
A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that mental health
2 conditions are treated in various ways, depending on the
3 condition, and can include medication, therapy, and psychosocial
4 services. Congress, through the proposed Breakthrough Therapies
5 Act, and the United States Food and Drug Administration have
6 indicated that methylenedioxymethamphetamine, commonly known as
7 MDMA, and psilocybin will be rescheduled to enable its
8 therapeutic use. Methylenedioxymethamphetamine and psilocybin
9 have already been granted the United States Food and Drug
10 Administration's breakthrough therapy designation to fast-track
11 research and potential approval, given their efficacy in
12 treating treatment-resistant depression and post-traumatic
13 stress disorder. These treatments, while effective for certain
14 conditions and patients, do not treat all mental health
15 conditions. Research supports the effectiveness of natural and
16 alternative medicines and therapies, such as the use of
17 methylenedioxymethamphetamine, psilocybin, and other therapies,



1 as safe and effective ways to treat depression, post-traumatic
2 stress disorder, addiction, end-of-life psychological distress,
3 and other afflictions.

4 The purpose of this Act is to establish the beneficial
5 treatments advisory council to review, evaluate, and recommend
6 new medicinal treatments for mental health.

7 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
8 amended by adding a new section to part I to be appropriately
9 designated and to read as follows:

10 **"§321- Beneficial treatments advisory council;**
11 **established.** (a) There is established within the department of
12 health for administrative purposes only, a beneficial treatments
13 advisory council. The membership of the council shall be as
14 follows:

15 (1) Five of the members shall be the following ex officio
16 voting members, or their respective designees:

17 (A) The executive director of the office of wellness
18 and resilience, who shall serve as the
19 chairperson of the advisory council;

20 (B) The attorney general;



- 1 (C) The chairpersons of the senate and house standing
- 2 committees having responsibility for legislation
- 3 on health; and
- 4 (D) The chairperson of the state council on mental
- 5 health; and
- 6 (2) Four of the members shall be appointed pursuant to
- 7 section 26-34 and shall consist of:
- 8 (A) A physician who is duly licensed pursuant to
- 9 chapter 453 or an advanced practice registered
- 10 nurse who is authorized to prescribe psychotropic
- 11 medication and is duly licensed pursuant to
- 12 chapter 457;
- 13 (B) A physician duly licensed pursuant to chapter
- 14 453, with specialties in substance abuse and
- 15 psychiatry;
- 16 (C) One representative from an organization that
- 17 advocates for the therapeutic use of plant-based
- 18 psychedelic modalities; and
- 19 (D) One representative from an accredited research
- 20 institution providing certification and training



1 for professionals on the use of psychedelic
2 modalities.

3 (b) The members of the advisory council shall serve
4 without compensation but shall be reimbursed for expenses,
5 including travel expenses, necessary for the performance of
6 their duties.

7 (c) The beneficial treatments advisory council shall:

8 (1) Examine federal, state, and local laws, regulations,
9 administrative rules, and procedures regarding the
10 treatment of mental health;

11 (2) Examine available medical, psychological, and
12 scientific studies, research, and other information
13 relating to the safety and efficacy of methods to
14 treat mental health conditions;

15 (3) Examine requirements, specifications, and guidelines
16 for a medical professional to prescribe and provide
17 various treatments to patients in jurisdictions in
18 which the treatment is used to treat mental health
19 conditions;

20 (4) Develop a long-term strategic plan to ensure the
21 availability of therapeutic psilocybin,



1 psilocybin-based products, and
2 methylenedioxymethamphetamine that are safe,
3 accessible, and affordable for adults twenty-one years
4 of age or older; and
5 (5) Advise the department on new and revised mental health
6 treatment options."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on December 31,
9 2050.



Report Title:

Beneficial Treatments Advisory Council; DOH; Mental Health

Description:

Establishes the Beneficial Treatments Advisory Council to review mental health treatment information and advise the Department of Health. Effective 12/31/2050. (SD2)

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