

STAND. COM. REP. NO.

730

Honolulu, Hawaii

, 2023

FEB 17

RE: H.B. No. 1154
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 1154 entitled:

"A BILL FOR AN ACT RELATING TO GUARDIANSHIP,"

begs leave to report as follows:

The purpose of this measure is to amend the Uniform Probate Code to allow courts to appoint emergency guardians for respondents who reside in psychiatric facilities, hospitals, and homeless shelters.

Your Committee received testimony in support of this measure from the Institute for Human Services, Inc.; and two individuals. Your Committee received testimony in opposition to this measure from the Commission to Promote Uniform Laws and O'ahu Lived Experience Council. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Health, Department of the Attorney General, Judiciary, Hawaii Disability Rights Center, and The Queen's Health System.

Your Committee finds that clarifying the circumstances under which a guardian should be appointed to make appropriate health care decisions for an individual will ensure the individual receives timely and appropriate care.

2023-1396 HB1154 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Inserting language requiring that certain patients subject to emergency hospitalization be assessed to determine whether a surrogate or guardian is needed to make appropriate health care decisions for the patient;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1154, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1154, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health &
Homelessness,



DELLA AU BELATTI, Chair



