STAND. COM. REP. NO. 575 -12

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2011 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

## Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2011, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC > HOSPITALIZATION,"

begs leave to report as follows:

The purpose of this measure is to establish new procedures for the examination and involuntary hospitalization of persons that meet criteria for commitment to psychiatric facilities, including extended involuntary emergency treatment.

Three private individuals testified in support of this measure.

One private individual testified in support of the intent of this measure.

The Department of the Attorney General, Office of the Public Defender, American Civil Liberties Union of Hawaii, United Self Help, Mental Health America of Hawaii, and two private individuals testified in opposition to this measure.

Your Committee amended this measure by:

(1) Deleting references to "mental health workers";



- (2) Deleting sections 2 (relating to emergency examination and hospitalization) and 6 (relating to the transfer of patients between facilities);
- (3) Extending the period within which a hearing on a petition for court-ordered involuntary hospitalization shall be held from five days to ten days;
- (4) Deleting the preference for hearings on petitions to be open to the public;
- (5) Changing the effective date to January 7, 2059, to facilitate further discussion on the measure; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2011, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2011, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AKARAN, Chair

## State of Hawaii House of Representatives The Twenty-sixth Legislature

H5CR575-12

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Com	uittee Referral: HLT, JUD, FIN  Date: 2//4/12			
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)			•	
2. RHOADS, Karl (VC)	<b>✓</b>			
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. ITO, Ken				
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				
12. TSUJI, Clift				
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				-
			_	
			·	
TOTAL (15)	12	0	0	3
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  Description:  If joint referral,  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				