



## *The Judiciary, State of Hawaii*

### **Testimony to the Senate Committee on Commerce, Consumer Protection, and Health**

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30 a.m.  
State Capitol, Conference Room 229

### **WRITTEN TESTIMONY ONLY**

by

Calvin C. Ching

Deputy Chief Court Administrator

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**Bill No. and Title:** Senate Bill No. 2588, Relating to Jurors.

**Purpose:** Permits psychologists to claim exemption from service as a juror.

### **Judiciary's Position:**

The Judiciary respectfully opposes this measure's proposal to add an exemption from jury service for psychologists.

The selection of a jury from a representative cross-section of the population is critical to our justice system and is an essential component of the constitutional right to an impartial jury. Indeed, over 25 years ago, the U.S. Supreme Court, in *Taylor v. Louisiana*<sup>1</sup>, found that, "Community participation in the administration of the criminal law ... is not only consistent with our democratic heritage but is also critical to public confidence in the fairness of the criminal justice system. Restricting jury service to only special groups or excluding identifiable segments playing major roles in the community cannot be squared with the constitutional concept of jury trial." Allowing psychologists to claim an exemption from jury service jeopardizes this right.

In 1998, Chief Justice Ronald T.Y. Moon convened the Hawai'i Committee on Jury Innovations for the 21<sup>st</sup> Century consisting of almost 30 judges, administrators, legislators, attorneys, and former jurors. A Sub-Committee on Juror Fees (the Committee) studied, among other things, the issue of juror exemptions pursuant to House Concurrent Resolution no. 107, Session Laws of Hawai'i 1998 and recommended that 612-6, HRS, should be amended by deleting all exemptions except for jurors who have served within the last year.

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<sup>1</sup> 419 US 522 (1975).



Senate Bill No. 2588, Relating to Jurors.  
Senate Committee on Commerce, Consumer Protection, and Health  
Friday, February 7, 2020  
Page 2

In making its recommendation, the Committee found that the majority of the states have two or fewer juror exemptions. And of these states, at least 24 have no exemptions at all. In contrast, Hawai`i currently exempts elected officials; judges of the United States, State, or County; physicians; dentists; members of the armed forces or militia; active members of an emergency medical services agency; persons living more than 70 miles from the court requiring jury services; people who have served as jurors within one year; and adding in 2017, women breastfeeding a child or expressing milk for a period of two years from the birth of the child.

The Committee also found that in 1993, the American Bar Association (ABA) recommended that, "The opportunity for jury service should not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, or any other factor that discriminates against a cognizable group in the jurisdiction."<sup>2</sup> To implement this, the ABA recommends that, "All automatic excuses or exemptions from jury service should be eliminated."<sup>3</sup>

Senate Bill No. 2588 would add yet another exclusion to Hawai`i's already long list of exemptions. With all due respect, when you are selected to serve on jury panel, you are an important member of the judicial system of the State of Hawaii.

Furthermore, in May 2012, the Judiciary was informed by the State Department of Taxation that we would no longer be able to use lists of taxpayers to create the courts' master list of prospective jurors because Federal laws require Federal tax information to be used solely for tax purposes. The master list has been reduced significantly as a result of this decision.

This proposed exemption combined with other current exemptions would severely impact the Judiciary's ability to maintain an adequate pool of qualified jurors. For example, the Third Circuit sends out more qualification forms per capita than other Circuits because of the "70 mile" exemption currently allowed in the statute. Summoning Kona jurors is especially difficult because the majority of eligible jurors reside on the East (Hilo) side of the island. It is estimated that sixty to seventy percent (60%-70%) of the jurors summoned to Kona might claim the "70 mile" exemption.

Thank you for the opportunity to provide comments on this measure.

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<sup>1</sup> Standards Relating to Juror Use and management, American Bar Association, Judicial Administration Division, Committee on Jury Standards, 1993, p. 3.

