
A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. Ohana is a group of closely- or distantly-
3 related people who share nearly everything, from land and food
4 to responsibility for taking care of children and elders.

5 Members of an ohana, whether or not related by blood, treat each
6 other as extended family and share generously with each other.

7 The legislature finds that some homelessness encampments in
8 the islands embody this ethic of ohana and have the capacity to
9 improve the lives of people experiencing homelessness.

10 The legislature also finds that, while significant strides
11 have been made, current attempts to address homelessness in
12 Hawaii remain insufficient. Hawaii continues to have the
13 highest number of individuals experiencing homelessness per
14 capita of any state in the nation. The city and county of
15 Honolulu, which has the highest number of individuals
16 experiencing homelessness of any county in Hawaii, has seen the
17 number of unsheltered individuals experiencing homelessness rise



1 over the past five years and the number of people in shelters
2 decline during the same period despite increased investment in
3 shelters and enforcement.

4 Therefore, the legislature finds that addressing
5 homelessness requires the courage to try something new.

6 The legislature finds that ohana zones have the potential
7 to serve individuals experiencing homelessness in a way that
8 existing programs are currently unable. Ohana zones will have
9 the goal of improving the health and well-being of individuals
10 experiencing homelessness and providing access to needed
11 services. The use of the term ohana is not meant to suggest
12 that the use of an ohana zone is limited to nuclear families or
13 people related by blood, but rather that an ohana zone provides
14 a welcoming, safe haven where individuals experiencing
15 homelessness and those who serve them treat each other as an
16 extended family.

17 Because it is unclear what costs and benefits will accrue
18 using the new model of an ohana zone, the legislature finds that
19 these costs and benefits should be carefully studied, and that
20 ohana zones should, at least initially, be temporary.



1 The purpose of this part is to establish a pilot program
2 for the establishment of ohana zones, with the goal of improving
3 the health and well-being of individuals experiencing
4 homelessness and providing individuals experiencing homelessness
5 with needed services.

6 SECTION 2. **Definitions.** For purposes of this part:

7 "Department" means the department of human services.

8 "Homeless" has the same meaning as defined in section
9 346-361, Hawaii Revised Statutes.

10 "Office" means the department's homeless programs office.

11 "Ohana zone" or "ohana zones" means a place:

12 (1) That has a program to provide individuals experiencing
13 homelessness with basic needs, including food,
14 shelter, restrooms, showers, and other hygiene needs;
15 and

16 (2) Where wrap-around services, social health care
17 services, transportation, and other similar services
18 are offered with the goals of alleviating
19 intergenerational poverty and transitioning
20 individuals experiencing homelessness into affordable
21 housing.



1 SECTION 3. (a) There is established within the office for
2 administrative purposes a three-year pilot program to be known
3 as the ohana zone pilot program. The office, in consultation
4 with the Hawaii interagency council on homelessness, any other
5 appropriate agency, and people experiencing homelessness, shall
6 serve as the administrator of the pilot program.

7 (b) Contracts entered into by the office pursuant to the
8 ohana zone pilot program shall be exempt from the requirements
9 of chapters 103D and 103F, Hawaii Revised Statutes.

10 (c) For the purpose of the ohana zone pilot program, the
11 department and department of land and natural resources may
12 develop interim administrative rules without regard to chapter
13 91, Hawaii Revised Statutes.

14 (d) The office shall consult with landholding state
15 agencies, as appropriate, including the department of land and
16 natural resources, the department of transportation, and the
17 department of accounting and general services; the governor's
18 coordinator on homelessness; people experiencing homelessness;
19 and homeless advocates to identify and evaluate locations in
20 which an ohana zone may be established, beginning with the
21 locations previously identified as potential safe zone sites in



1 the final report submitted by the working group to examine the
2 feasibility of safe zones pursuant to Act 212, Session Laws of
3 Hawaii 2017; provided that lands to be used for ohana zones
4 shall be transferred to an agency suited to manage ohana zones.

