STAND. COM. REP. NO. [7][[

Honolulu, Hawaii

, 2019

MAR 14

RE: S.B. No. 768

S.D. 1

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 768, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to address the privacy of minor patients receiving mental health treatment by:

- (1) Requiring licensed mental health professionals, as part of the standard of care, to educate minor patients on their confidentiality rights and inquire whether minor patients want their mental health treatment or counseling services to be confidential from their parents or guardians;
- (2) Clarifying that the minor, or the minor's parent or legal guardian, is not responsible for payment of outof-pocket costs for a minor patient's mental health treatment or counseling services; and
- (3) Restricting the disclosure of billing and payment history for a minor patient's mental health treatment or counseling services under certain conditions.

The Department of Health, LGBT Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i Psychological Association, Mental Health America of Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and a few individuals submitted testimony in support of this measure. The Hawaii Medical Service Association submitted comments on this measure.

Your Committee notes the concern of Hawaii Medical Service Association that this measure could increase the administrative burden for plans and providers by causing unnecessary confusion and complexity regarding the privacy laws.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to promote further discussion.

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. 768, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 768, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

JOHN M. MIZVNO. Chair

State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Health

Bill/Resolution No.:	Committee Referral:	Date:	3-12-1	9
☐ 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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	V			
2. KOBAYASHI, Bertrand (VC	C)			
3. BELATTI, Della Au				
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4. NAKAMURA, Nadine K.	V			A Commence of the Commence of
5. SAN BUENAVENTURA, Jo	y A.			2012
6. SAY, Calvin K.Y.	V			
7 TOVIOVA James Vunano				
7. TOKIOKA, James Kunane			en ngan.	
8. WARD, Gene			er egy er <u>efter er en sûn ind</u> sk	
o. White, delic				
TOTAL (8)	1	1		
The recommendation is: Adopted If joint referral, 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				