
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 the chapters of the
2 Hawaii Revised Statutes relating to mental health and
3 involuntary transport, examination, hospitalization, and
4 treatment have been amended in a piecemeal manner over the past
5 several decades. This has led to some lack in clarity and
6 inconsistencies. It is imperative that such an important part
7 of state law receives full and deliberate attention from time to
8 time to ensure the law's continued force and effectiveness.

9 The legislature further finds that a comprehensive review
10 of the Hawaii Penal Code has been conducted every decade since
11 the Code's enactment in 1972. The legislature believes that
12 periodically reviewing Hawaii's mental health laws would also be
13 helpful to advance the overall goal of improving mental health
14 in the State, especially for those unable to help themselves.

15 The purpose of this Act is to require the department of
16 health to convene an advisory committee on mental health code
17 review every ten years.



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§321- Advisory committee on mental health code review;

5 report. (a) Beginning July 1, 2024, and every ten years
6 thereafter, the department of health shall convene an advisory
7 committee on mental health code review. The scope of the
8 advisory committee's review shall be determined by the
9 department of health; provided that every advisory committee
10 shall review all federal and state court cases and
11 constitutional, statutory, and rule changes impacting the Hawaii
12 Revised Statutes that relate to mental health and involuntary
13 transport, examination, hospitalization, and treatment,
14 including assisted community treatment, since the previous
15 advisory committee's review.

16 (b) Membership of the advisory committee on mental health
17 code review shall be as follows:

18 (1) The governor's senior advisor for mental health and
19 the justice system, who shall serve as co-chair;

20 (2) The governor's coordinator on homelessness, who shall
21 serve as co-chair;



- 1 (3) A representative from the department of health, adult
2 mental health division, to be selected by the director
3 of health;
- 4 (4) The attorney general, or the attorney general's
5 designee;
- 6 (5) A representative from the department of corrections
7 and rehabilitation, to be selected by the director of
8 corrections and rehabilitation;
- 9 (6) A representative of the judiciary, to be selected by
10 the chief justice;
- 11 (7) A member of the senate standing committee with primary
12 subject matter jurisdiction over health or human
13 services, to be selected by the senate president;
- 14 (8) A member of the house of representatives standing
15 committee with primary subject matter jurisdiction
16 over health or homelessness, to be selected by the
17 speaker of the house of representatives;
- 18 (9) A representative from the prosecutor's office of each
19 county, to be selected by the respective prosecuting
20 attorney of each county;



- 1 (10) A representative from the city and county of
- 2 Honolulu's crisis outreach response and engagement
- 3 program, to be selected by the mayor of the city and
- 4 county of Honolulu;
- 5 (11) A representative from a private nonprofit human
- 6 services organization focused on ending or preventing
- 7 homelessness, to be jointly selected by the co-chairs;
- 8 (12) A representative from a private acute care hospital
- 9 that offers psychological or mental health services,
- 10 to be selected by the governor;
- 11 (13) A representative from the Hawaii health systems
- 12 corporation, to be selected by the governor;
- 13 (14) Four members with relevant experience and expertise as
- 14 a:
- 15 (A) Psychologist or social worker;
- 16 (B) Psychiatrist;
- 17 (C) Representative from a residential treatment
- 18 program; or
- 19 (D) Representative from a mental health advocacy
- 20 group;



1 provided that the president of the senate and speaker
2 of the house of representatives shall each select two
3 members; and

4 (15) Any other representatives the advisory committee deems
5 necessary.

6 (c) The members of the advisory committee on mental health
7 code review shall serve without compensation but shall be
8 reimbursed for expenses, including travel expenses, necessary
9 for the performance of their duties. The department of health
10 shall request the necessary funding for the advisory committee
11 to conduct its review during the regular session immediately
12 preceding the convening of the advisory committee.

13 (d) The advisory committee on mental health code review
14 shall submit a report of its findings and recommendations,
15 including any proposed legislation, to the legislature no later
16 than forty days prior to the convening of the regular session
17 immediately following the convening of the advisory committee."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 3000.



S.B. NO. 2992
S.D. 2
H.D. 1

Report Title:

DOH; Advisory Committee on Mental Health Code Review; Reports

Description:

Beginning 7/1/2024, and every ten years thereafter, requires the Department of Health to convene an Advisory Committee on Mental Health Code Review. Requires reports to the Legislature after each convening of the Advisory Committee. Effective 7/1/3000.
(HD1)

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