5 The office shall also consider locations that are on
6 private property and may inquire with private property
7 landowners regarding the availability of the private property as
8 a possible location of an ohana zone.

9 (e) The office shall consider whether there are any
10 benefits to establishing multiple ohana zones that address
11 specific target populations, such as individuals who are
12 experiencing homelessness and who are frail, elderly, disabled,
13 have a mental condition, or victims of domestic violence, or
14 establishing ohana zones targeting the general homeless
15 population.

16 (f) The office, in consultation with people experiencing
17 homelessness, shall establish no later than December 31, 2018,
18 the following:

19 (1) The criteria that the office will use to evaluate
20 potential ohana zone locations;



- 1 (2) A monthly timetable of milestones that the office
2 expects to meet in establishing one or more ohana
3 zones over the course of the three-year pilot program;
- 4 (3) The specific, measurable, attainable, reasonable, and
5 time-based performance measures that the office
6 expects to meet at the end of each fiscal year;
- 7 (4) The evaluation criteria and process that the office
8 intends to use each year when reviewing the success
9 and sustainability of the ohana zones; and
- 10 (5) The monitoring and oversight controls that the office
11 will have over the ohana zones to identify, address,
12 and prevent possible fraud, waste, and abuse and
13 ensure compliance with local, state, and federal laws.
- 14 (g) The office shall establish an ohana zone at one or
15 more of the sites approved for an ohana zone no later than
16 June 30, 2019.
- 17 (h) The construction cost of each dwelling in an ohana
18 zone shall not exceed \$15,000. At least fifty per cent of the
19 manufacturing labor costs of each dwelling, relative to the
20 total manufacturing labor costs of each dwelling, shall be
21 incurred in the State. Manufacturing labor costs incurred in



1 the State shall be evidenced by wages subject to chapter 235,
2 Hawaii Revised Statutes.

3 (i) The office shall submit reports to the legislature no
4 later than twenty days prior to the convening of the regular
5 sessions of 2019, 2020, and 2021.

6 (1) The report submitted no later than twenty days prior
7 to the convening of the regular session of 2019 shall
8 include the following information:

9 (A) A summary and explanation of the process that the
10 office engaged in to identify possible ohana zone
11 locations;

12 (B) A list of the locations considered, including the
13 physical locations, whether the properties were
14 owned by state or local government or by a
15 private landowner at the time of consideration;
16 the estimated cost of obtaining the use of each
17 property; and any remediation costs needed to
18 make each property suitable for individuals
19 experiencing homelessness to reside upon;



- 1 (C) Identification of approved and rejected ohana
- 2 zone locations, and the rationale for the
- 3 selection or rejection of each site; and
- 4 (D) A summary of the information required under
- 5 subsection (f).
- 6 (2) The reports submitted no later than twenty days prior
- 7 to the convening of the regular sessions of 2020 and
- 8 2021 shall include the following information:
- 9 (A) The milestones established pursuant to subsection
- 10 (f) that were met by the office and ohana zones
- 11 established during the fiscal year;
- 12 (B) An evaluation of the ohana zones to determine
- 13 whether the objectives set have been met or
- 14 exceeded;
- 15 (C) Any proposed changes that need to be made to the
- 16 performance measures used to assess the
- 17 achievement of program goals; and
- 18 (D) An assessment of the impact of the ohana zone
- 19 model on the homelessness problem in Hawaii.
- 20 (j) The pilot program shall cease to exist on June 30,
- 21 2021.



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2018-2019 to
4 the department of human services to implement the ohana zone
5 pilot program, including all program costs and hiring of
6 necessary staff.

7 The sum appropriated shall be expended by the department of
8 human services for purposes of this part.

9 PART II

10 SECTION 5. The legislature finds that the over-utilization
11 of emergency department services for non-emergency conditions by
12 individuals experiencing homelessness puts upward pressure on
13 medical costs for everyone. When hospital bills go unpaid,
14 institutions are usually able to shoulder the costs in the
15 short-term. Eventually, however, hospitals are forced to
16 recover costs by passing the unpaid costs on to customers who
17 are able to pay.

