

STAND. COM. REP. NO.

1711

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 out-of-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.

SB768 HD1 HSCR HLT HMS 2019-2994



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,

  
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JOHN M. MIZUNO, Chair