<sup>2</sup> Ibid p. 48

<sup>3</sup> Ibid p. 48



# Hawai'i Psychological Association

## *For a Healthy Hawai'i*

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P.O. Box 833  
Honolulu, HI 96808

[www.hawaiipsychology.org](http://www.hawaiipsychology.org)

Phone: (808) 521-8995

### COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

DATE: Friday, February 7, 2020  
TIME: 8:30am  
PLACE: Conference Room 229  
State Capitol  
415 South Beretania Street

Testimony in SUPPORT of SB2588

The Hawai'i Psychological Association (HPA) supports Senate Bill 2588, which permits psychologists to claim exemption from service as a juror.

The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) is a federal law that prohibiting limitations on access to mental health care that do not exist for medical/surgical coverage.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawaii Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Imposing limitations on access to mental health care that do not exist for medical care is inconsistent with the intention of the MHPAEA.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

Thank you for this opportunity to offer testimony in support of SB2588.

Respectfully submitted,

Julie Takishima-Lacasa, PhD, President  
Chair, Legislative Action Committee  
Hawai'i Psychological Association

## COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Requiring practicing psychologists to serve on jury duty makes them inaccessible to patients for an extended period, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Terry Ann Fujioka, Ph.D.  
Kealakekua, Hawai'i

**SB-2588**

Submitted on: 2/5/2020 6:55:50 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzette Tokuda	Individual	Support	No

Comments:

[COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH](#)

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM

Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

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Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Suzette Tokuda Psy. D.

**SB-2588**

Submitted on: 2/5/2020 7:31:48 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melinda Kohr	Individual	Support	No

Comments:

[COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH](#)

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM

Conference Room 229

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Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

**SB-2588**

Submitted on: 2/5/2020 6:58:17 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shawna Ledward	Individual	Support	No

Comments:

As a clinical psychologist in private practice, as many of us are, we are clinically responsible for our patients some of whom are seriously mentally ill and have thoughts of self/other harm or threats of suicide or homicide. Being exempt from jury duty will assist psychologists in being able to provide consistent, uninterrupted care to our patients many of them who have little supports or even resources. For these reasons I am in support of this bill.

**SB-2588**

Submitted on: 2/5/2020 7:17:22 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christina Uemura	Individual	Support	No

Comments:

**From:** [tokusuz](#)  
**To:** [CPH Testimony](#)  
**Subject:** Testimony SB2588  
**Date:** Wednesday, February 5, 2020 6:58:59 AM

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Aloha!

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

**Friday, February 7, 2020, 8:30AM**  
**Conference Room 229**

**Re: Testimony in STRONG SUPPORT of SB2588**

I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Suzette Tokuda

Sent from my T-Mobile 4G LTE Device

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

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Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Dr. Isaiah Moreno  
Licensed Psychologist  
PSY-1778

**SB-2588**

Submitted on: 2/5/2020 9:44:24 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Hufano	Individual	Support	No

Comments:

I strongly support SB2588 which would provide an exemption from jury duty for psychologists as the law currently does for physicians and dentists. This would allow psychologists to provide ongoing, uninterrupted treatment to their clients/patients and respond to crisis calls.

Thank you for the opportunity to provide testimony.

Linda D. Hufano, Ph.D.

Hawaii Licensed Psychologist #364

Honolulu, Hawaii 96813

(808) 523-7771

**SB-2588**

Submitted on: 2/5/2020 10:01:54 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shantha McKinlay	Individual	Support	No

Comments:

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM

Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Shantha McKinlay

**LATE**

**SB-2588**

Submitted on: 2/6/2020 11:18:30 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Halevi	Testifying for HPA	Support	No

Comments:

I am in strong support of allowing exemptions from jury duty for psychologists. Due to the nature of our work, patients are often vulnerable and in need of consistent care. In the event that a patient is suicidal, the effects of noncontinuity of treatment can potentially be life threatening. I greatly appreciate your support of this bill which is really a bill in support of patient care. Thank you.