18 The legislature finds that it is in the public's interest
19 to explore methods to mitigate the increasing cost of medical
20 care due to the unnecessary use of emergency department visits
21 by patients experiencing homelessness.



1 Additionally, the legislature finds that identifying
2 patients experiencing and at risk for homelessness in emergency
3 departments and conducting individualized assessments of those
4 patients may increase the likelihood that those patients will
5 receive referrals to services that address their particular
6 situations. The legislature further finds that providing these
7 patients with referrals to appropriate social services and other
8 necessary services, such as preventative medical care and mental
9 health treatment, may decrease the number of unnecessary,
10 repeated emergency department visits by patients experiencing
11 homelessness.

12 The purpose of this part is to establish a pilot program to
13 place multidisciplinary teams that include physicians, advanced
14 practice registered nurses, social workers, social worker
15 designees, and patient navigators in emergency departments to
16 identify individuals experiencing or at risk for homelessness
17 and provide individualized assessments and referrals for wrap-
18 around social services with a goal of reducing costs associated
19 with chronic use of emergency departments.

20 SECTION 6. **Definitions.** For purposes of this part:



1 "Advanced practice registered nurse" means a person
2 licensed as an advanced practice registered nurse under chapter
3 457, Hawaii Revised Statutes.

4 "Emergency department" means a department in a hospital
5 designated to provide critical care to stabilize and support a
6 patient's condition due to sudden illness or injury.

7 "Governing body" means the policy making authority, whether
8 an individual or a group, that exercises general direction over
9 the affairs of a facility and establishes policies concerning
10 the facility's operation and the welfare of the individuals it
11 serves.

12 "Homeless" means the same as in section 346-361, Hawaii
13 Revised Statutes.

14 "Hospital" means any institution with an organized medical
15 staff that admits patients for inpatient care, diagnosis,
16 observation, and treatment.

17 "License" means a document issued by the relevant
18 department regulating the profession at issue that certifies
19 that an individual practicing the profession is in compliance
20 with all existing state and federal laws and rules.



1 "Medical staff" means physicians and other individuals
2 licensed by the State, who are permitted by law and who have
3 been authorized by the governing body to provide patient care
4 services within a facility.

5 "Multidisciplinary team" means a team of physicians,
6 advanced practice registered nurses, social workers, social
7 worker designees, patient navigators, and other individuals
8 necessary to identify individuals experiencing or at risk of
9 experiencing homelessness and provide individualized assessments
10 and referrals for social services.

11 "Patient navigator" means an individual who assists
12 patients through the continuum of healthcare as it pertains to
13 their specific disease, ensuring that any and all barriers to
14 that care are resolved.

15 "Physician" means a doctor of medicine or osteopathy
16 licensed by the Hawaii medical board pursuant to chapter 453,
17 Hawaii Revised Statutes.

18 "Social worker" means the same as in section 467E-1, Hawaii
19 Revised Statutes.

20 "Social worker designee" means a staff person other than a
21 social worker but with similar professional qualifications, such



1 as nursing, psychology, psychiatry, counseling, or human
2 development, and two years of supervised social work experience
3 in a health care setting working directly with individuals and
4 who is supervised by means of consultation with a social worker.

5 SECTION 7. (a) There is established within the department
6 of health for administrative purposes a pilot program to be
7 known as the emergency department homelessness assessment pilot
8 program. The department of health, in consultation with the
9 Hawaii interagency council on homelessness and any other
10 appropriate agency, shall serve as the administrator of the
11 pilot program.

12 (b) A participating hospital in the pilot program shall
13 place multidisciplinary teams in its emergency departments. The
14 multidisciplinary teams shall identify patients experiencing
15 homelessness or patients at risk of experiencing homelessness,
16 assess the patients' current circumstances, and refer those
17 patients to appropriate and available social services with a
18 goal of reducing costs associated with chronic use of emergency
19 departments.

20 The individuals on a multidisciplinary team who provide
21 services as part of this pilot program shall not be employees of



1 the State. The individuals on a multidisciplinary team shall be
2 either employees of the participating hospital or individuals
3 who are otherwise permitted by law and the governing body of the
4 hospital to provide social services in the hospital.

