

STAND. COM. REP. NO. 380

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 812
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Health and Judiciary and Labor, to which
was referred S.B. No. 812 entitled:

"A BILL FOR AN ACT RELATING TO BEHAVIOR SUPPORT REVIEW
COMMITTEE FOR PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL
DISABILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the
Department of Health to establish a behavior support review
process to conduct multidisciplinary reviews of the use of
restraints or seclusion of persons with developmental or
intellectual disabilities and exempt those who participate in the
reviews from liability.

Your Committees received testimony in support of this measure
from the Department of Health and State Council on Developmental
Disabilities.

Your Committees find that it is important to ensure that
behavior interventions are implemented appropriately to assist and
support individuals receiving services and those providing support
to them. Restraints or seclusion should be used only when there
is imminent danger to self or others, and use of such
interventions needs oversight and review.

Your Committees have amended this measure by:



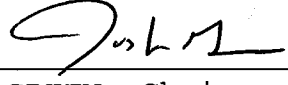
- (1) Specifying that a behavior support review committee should be convened before and after cases in which use of restraint or seclusion are administered or recommended; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 812, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 812, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Judiciary and Labor,



GILBERT S.C. KEITH-AGARAN Chair



JOSH GREEN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 812	Committee Referral: HTH/JDL, WAM	Date: 2/11/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	X			
WAKAI, Glenn (VC)				X
BAKER, Rosalyn H.	X			
GABBARD, Mike	X			
RIVIERE, Gil	X			
RUDEMAN, Russell E.	X			
SLOM, Sam				X
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <div style="font-size: 1.2em; margin-top: 10px;">SB 812</div>	Committee Referral: <div style="font-size: 1.2em; margin-top: 10px;">HTH / JDL, WAM</div>	Date: <div style="font-size: 1.2em; margin-top: 10px;">2/11/15</div>		
<div><input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____</div>				
The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
THIELEN, Laura H.				✓
SLOM, Sam				✓
TOTAL	4			3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 20px;"></div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>Original File with Committee Report</div><div>Yellow Clerk's Office</div><div>Pink Drafting Agency</div><div>Goldenrod Committee File Copy</div></div>				

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