**Michael A. Kellar, Psy.D.**  
*Fellow, Royal Society of Medicine*  
*Fellow, Royal Society for the Promotion of Health*  
*Fellow, Royal Anthropologic Society*

05 February, 2020

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

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Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

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Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Brian Lim, PhD  
Licensed Clinical Psychologist  
Kailua, Hawaii

**SB-2588**

Submitted on: 2/5/2020 11:02:06 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
June Ching, Ph.D.	Testifying for Hawaii Psychological Association	Support	Yes

Comments:

[COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH](#)

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM

Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty limits access to mental health care and is very often a serious disruption in the mental health assessment and treatment of new and ongoing patients. Further, limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system. It will also help to ensure

that those vulnerable members of our community have timely and uninterrupted mental health care when it is needed.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Sincerely,

June W. J. Ching, Ph.D., ABPP

**SB-2588**

Submitted on: 2/5/2020 10:31:15 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean W. Scanlan, Ph.D.	Individual	Support	No

Comments:

PROTECTION, AND HEALTH  
Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists, and neuropsychologists like myself, to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. For those of us seeing hospital inpatients as well as outpatients, delaying treatment for days, weeks, and even hours is not ethical or proper standard of care. Like physicians, there is a shortage of licensed psychologist and specialist psychologists across the state. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,  
Sara Farnham, PhD  
Clinical Neuropsychologist

**SB-2588**

Submitted on: 2/5/2020 11:28:36 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey D. Stern, Ph.D.	Individual	Support	No

Comments:

[COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH](#)

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM

Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I am a psychologist who has been called to jury duty a few times over the years, as a 50-year resident of the State of Hawai'i. And though I am in strong support of SB2588, which permits psychologists to claim exemption from service as a juror, I would prefer to serve on a jury than request an exemption. I am glad SB2588 does not preclude me from serving.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not.

Compelling practicing psychologists to serve jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care at a time when access to care is a considerable concern! Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawai'i's people. Thank yuou for allowing me to share my mana'o with you.

Best,

Jeffrey D. Stern, Ph.D.

Past President, Hawai'i Psychological Association

**SB-2588**

Submitted on: 2/5/2020 11:47:43 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard J. Kravetz	Individual	Support	No

Comments:

I strongly support SB2588. This bill would exempt practicing psychologists from jury duty and allow them to provide medically necessary treatment for scheduled patients on an uninterrupted basis as well as to respond to patients in crisis.

Thank you for the opportunity to provide testimony in support of this important bill.

Richard J. Kravetz

Hawaii Licensed Psychologist

Honolulu, Hawaii 96813

(808) 523-7771

**SB-2588**

Submitted on: 2/5/2020 12:40:45 PM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Logan	Individual	Support	No

Comments:

**I write to express my strong support for SB2588, which permits psychologists to claim exemption from service as a juror. I work with individuals with substance use disorders and severe mental illness in a rural community on Big Island. As an underserved community, we already do not have adequate services for our most vulnerable community members. The idea of abruptly not being available for a day or a week or more, and off island, and inaccessible by cell phone, would jeopardize the health and safety of many of my patients. Asking someone who is 3 days off methamphetamine to be patient for another week until I can squeeze them back into my schedule is completely unacceptable and at odds with ethical clinical practice.**

**Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.**

**Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.**

**HB1614 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.**

**I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.**

**Thank you,**

**Dr. Diane Logan**

## COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Stanley Chang, Vice Chair

Friday, February 7, 2020, 8:30AM  
Conference Room 229

Re: Testimony in STRONG SUPPORT of SB2588

I write to express my strong support for SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care and other psychological services.. Further limiting such health care when we already have a shortage of available care can certainly exacerbate the issues our State faces with homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