5 (c) Each participating hospital shall submit to the
6 department of health qualitative and quantitative data as
7 determined by the department of health to demonstrate whether
8 there is any correlation between interventions by a
9 multidisciplinary team and the repeated use of emergency
10 departments by patients experiencing homelessness.

11 (d) The department of health shall submit a report to the
12 legislature no later than twenty days prior to the convening of
13 the regular session of 2019. The report shall contain a summary
14 and explanation of the data submitted by participating hospitals
15 regarding the efficacy of emergency department intervention by a
16 multidisciplinary team in mitigating the number of unnecessary
17 emergency department visits by patients experiencing
18 homelessness or patients at risk of experiencing homelessness.
19 The report shall also contain findings and recommendations,
20 including any proposed legislation, for continuation,
21 modification, or termination of the pilot program.



1 (e) The emergency department homelessness assessment pilot
2 program shall cease to exist on June 30, 2019.

3 SECTION 8. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2018-2019 to
6 the department of health for implementation of the emergency
7 department homelessness assessment pilot program, including all
8 program costs and hiring of necessary staff.

9 The department of health shall reimburse entities for one-
10 half of the expenses directly related to the emergency
11 department homelessness assessment pilot program; provided that
12 no funds shall be disbursed unless matched on a dollar-for-
13 dollar basis by the participating hospital. All funds
14 designated as matching funds by a participating hospital shall
15 be funds expended for the pilot program.

16 The sum appropriated shall be expended by the department of
17 health for the purposes of this part.

18 PART III

19 SECTION 9. The legislature finds that many homeless
20 persons are known to thrive better when they have ready access
21 to familiar support groups or family members. The intent of the



1 return-to-home program is to ensure that those individuals who
2 find themselves homeless in the islands are able to reconnect
3 with support networks ready and able to receive them.

4 The purpose of this part is to authorize the department of
5 human services to establish a return-to-home program for
6 eligible homeless individuals.

7 SECTION 10. (a) The department of human services may
8 coordinate a voluntary homeless assistance pilot program to be
9 known as the return-to-home pilot program to provide eligible
10 homeless individuals with assistance in being reunited with
11 family and relatives in the individual's home state. The
12 department may contract with eligible nonprofit organizations,
13 for profit organizations, or foundations to administer the pilot
14 program.

15 (b) No individual who is homeless shall be eligible to
16 participate in the return-to-home pilot program unless:

- 17 (1) The individual's participation is completely
18 voluntary;
- 19 (2) The individual, if on parole, probation, or awaiting a
20 court hearing or sentencing, has proper clearance from
21 the court to participate in the pilot program; and



1 (3) The individual is indigent and lacks the financial
2 resources necessary to secure transportation to return
3 to the individual's home state.

4 (c) An individual may participate in the return-to-home
5 pilot program only once and shall sign an agreement to this
6 effect before participating in the pilot program. The agreement
7 shall be kept on file with the pilot program.

8 (d) The return-to-home pilot program shall actively seek
9 the participation of local airlines, cruise lines, charter
10 companies, homeless programs, travel agencies, and the visitor
11 industry to coordinate and implement the pilot program.

12 (e) The return-to-home pilot program shall assist program
13 participants with necessary and proper preparations for travel,
14 including obtaining proper identification, accessing public
15 transportation to the airport, providing orientation relating to
16 airport security, and ensuring sufficient personal hygiene.

17 (f) The return-to-home pilot program shall cease to exist
18 on December 31, .

19 SECTION 11. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2018-2019 for



1 implementation of the return-to-home pilot program, including
2 all program costs and hiring of necessary staff.

3 The sum appropriated shall be expended by the department of
4 human services for the purposes of this part.

5 PART IV

6 SECTION 12. The legislature finds that individuals with
7 mental health or substance abuse challenges are particularly
8 vulnerable to becoming homeless. According to the 2017 Hawaii
9 Statewide Homeless Point-in-Time count, twenty-three per cent of
10 the homeless population reported suffering from serious mental
11 illness, while nineteen per cent of the homeless population
12 reported suffering from a substance abuse disorder.

