

Honolulu, Hawaii

**FEB 17 2012**

RE: S.B. No. 2145

S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2145  
entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Adult Mental Health Division of the Department of Health to provide services to people with a qualifying diagnosis;
- (2) Allow the Department of Health to bill an insurer for treatment services rendered by the State pursuant to chapter 334, Hawaii Revised Statutes; and
- (3) Make the Department of Health eligible to receive reimbursement from an insurer in exchange for treatment services rendered by the State pursuant to chapter 334, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center, Hoola Lahui Hawaii, The Queen's Health Systems, NAMI, and two individuals. Your Committee received comments on this measure from the Department of Health, HMSA, and United Self Help.

Your Committee finds that the Department of Health rules provide that even if an individual has a qualifying diagnosis,



that individual is ineligible for any services if the individual has any form of health insurance coverage, regardless of whether services offered by the Adult Mental Health Division are covered under the insurance policy. Your Committee finds that this rule restricts, for no compelling reason, the provision of valuable services offered by the Adult Mental Health Division to these individuals.

Your Committee has amended this measure by:

- (1) Inserting additional background information in the purpose section;
- (2) Clarifying that one of the Department of Health's duties shall be to provide services to persons who have a qualifying diagnosis;
- (3) Adding language to provide that any person who has a qualifying diagnosis shall be eligible to receive services that are offered by the Adult Mental Health Division and that are not covered by any insurance policy held by or for the benefit of that person;
- (4) Inserting an appropriation of \$6,000,000 for the Department of Health to provide additional mental health services; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2145, S.D. 1, and be referred to the Committee on Ways and Means.



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



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JOSH GREEN, M.D., Chair



