# STAND. COM. REP. NO. 3654

Honolulu, Hawaii

APR 0 5 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.



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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,

DONOVAN M. DELA CRUZ,

KARL RHOADS, Chair



#### The Senate Thirty-Second Legislature State of Hawaiʻi

## Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral: Date:							
HB 2491 HD 3	HHSIPSM, WAM/JDC 3/28/2024							
The Committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is:								
Pass, unamended X Pass, with amendments Hold Recommit 2312 2311 2310 2313								
Members		Aye	Aye (WR)	Nay	Excused			
DELA CRUZ, Donovan M. (C)		X						
MORIWAKI, Sharon Y. (VC)		Х						
AQUINO, Henry J.C.		X						
DECOITE, Lynn		X						
HASHIMOTO, Troy N.		X						
INOUYE, Lorraine R.		X						
KANUHA, Dru Mamo					×			
KIDANI, Michelle N.		Х						
KIM, Donna Mercado		X						
LEE, Chris		×						
SHIMABUKURO, Maile S.L.					X			
WAKAI, Glenn		X						
FEVELLA, Kurt		X						
	<u>.</u>							
TOTAL		11	0	0	V			
Recommendation:								
Chaik's or Designee's Signature:								
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\*Only <u>one</u> measure per Record of Votes

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## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral: Date:							
HB 2451 HD 3	HHS/PSM, WAM/JDC 03/28/24							
The Committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is:								
Pass, unamended V Pass, with amendments Hold Recommit 2312 2311 2310 2313								
Members		Aye	Aye (WR)	Nay	Excused			
RHOADS, Karl (C)								
GABBARD, Mike (VC)								
ELEFANTE, Brandon J.C.								
SAN BUENAVENTURA, Joy	Α.							
AWA, Brenton								
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TOTAL		4						
Recommendation:  Adopted  Not Adopted								
Chair's or Designee's Signature:								
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy								

\*Only <u>one</u> measure per Record of Votes