13 The purpose of this part is to establish a pre-arrest
14 diversion pilot project for individuals with mental health or
15 substance abuse challenges. The pilot project shall apply to
16 individuals who commit certain nonviolent, nonfelony offenses on
17 state property and are referred by deputy sheriffs to the
18 services of the department of health. The legislature is
19 establishing the pilot project under state auspices to avoid
20 intruding into the jurisdiction of any county.



1 SECTION 13. **Pre-arrest diversion pilot project for**
2 **individuals with mental health or substance abuse challenges;**
3 **establishment.** There is established a pre-arrest diversion
4 pilot project for individuals with mental health or substance
5 abuse challenges.

6 The purpose of the pilot project shall be to refer
7 individuals with mental health or substance abuse challenges who
8 commit nonviolent, nonfelony offenses on state property to
9 appropriate community mental health services instead of
10 arresting or citing them. The pilot project shall be operated
11 in a county having a population of not less than six hundred
12 thousand.

13 SECTION 14. **Definitions.** For the purposes of this part:

14 "Individual with mental health or substance abuse
15 challenges" means a "mentally ill person" or "person suffering
16 from substance abuse", as those terms are defined in section
17 334-1, Hawaii Revised Statutes.

18 "Nonviolent, nonfelony offense" means an offense that:

- 19 (1) Is not a felony; and
20 (2) Does not involve physical harm to a person's self or
21 another person.



1 "Pilot project" means the pre-arrest diversion pilot
2 project for individuals with mental health or substance abuse
3 challenges established by this part.

4 "Responsible state officer" means the state executive
5 branch officer who is assigned by the governor to coordinate and
6 have overall responsibility for the pilot project.

7 SECTION 15. **Responsible state officer; assignment by**
8 **governor; coordination and overall responsibility for pilot**
9 **project.** (a) No later than September 1, 2018, the governor
10 shall assign a state executive branch officer to serve as the
11 responsible state officer for the pilot project.

12 (b) The responsible state officer shall coordinate and
13 have overall responsibility for the pilot project.

14 The responsible state officer shall work with the
15 department of public safety, department of health, department of
16 human services, and the governor's coordinator on homelessness
17 to establish the protocols and processes for operation of the
18 pilot project.

19 SECTION 16. **Pilot project basic principles.** (a) The
20 pilot project shall be operated in accordance with the following
21 basic principles:



- 1 (1) When observing or responding to an incident that a
2 deputy sheriff reasonably believes may constitute a
3 nonviolent, nonfelony offense on state property, the
4 deputy sheriff, who shall be appropriately trained
5 under the pilot project, shall preliminarily
6 determine, based on the deputy sheriff's reasonable
7 belief, whether the alleged violator may be a
8 potential participant in the pilot project;
- 9 (2) If the deputy sheriff reasonably believes that the
10 alleged violator is a potential participant in the
11 pilot project, the deputy sheriff shall determine
12 whether the alleged violator has been convicted within
13 the past three years of an offense involving violence
14 against another person;
- 15 (3) If the deputy sheriff determines that the alleged
16 violator has not been convicted within the past three
17 years of an offense involving violence against another
18 person, the deputy sheriff may:
 - 19 (A) Refer the alleged violator to the department of
20 health for assessment; and
 - 21 (B) Not arrest or cite the alleged violator.



