access substance abuse or co-occurring disorder residential and outpatient treatment that will help people** with mental health issues and chronic co-occurring substance use disorders to better access housing,

employment and possibly get off the street entirely. This is a clear path to help end homelessness.

We appreciate the opportunity to provide testimony.



**SB-2246**

Submitted on: 2/1/2024 12:05:24 PM

Testimony for HHS on 2/2/2024 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shana Wailana Kukila	Individual	Support	Remotely Via Zoom

Comments:

RE: SB2246 Relating to Crisis Intervention

POSITION: Support

Aloha Committee Members,

This bill is much appreciated and needed.

For funding purposes, I propose the following:

National Alliance of Mental Illness (NAMI) should be implemented as a continued partner with the counties and state, both in expertise and finding greater funding sources for the Crisis Intervention Trainings for law enforcement as well as setting up any crisis intervention facility in every county and on each island.

We also need more interventions and supports from the Hawaii Disability Rights Center and the Developmental Disabilities Division of the Department of Health to serve the disabled population in crisis such as veterans and those suffering from addiction or trauma that are disabled conditions. They should be brought in as partners in any crisis intervention training or facility providing services to the homeless population, in compliance with Title II of the Americans with Disabilities Act and 504 of the Rehabilitation Act. These are federal regulations that are not being complied with by the state in their service provider and legal contracts.

Mahalo for your time and consideration of my testimony on this important and necessary action on behalf of so many that need help in our state.

I look forward to sharing my personal oral testimony at the hearing.

Shana W. Kukila

Hilo, HI