While serving on jury duty takes one away from patients, the process of being selected often creates interference in providing service equally as disruptive. As an example, I am one of a very limited number of neuropsychologists on Maui. I work closely with the neurologists who refer their patients for evaluations regarding such things as clarifying if the diagnosis is dementia, the cognitive effects of a stroke, or the residuals to functioning of a head injury. The evaluation typically requires at least two appointments, one of which is very lengthy (at a minimum 3-4 hour). Consequently, unless urgent, the patient appointments are often 6 or more weeks in advance since available time slots are limited. The neurologist is informed of the schedule and schedules his/her follow up with the patient expecting a summary of findings at a time certain after the last appointment. Upon receive the notice of the timeframe to be called for jury duty, I can expect to already have patients scheduled. Not knowing how long a trial may be and anticipating a least a week but knowing it could be much longer, I need to reschedule the patients who already have been waiting for a significant amount of time. This, in turn, means a significant delay until another opening is found for the needed appointments. When the time comes for me to call the jury duty line and I hear that my jury duty has been rescheduled to a new timeframe, I now have another set of appointments to reschedule. This scenario has occurred recently and it was on the third call when I was told I no longer would be needed as a juror. Meanwhile, services have been delayed, and the patients, their concerned family members, and the neurologist have been in limbo.

SB2588 will establish parity between access to health care by psychologists and the medical/surgical/dental care provided by those already allowed exemptions. The access to and availability of providers able to offer needed health care services is in the best interest of the community.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Kathleen M. McNamara, Ph.D

**SB-2588**

Submitted on: 2/6/2020 10:10:52 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenny Ebesutani	Individual	Support	No

Comments:

SENATE COMMITTEE ON

Commerce, CONSUMER PROTECTION, and HEALTH

Senator Rosalyn Baker, Chair

Senator Stanley Chang, Vice Chair

February 7, 2020, 8:30 a.m.

Conference Room 229

Testimony in SUPPORT of SB2588

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Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting

mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Jenny Ebesutani, Psy.D.

Clinical Psychologist

**SB-2588**

Submitted on: 2/6/2020 10:12:30 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annie H. Nguyen	Individual	Support	No

Comments:

SENATE COMMITTEE ON

Commerce, CONSUMER PROTECTION, and HEALTH

Senator Rosalyn Baker, Chair

Senator Stanley Chang, Vice Chair

February 7, 2020, 8:30 a.m.

Conference Room 229

Testimony in SUPPORT of SB2588

I write to express my strong support for SB2588, which permits psychologists to claim exemption from service as a juror.

Physicians in the state of Hawai'i are permitted exemption from jury duty under Section 612-6, Hawai'i Revised Statutes. Currently, practicing psychologists in the state of Hawai'i are not permitted exemption from jury duty.

Compelling practicing psychologists to serve on jury duty makes them inaccessible to both ongoing and new patients, limiting access to mental health care. Further limiting mental health care when we already have a shortage of available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.

SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Annie Nguyen PsyD

**SB-2588**

Submitted on: 2/6/2020 10:35:34 AM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Goodyear	Individual	Support	No

Comments:

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State Senator Donovan Dela Cruz eloquently discusses in a recent article (Honolulu Civil Beat, February 4, 2020) that a startling number of youth who are learning disabled, impoverished, or traumatized drop out of public school and become involved in crime and, eventually, the criminal justice system. Allowing psychologists to intervene with these traumatized youth in order to divert them from crime seems a better use of these professionals' training than having them serve on juries after these individuals become part of the system.

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I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,



Roger S. Hamada, Ph.D.

**LATE**

**SB-2588**

Submitted on: 2/6/2020 12:29:06 PM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martin Johnson	Individual	Support	No

Comments:

**SENATE COMMITTEE ON**

**Commerce, CONSUMER PROTECTION, and HEALTH**

**Senator Rosalyn Baker, Chair**

**Senator Stanley Chang, Vice Chair**

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**available care contributes to homelessness, crime, reduced productivity, suicide, domestic violence, and diminished physical health.**

**It is also important to keep in mind that, unlike medical or dental professionals, psychologists can not easily step in to cover for one another, given the intensely personal nature of the work and the extensive knowledge of the patient that is required to treat in a professional and effective manner.**

**SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.**

**I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.**

**Thank you,**

**L. Martin Johnson, PsyD, MBA**

**Psychologist**

**From:** [Dr. Liza M. Wacker](#)  
**To:** [CPH Testimony](#)  
**Subject:** SB2588  
**Date:** Thursday, February 6, 2020 11:13:58 AM

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SENATE COMMITTEE ON  
Commerce, CONSUMER PROTECTION, and HEALTH  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

February 7, 2020, 8:30 a.m.  
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**I respectfully ask that you please support SB2588 for the health of all of Hawai'i's people.**

Thank you,

Liza M. Wacker, Psy.D.