1 If the deputy sheriff determines otherwise, the deputy
2 sheriff may arrest, cite, or take other action with
3 respect to the alleged violator as deemed appropriate
4 by the deputy sheriff;

5 (4) Upon receiving a referral from a deputy sheriff of an
6 alleged violator, the department of health shall
7 assess whether the alleged violator is an individual
8 with mental health or substance abuse challenges;

9 (5) If the assessment is in the affirmative, and the
10 alleged violator voluntarily agrees to participate in
11 the pilot project, the department of health shall:

12 (A) Accept the individual with mental health or
13 substance abuse challenges into the pilot
14 project; and

15 (B) Refer the individual with mental health or
16 substance abuse challenges to appropriate
17 community mental health services;

18 (6) Upon the acceptance by the department of health of an
19 individual with mental health or substance abuse
20 challenges into the pilot project, the department of
21 public safety shall have no further responsibility



1 regarding the individual or the disposition of the
2 alleged violation; and

3 (7) If the department of health does not accept an alleged
4 violator into the pilot project, the department of
5 health shall inform the department of public safety.
6 Upon being so informed, the department of public
7 safety shall arrest, cite, or take other action with
8 respect to the alleged violator, as deemed appropriate
9 by the department.

10 (b) The department of health may limit the number of
11 individuals with mental health or substance abuse challenges
12 that are accepted into the pilot project, based on the
13 availability of funds for the project.

14 SECTION 17. **Community mental health services of department**
15 **of health.** The department of health shall provide the community
16 mental health services of the pilot project under the authority
17 of chapter 334, Hawaii Revised Statutes, and any other
18 applicable law. The department of health may contract with any
19 qualified person to provide the community mental health
20 services.



1 SECTION 18. **Services of the department of human services.**

2 The responsible state officer or department of health may enter
3 into an agreement with the department of human services for the
4 provision of transitional housing, housing first, or other
5 services to individuals accepted into the pilot project.

6 SECTION 19. **Nonviolent, nonfelony offense; identification.**

7 (a) The responsible state officer, in consultation with the
8 department of public safety, shall identify the nonviolent,
9 nonfelony offenses under the Hawaii Penal Code, other state law,
10 or administrative rule, the commission of which on state
11 property may qualify the alleged violator to participate in the
12 pilot project. In identifying the nonviolent, nonfelony
13 offenses, the responsible state officer shall consider the
14 following offenses, at a minimum: offenses against the
15 possession or consumption of liquor in public or at a public
16 place; being in a state park after hours of closure; camping on
17 a sidewalk, beach, or other restricted public place;
18 trespassing; obstruction; prostitution; and possession of an
19 illegal drug.

20 (b) To identify the offenses, the responsible state
21 officer may seek the advice of the judiciary, police department,



1 or department of the prosecuting attorney of the county in which
2 the pilot project is implemented.

3 SECTION 20. **Timeline for pilot project.** (a) During
4 fiscal year 2018-2019, the responsible state officer and
5 relevant state departments shall prepare to commence the pilot
6 project on July 1, 2019.

7 (b) The pilot project shall be operated from July 1, 2019,
8 until June 30, 2020.

9 SECTION 21. **Interim report, final report.** (a) The
10 responsible state officer shall submit interim reports on the
11 status of the pilot project to the legislature no later than
12 January 1, 2019 and January 1, 2020.

13 (b) The responsible state officer shall submit a final
14 report on the pilot project to the legislature no later than
15 twenty days prior to the convening of the regular session of
16 2021. The final report shall include an evaluation of the pilot
17 project, findings on problems and issues pertaining to the pilot
18 project, and a recommendation on whether or not a pre-arrest
19 diversion program for individuals with mental health or
20 substance abuse challenges should be made permanent.



1 SECTION 22. (a) There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2018-2019 for
4 the pre-arrest diversion pilot project.

5 The sum appropriated shall be expended by the office of the
6 governor for the purposes of this part.

7 (b) Notwithstanding any other law to the contrary, the
8 governor may transfer all or a portion of the appropriation in
9 this section to the responsible state officer, the department of
10 public safety, or the department of health for expenditures
11 incurred in implementing the pilot project.

12 The responsible state officer, the department of public
13 safety, or the department of health may expend any transferred
14 appropriation for the performance of its respective duties under
15 the pilot project.

16 PART V

17 SECTION 23. The legislature finds that the coordinated
18 statewide homeless initiative provides important, cost-effective
19 homelessness prevention and rapid rehousing services statewide
20 and increases coordination through the statewide information and



1 referral system on behalf of homeless individuals and those at
2 risk of homelessness.

