



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

House Committee on Finance

Thursday, March 30, 2023

3:00 p.m.

State Capitol, Conference Room 308 and Videoconference

In Support

S.B. No. 1492, S.D. 2, H.D. 1 Relating to Mental Health

Aloha Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Office of the Governor supports S.B. No. 1492, S.D. 2, H.D. 1, Relating to Mental Health.

This Administration is focused on finding solutions that address and provide additional resources to support Hawaii's ongoing mental health and homelessness challenges.

S.B. No. 1492, S.D. 2, H.D. 1 would provide methods to treat individuals suffering from untreated severe mental illness, including through Assisted Community Treatment (ACT). Additionally, the bill would require the Department of Health (Department) to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments and provide the Department with appropriations for software and data collection and publication. S.B. No. 1492, S.D. 2, H.D.1 would also establish that a court's denial of a petition for involuntary commitment shall serve as notification to the Department that a person should be evaluated for ACT and provides the Department with the ability to coordinate the process for an ACT petition with other departments or private providers as necessary.

The Hawaii Coordinated Access Resource Entry System (CARES), administered by the Department, serves as a 24/7 coordination center for mental health, crisis, and substance use intervention. From June 1, 2022, to December 27, 2022, Hawaii CARES received approximately 70,000 calls. Hawaii CARES works closely with contracted community providers to provide in-person crisis intervention services across the State and support individuals and families struggling with access to mental health resources.

S.B. No. 1492, S.D. 2, H.D. 1 would complement programs already in place by granting providers and the judicial system more tools to ensure that individuals can receive appropriate treatment.

Thank you for the opportunity to provide testimony on this measure.



The Judiciary, State of Hawai'i

Testimony to the Thirty-Second State Legislature, 2023 Regular Session

House Committee on Finance

Representative Kyle T. Yamashita, Chair

Representative Lois Kitagawa, Vice Chair

Thursday, March 30, 2023, 3:00 p.m.

Conference Room 308 & Via Videoconference

by:

Brandon M. Kimura

Deputy Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 1492, S.D.2, H.D. 1, Relating to Mental Health.

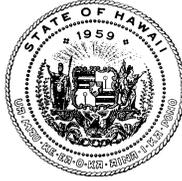
Purpose: Requires the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments. Requires the Department of Health to respond to reports about persons having severe mental illness who are in need of assistance and to assess whether those persons may fulfill the criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated. Establishes that a court's denial of a petition for involuntary commitment shall serve as notification to the Department of Health that the person should be evaluated for assisted community treatment. Requires the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment. Appropriates funds to the Department of Health for software and data collection and publication. Appropriates funds for statewide education and training on policies related to emergency examination and hospitalization and assisted community treatment. Takes effect 6/30/3000. (HD1)

Judiciary's Position:

The Judiciary supports the intent of this measure, in agreement that assisted community treatment is an important tool to assist those suffering from mental illness or substance use disorder who meet the criteria for such support.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, M.D., M.G.A, M.P.H
DIRECTOR OF HEALTH
KA LUNA HO'ŌKELE

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**Testimony in SUPPORT of S.B. 1492, S. D. 2, H.D. 1
RELATING TO MENTAL HEALTH**

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date, Time and Room Number: Thursday, March 30, 2023, 3:00 p.m. in Rm. 308/VIDEO

1 **Fiscal Implications:** The Department of Health (“Department”) requests that this measure be
2 considered as a vehicle to provide needed funding so long as it does not supplant the priorities
3 and requests outlined in the Governors executive budget request.

4 **Department Position:** The Adult Mental Health Division (AMHD) provides the following
5 testimony in support with comments on behalf of the Department.

6 **Department Testimony:** The Department is committed to addressing the needs of individuals
7 who live with behavioral health challenges and would benefit from necessary medical
8 treatment when it is in their best interest. Methods to establish authorization to treat are
9 important to ensure the application of those services for those who would benefit from
10 treatment over their objection, including Assisted Community Treatment (ACT). We are
11 committed to supporting the availability and effectiveness of ACT, including working with state
12 agencies and community partners to improve access and implementation.

13 We note that assertive community treatment teams, or ACT Teams, are a national
14 evidence-based practice for those needing intensive place-based mental health services and
15 thus, are referring to Hawaii’s assisted community treatment teams as (ACT Teams) in this
16 testimony to differentiate between ACT and ACT Teams, two important mental health

1 modalities. ACT Teams are multidisciplinary teams with a low provider to client ratio that use
2 active and persistent ongoing attempts to engage with individuals, directly provide health and
3 social care, and outreach to individuals at their location, including evenings and weekends.