SENATE COMMITTEE ON  
Commerce, CONSUMER PROTECTION, and HEALTH  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

February 7, 2020, 8:30 a.m.  
Conference Room 229

Testimony in SUPPORT of SB2588

I write to express my strong support for SB2588, which permits psychologists to claim exemption from service as a juror.

While dental health is extremely important and has a connection to, and impact on, many other aspects of health and life, it is still rare, almost non-existent that we learn in the news or otherwise of a murder, crime, or even a person becoming homeless because of dental-related reasons. But every day we learn of murder or other serious crimes and homelessness happening because of psychological problems...psychosis, depression, PTSD, addiction, etc. These are the mental, emotional, and behavioral problems that psychologists treat. In fact, psychologists are the primary go-to treatment options for these kinds of problems. Problems that are at the core of some of the most pressing problems in Hawai'i. And yet dentists are exempt from jury duty but psychologists are not. Every psychologist that serves on jury duty, is one psychologist pulled away from an already short supply of mental health providers who are foundational and critical towards reducing crime and homelessness in Hawai'i.

I respectfully ask that you please support SB2588 for the health and safety of all of Hawai'i's people.

Thank you,  
Tyler Ralston, PsyD, ABPP  
Clinical Psychologist in private practice

**Raymond A. Folen, Ph.D., ABPP  
Psychological Resources Hawai'i  
PO Box 1974  
Honolulu, HI 96805**

SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION, AND HEALTH  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

February 7, 2020, 8:30 a.m.  
Conference Room 229

Testimony in SUPPORT of SB2588

Dear Senator Baker, Senator Chang and members of the CPH Committee,

I am in strong support for SB2588, which permits psychologists to claim exemption from service as a juror.

Every time a practicing psychologist receives a jury notice, one of two things occurs:

- 1) the psychologist cancels an entire week of patients in order to accommodate the jury duty or
- 2) the psychologist cancels one day of patients in the hopes that he/she is not required to serve; if selected, though, the psychologist must then scramble to cancel all patients for the week and arrange for high risk/suicidal patients to be seen by another psychologist. Patient care - where in Hawai'i there are a shortage of providers and severe access to care issues - is reduced and potentially compromised.

Asking the judge for an exemption does work. We are often told "Doctor, do you take vacations? If so, consider jury duty a 'vacation' from work". The difference, however, is that we typically must block out vacation time months in advance so that we have sufficient time to prepare our patients and make arrangements with another provider to cover for us.

In the newspapers and on social media we regularly read of the impact of psychological problems - such as psychosis, depression, PTSD, addiction, etc. - on the judicial system. I have never heard of a serious crime or murder occurring as a result of dental problems, yet dentists are exempt from jury duty while psychologists are not. The intent of SB2588 is not to allow psychologists to shirk civic responsibility or make more money. The intent is to allow us to safely and appropriately provide care to our patients with the greatest need. I respectfully ask that the Committee vote in favor of SB2588.

Aloha,

Raymond A. Folen, Ph.D., ABPP  
Licensed Psychologist

**SB-2588**

Submitted on: 2/6/2020 6:56:46 PM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marie terry-bivens	Individual	Support	No

Comments:

SENATE COMMITTEE ON

Commerce, CONSUMER PROTECTION, and HEALTH

Senator Rosalyn Baker, Chair

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SB2588 will establish parity between access to mental health care and access to medical/surgical care, which is in the best interest of the community and according to research, produces cost savings for the health care system.

I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you,

Marie Terry-Bivens, Psy.D.

**SB-2588**

Submitted on: 2/6/2020 7:28:40 PM

Testimony for CPH on 2/7/2020 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda Mathias	Individual	Support	No

Comments:

SENATE COMMITTEE ON

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Senator Rosalyn Baker, Chair

Senator Stanley Chang, Vice Chair

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I respectfully ask that you please support SB2588 for the health of all of Hawaii's people.

Thank you