3 The coordinated statewide homeless initiative originated in
4 April 2016 to help hundreds of families escape or avoid
5 homelessness. According to Aloha United Way, since the program
6 began, the program has helped more than one thousand four
7 hundred households consisting of four thousand eight hundred
8 individuals. About three-quarters of the households had been at
9 risk of losing housing, and the rest were already homeless. Of
10 these numbers, sixty-four per cent included children.

11 Accordingly, the purpose of this part is to appropriate
12 moneys to continue and improve the coordinated statewide
13 homeless initiative to prevent homelessness and rehouse homeless
14 people in the State.

15 SECTION 24. (a) There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2018-2019 to
18 continue and improve the coordinated statewide homeless
19 initiative, which shall be allocated as follows:

20 (1) \$ for the continuation of the statewide
21 homeless initiative; and



1 (2) \$ for landlord outreach and liaison
2 activities within the coordinated statewide homeless
3 initiative,
4 subject to subsection (b).

5 (b) The following provisions shall apply to the
6 appropriation under subsection (a):

7 (1) The department of human services shall:

8 (A) Procure the services of a master contractor to
9 procure and oversee subcontracts for the
10 provision of coordinated statewide homeless
11 initiative services, in accordance with chapter
12 103D or 103F, Hawaii Revised Statutes;

13 (B) Have oversight or manage the funds expended by
14 the master contractor;

15 (C) Implement fiscal accountability safeguards that
16 address upfront payment accountability measures;
17 and

18 (D) Develop policies and procedures for a fair and
19 equitable procurement process consistent with the
20 goals of public accountability and public
21 procurement practices;



- 1 (2) The master contractor shall:
- 2 (A) Operate a coalition of agencies providing
- 3 homeless diversion services for the State by
- 4 providing short-term financial assistance to
- 5 households that have entered the eviction
- 6 process;
- 7 (B) Coordinate with the coordinated entry system
- 8 mandated by the United States Department of
- 9 Housing and Urban Development to provide
- 10 navigation services and placement of homeless
- 11 households into permanent housing;
- 12 (C) At a minimum, provide quarterly reports to the
- 13 chairpersons of the house of representatives and
- 14 senate committees on housing and human services,
- 15 respectively;
- 16 (D) Develop reporting procedures and timelines for
- 17 providing performance information to respective
- 18 state agencies; and
- 19 (E) Be accountable for funds expended; and
- 20 (3) The master contractor may retain administrative fees
- 21 of up to fifteen per cent in total from the amounts



1 The purpose of this part is to require the department of
2 human services, in consultation with the department of health,
3 to establish a pilot project to provide housing and mental
4 health treatment for homeless individuals with severe mental
5 illness who are subject to an assisted community treatment order
6 or court ordered guardianship.

7 SECTION 26. (a) The department of human services, in
8 consultation with the department of health, shall establish a
9 pilot project to operate a facility to provide shelter and
10 mental health treatment for homeless individuals with severe
11 mental illness who are subject to an assisted community
12 treatment order or court ordered guardianship, with the goal of
13 enabling these individuals to find permanent housing through
14 housing first programs; provided that prior to the establishment
15 of the pilot project, adult protective services shall seek a
16 court ordered guardianship for homeless individuals with severe
17 mental illness and consult with the family court and other
18 appropriate agencies about homeless individuals with severe
19 mental illness who were subjected to an assisted community
20 treatment order.



1 (b) No more than ten homeless individuals with severe
2 mental illness may receive shelter and mental health treatment
3 at the facility at any given time; provided that a homeless
4 individual with severe mental illness shall provide appropriate
5 identification documentation, including a social security card,
6 driver's license, or civil identification card, to be eligible
7 for shelter and mental health treatment at the facility.

8 (c) The department of human services shall use a suitable
9 unused state facility to provide shelter and mental health
10 treatment services; provided that the department shall make any
11 necessary changes to the facility to serve individuals with
12 severe mental illness.