4 For Section 2, pages 2 through 4, regarding data tracking, the Department will be able to
5 track and publish data if given resources for the development of a data system. This process
6 will also require the Judiciary and other sources of relevant data to electronically submit this
7 data to the Department. The Department has developed the BH808.hawaii.gov website that
8 already reports the number of crisis calls received by the Hawaii CARES 988 crisis line which is
9 our preferred one stop shop for receiving behavioral health crisis response and for coordinated
10 and efficient care. Resources needed for this data system also includes staff to maintain the
11 system and to coordinate between the different involved agencies.

12 For Section 2, pages 4 and 5, regarding response to reports of persons with severe
13 mental illness who need assistance and assessment to determine whether they meet criteria
14 for ACT, the Department can help to respond, with other community providers, through the
15 development of intensive services that focus on community outreach efforts, such as service
16 provided through ACT teams as described above. With funding, the Department could contract
17 this service to a provider(s) who would be responsible for developing ACT Teams. These teams
18 would be available to engage and support community ACT efforts.

19 The Department recognizes that providing intensive community service and
20 coordinating community ACT efforts involves complex design, procedural, training and ongoing
21 oversight activities. Collaborative and coordinated efforts of state agencies, service providers,
22 and community stakeholders are required. We are ready and available to actively participate in
23 this important effort. We are currently working to expand our crisis continuum of care as noted
24 in our testimony for SB1472 SD2 and are currently working to improve analyzing and reporting
25 important data metrics to assess the effectiveness of these and ongoing efforts.

1 The Department recognizes that the treating provider of the individual needs to submit
2 the petition to the court because they have the specific care and treatment information for the
3 individual. We respectfully defer to the Judiciary on items in this measure that impact judicial
4 proceedings and defer to the Department of the Attorney General for legal matters.

5 The Department appreciates the support of the Legislature and the Governor to
6 prioritize mental health, wellness, and recovery and introducing measures this session that
7 encourage all stakeholders to generate solutions and support programs and services with the
8 greatest benefit to those who need care and treatment.

9 Thank you for the opportunity to testify on this measure.

10 **Offered Amendments:** We offer the following amendments to clarify the Department’s
11 procedure for processing requests for crisis intervention services and amendments based on
12 our estimated cost of procuring software and maintaining data.

13 Page 6, Lines 3 through 12.

14 (a) When the department receives credible information that a person having a serious
15 mental illness requires assistance, the department may dispatch crisis mobile outreach
16 to assist the person. This requirement may apply to communications received through
17 Hawaii CARES and may apply to communications received through department-
18 contracted service providers.

19 Page 13, Line 2.

20 Appropriation in the amount of \$1,200,000.00

21 Page 13, Line 18.

22 Appropriation in the amount of \$99,500.00

1 For items listed on page 13, Section 6, lines 1 through 14, the cost breakdown for the
2 departments requested appropriation of \$1,200,000.00 includes:

- 3 (1) Procurement of software - \$980,000.00
- 4 (3) 1 FTE coordinator position - \$75,000.00 annually
- 5 (4) 1 FTE data position - \$70,000.00 annually
- 6 (5) 1 FTE epidemiologist position - \$75,000.00 annually



SB1492 SD2 HD1 Mental Health Diversion to Crisis Beds

COMMITTEE ON FINANCE

Rep. Kyle T. Yamashita, Chair

Rep. Lisa Kitagawa, Vice Chair

Thursday, Mar 30, 2023 3:00 : Room 308

Hawaii Substance Abuse Coalition supports SB1492 SD2 HD1

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery services.

HSAC strongly supports diversion alternatives for people subject to exclusion from charges or for violating their probation due to their **mental health disease**. It's time for Hawaii to expand our criminal justice diversion programs. The diversions include screening and evaluations for involuntary hospitalization or assisted community treatment. We also **need more behavioral health crisis centers so that more diversions can happen** in our justice systems.

- Often people who have severe substance use disorders, or who are mentally impaired that are frequently arrested are unsheltered homeless.
- It requires a lot of time of police officers who have to arrest them even if the crimes are misdemeanors. This is how jails become overcrowded because of this population.
- The alternative is a danger to public safety when criminal defendants, who could qualify for commitment due to severe mental health issues, are released back into the community.

Expanding the qualifying offenses will allow more people to be diverted and requiring screening or a mental health evaluation and treatment will enable a faster resolution of their cases and a sooner realized benefit from treatment and support for their mental health. Such treatment can reduce or eliminate their involvement with the criminal justice system.

By focusing on people who are reoccurring in the justice system, HSAC strongly supports diversion strategies to help people receive effective mental health treatment and/or substance abuse treatment. Providing treatment and supports will help people with mental health issues to better access housing, employment and possibly get off the street entirely. This is a clear path to help end homelessness.

We appreciate the opportunity to provide testimony and are available for questions.

SB-1492-HD-1

Submitted on: 3/29/2023 9:03:10 AM

Testimony for FIN on 3/30/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Esther Smith	Individual	Support	In Person

Comments:

Gathering further information on mental health care system inadequacies is essential to addressing the holes in this essential safety net.



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