STAND. COM. REP. NO. 3119

Honolulu, Hawaii

## JUN 2 9 2020

RE: H.B. No. 1661

H.D. 3 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1661, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the criteria for emergency examination, release from emergency examination, emergency hospitalization, and release from emergency hospitalization for individuals suffering from a behavioral health crisis.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Hawaii Psychological Association, Kaiser Permanente Hawaii, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that a comprehensive mental health response crisis system is needed to serve the dual purposes of supporting individuals suffering from a behavioral health crisis and maintaining public safety. Because the mental health crisis response system has multiple steps for mental health crisis intervention, the Department of Health and various stakeholders, including the Legislature, have been actively evaluating and

restructuring the mental health crisis response system. This measure further defines and guides the process that occurs when an individual has been transported to an emergency room or behavioral health crisis center for evaluation and the disposition of the individual once the evaluation has been completed.

Your Committee has amended this measure by:

- (1) Inserting proper statutory references in the findings section of the measure as it relates to the process for emergency admissions;
- (2) Inserting a definition for "behavioral health crisis center" under section 334-1, Hawaii Revised Statutes;
- (3) Clarifying provisions related to emergency examinations for the purposes of consistency, including removing the authority of a psychologist to conduct further examinations and assessments of a patient;
- (4) Clarifying provisions related to emergency hospitalization, including removing the authority of a psychologist to direct a patient to be hospitalized on an emergency basis;
- (5) Clarifying provisions related to the release of emergency hospitalization, including changing a reference from "licensed psychiatric facility" to "psychiatric facility" for the purposes of consistency; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarify and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1661, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1661, H.D. 3, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral:			Date:	
HB 1661, HD3	CPH			3/10/20	
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)		✓			
CHANG, Stanley (VC)	·	/			
NISHIHARA, Clarence K.		<b>V</b>			
RUDERMAN, Russell E.					
THIELEN, Laura H.		J			
WAKAI, Glenn	_	>			
FEVELLA, Kurt					~
					<u>.</u>
TOTAL		6			1
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re	Yellow Pink Goldenrod  oort Clerk's Office Drafting Agency Committee File Copy				

<sup>\*</sup>Only one measure per Record of Votes