Honolulu, Hawaii

April 8

2016

E: S

S.B. No. 2914

S.D. 1

H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 2914, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COURT ORDERS TO PROVIDE MEDICAL TREATMENT IN CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to amend the procedures and criteria for involuntary medical treatment of inmates and detainees in correctional facilities. Specifically, this measure, among other things:

- (1) Adds the definitions of "danger of physical harm to others" and "danger of physical harm to self" to clarify when the petitions for involuntary medical treatment are to be used;
- (2) To support the filing of a petition, allows as an alternative to an affidavit, a declaration of a licensed physician or psychologist who has examined the person, and requires such examination to occur within five days of the submission of the petition, rather than two days, to allow for better operational coordination;
- (3) Limits the petition notification requirement to persons identified as legal guardians or emergency contacts of the subject of the petition, to support timelier proceedings; and

SB2914 HD1 HSCR FIN HMS 2016-3169

(4) Clarifies the ability of the Department of Public Safety to seek an extension of an involuntary treatment order, prior to expiration of the order, if necessary.

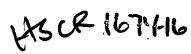
The Department of the Attorney General supported this measure. The Department of Public Safety provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2914, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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

SYLVIA LUKE, Chair

State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 2914, SD1, HD1	Committee Referral: PBS/JUD, FIN	Date:	1/5/16		
☐ 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)					
FIN Members	Ayes	Ayes (WR)	Nays	Excused	
1. LUKE, Sylvia (C)		"			
2. NISHIMOTO, Scott Y. (VC)					
3. CACHOLA, Romy M.					
4. CULLEN, Ty J.K.					
5. DeCOITE, Lynn					
6. JOHANSON, Aaron Ling				-	
7. JORDAN, Jo					
8. KEOHOKALOLE, Jarrett					
9. KOBAYASHI, Bertrand				-	
10. LoPRESTI, Matthew S.				•	
11. LOWEN, Nicole E.					
12. ONISHI, Richard H.K.				,	
13. TOKIOKA, James Kunane					
14. YAMASHITA, Kyle T.					
15. POUHA, Feki					
16. WARD, Gene					
	1.5			, ,	
				-	
TOTAL (16)	- [6				
The recommendation is: Ado If joint r	eferral,	□ Not Adopted did not support recommendation. committee acronym(s)			
Vice Chair's or designee's signature:					
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO					