
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO REVIEW AND UPDATE THE APPLICABLE CHAPTERS OF THE HAWAII REVISED STATUTES THAT RELATE TO MENTAL HEALTH AND INVOLUNTARY TRANSPORT, EXAMINATION, HOSPITALIZATION, AND TREATMENT, INCLUDING ASSISTED COMMUNITY TREATMENT.

1 WHEREAS, the chapters of the Hawaii Revised Statutes
2 relating to mental health and involuntary transport,
3 examination, hospitalization, and treatment have been amended in
4 a piecemeal manner over the past several decades, which has led
5 to some lack in clarity and inconsistencies; and

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7 WHEREAS, periodically reviewing the Hawaii Revised Statutes
8 would be helpful to advance the overall goal of improving mental
9 health, including for those unable to help themselves; now,
10 therefore,

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12 BE IT RESOLVED by the House of Representatives of the
13 Thirty-second Legislature of the State of Hawaii, Regular
14 Session of 2023, the Senate concurring, that the Department of
15 Health is requested to convene a working group to review and
16 update the applicable chapters of the Hawaii Revised Statutes
17 that relate to mental health and involuntary transport,
18 examination, hospitalization, and treatment, including assisted
19 community treatment; and

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21 BE IT FURTHER RESOLVED that the working group is requested
22 to make recommendations for statutory revisions that focus on
23 those chapters applicable to mental health-related involuntary
24 assessment, care, and treatment; and

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26 BE IT FURTHER RESOLVED that the working group is requested
27 to include the following members:

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29 (1) The Director of Health, or the Director's designee;



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(2) The Attorney General, or the Attorney General's designee;

(3) A representative from the Department of Health, Adult Mental Health Division;

(4) A representative from the Department of Public Safety;

(5) A representative of the Judiciary, to be selected by the Chief Justice;

(6) A representative from the Department or Office of the Prosecuting Attorney of each county, to be selected by the Prosecuting Attorney of each respective county;

(7) A member of the Senate Standing Committee with primary jurisdiction over Health and Human Services; and

(8) A member of the House of Representatives Standing Committee with primary jurisdiction over Health and Homelessness; and

BE IT FURTHER RESOLVED that the working group is requested to invite other individuals with relevant experience and expertise to be members of the working group, including:

(1) Psychologists or social workers;

(2) Psychiatrists;

(3) Representatives from residential treatment programs;

(4) Representatives from mental health advocacy groups; and

(5) Any other representatives the working group deems necessary; and

BE IT FURTHER RESOLVED that the working group is requested to select a chairperson from amongst its members; and

BE IT FURTHER RESOLVED that, upon request of the working group, the Department of Health is requested to assist in the



1 preparation of the working group's draft report to be submitted
2 to the Legislative Reference Bureau before October 1, 2023,
3 including any information and materials deemed necessary for the
4 Legislative Reference Bureau to draft the proposed legislation
5 that is to be included in the working group's report to the
6 Legislature; and

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8 BE IT FURTHER RESOLVED that the working group is requested
9 to submit a report of its findings and recommendations,
10 including any proposed legislation, to the Legislature no later
11 than twenty days prior to the convening of the Regular Session
12 of 2024; and

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14 BE IT FURTHER RESOLVED that certified copies of this
15 Concurrent Resolution be transmitted to the Director of Health,
16 Attorney General, Director of Public Safety, Chief Justice of
17 the Hawaii Supreme Court, Prosecuting Attorney of each county,
18 and Director of the Legislative Reference Bureau.