13 (d) The pilot project shall end on June 30, . The
14 department of human services, in consultation with the
15 governor's coordinator on homelessness, shall submit a report
16 detailing findings and recommendations regarding the pilot
17 project, including findings regarding the pilot project's
18 contribution to successfully transitioning homeless individuals
19 with severe mental illness to permanent housing, challenges or
20 failures of the pilot project, and any proposed legislation, to



1 the legislature no later than twenty days prior to the convening
2 of the regular session of .

3 (e) The department of human services shall enter a
4 memorandum of understanding with the department of health and
5 any appropriate agencies assisting the department of human
6 services in providing shelter and mental health treatment to
7 homeless individuals with severe mental illness subject to an
8 assisted community treatment order or court ordered
9 guardianship.

10 (f) The department of human services may adopt rules
11 pursuant to chapter 91, Hawaii Revised Statutes, to effectuate
12 this part.

13 SECTION 27. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2018-2019 to
16 establish a pilot project to operate a shelter, including the
17 hiring of a social worker and social service assistant,
18 administrative expenses, and any necessary renovations to the
19 facility, to provide shelter and mental health treatment for
20 homeless individuals with severe mental illness pursuant to this
21 part; provided that the department of human services may procure



1 mental health treatment services pursuant to chapter 103F,
2 Hawaii Revised Statutes.

3 The sum appropriated shall be expended by the department of
4 human services for the purposes of this part.

5 PART VII

6 SECTION 28. The purpose of this part is to appropriate
7 funds for the department of human services to plan and construct
8 various housing projects for vulnerable homeless populations,
9 including but not limited to youth, elderly, veterans,
10 individuals who are disabled, and individuals with a mental
11 illness or substance abuse challenge.

12 SECTION 29. (a) There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so
14 much thereof as may be necessary for fiscal year 2018-2019 for
15 the planning and construction of various housing projects for
16 vulnerable homeless populations, including but not limited to
17 youth, elderly, veterans, individuals who are disabled, and
18 individuals with a mental illness or substance abuse challenge.

19 The sum appropriated shall be expended by the department of
20 human services for the purposes of this part.



1 (b) The department of human services shall adopt rules
2 without regard to chapter 91, Hawaii Revised Statutes, necessary
3 for the purpose of this part.

4 PART VIII

5 SECTION 30. All entities that receive funds appropriated
6 by this Act, to the extent possible, shall enter relevant data
7 into the homeless management information system regarding the
8 individuals who receive services funded by this Act.

9 PART IX

10 SECTION 31. This Act shall take effect on July 1, 3000;
11 provided that section 4 shall take effect on July 1, 3000;
12 provided further that part VI shall take effect upon the
13 approval of the department of the attorney general.



Report Title:

Homelessness; Ohana Zone Pilot Program; Emergency Department Homelessness Assessment Pilot Program; Return-to-Home Pilot Program; Pre-arrest Diversion Pilot Project; Individuals with Severe Mental Illness; Coordinated Statewide Homeless Initiative; Report; Appropriations

Description:

Part I: Establishes and appropriates funds for the Ohana Zone Pilot Program. Part II: Establishes and appropriate funds for the Emergency Department Homelessness Assessment Pilot Program. Part III: Authorizes DHS to establish the Return-to-Home Pilot Program and appropriates funds for the program. Part IV: Establishes and appropriates funds for a pre-arrest diversion pilot project. Part V: Appropriates funds to the Department of Human Services for the coordinated statewide homeless initiative. Part VI: Establishes and appropriates funds for a pilot project to operate a facility to provide shelter and mental health treatment for homeless individuals with severe mental illness who are subject to an assisted community treatment order or court ordered guardianship. Takes effect upon approval of the Department of the Attorney General. Part VII: Appropriates funds for various housing projects for vulnerable homeless individuals. Exempts the Department of Human Services from rulemaking pursuant to chapter 91, HRS, in the planning and construction of housing for vulnerable homeless populations. Requires services providers to enter data into the homeless management information system. Effective 7/1/3000.
(SD2)

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