

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2451
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred H.B. No. 2451, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to improve the processes for assessing the mental health of criminal defendants.

More specifically, the measure:

- (1) Authorizes an examiner who is appointed to assess a defendant to conduct the examination via telehealth;
- (2) Amends the conditions for release and examination of fitness to proceed for defendants charged with certain petty misdemeanors;
- (3) Provides a mechanism for the automatic screening of certain petty misdemeanants for involuntary hospitalization or assisted community treatment; and
- (4) Appropriates moneys to establish full-time positions and provide additional resources to support the examination of defendants via telehealth.



Your Committees received written comments in support of this measure from the Judiciary, Disability and Communication Access Board, Behavioral Health Administration, Hawaii Substance Abuse Coalition, Hawaii Psychological Association, and three individuals.

Your Committees find that the mental health screenings and assessments authorized and supported by this measure will help the State intervene, divert, and treat persons having mental health issues who become involved with the State's criminal justice system. Your Committees further find that allowing defendants to be examined via telehealth will aid in the timely completion of court-ordered examinations.

Your Committees note that the written comments provided by the Department of Health offer suggested amendments for a conference committee to consider.

Your Committees have amended this measure by:

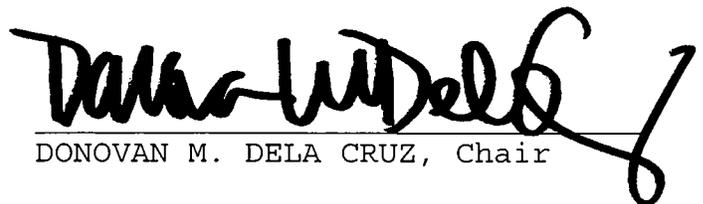
- (1) Clarifying the definition of "telehealth";
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2451, H.D. 3, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2451, H.D. 3, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary,



KARL RHOADS, Chair



DONOVAN M. DELA CRUZ, Chair



