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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 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. However, research supports the effectiveness of  
15 natural and alternative medicines and therapies, such as the use  
16 of MDMA, psilocybin, and other therapies, as a safe and  
17 effective way to potentially treat depression, post-traumatic



1 stress disorder, addiction, end-of-life psychological distress,  
2 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, or their respective designees,  
15 shall be the following ex officio, voting members:

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 cortication 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 necessary



1 expenses, including reasonable travel expenses, incurred in the  
2 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 on June 30, 3000.



H.B. NO. 1340  
H.D. 1

**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. Effective 6/30/3000. (HD1)

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

