

1 of health to redirect to the appropriate health care system and
2 services persons experiencing a mental health crisis who are
3 involved, or at risk for involvement, with the criminal justice
4 system.

5 SECTION 2. (a) There is established a behavioral health
6 crisis center pilot program within the adult mental health
7 division of the department of health to redirect to the
8 appropriate health care system and services persons experiencing
9 a mental health or substance use disorder crisis who are
10 involved, or are at risk for involvement, with the criminal
11 justice system.

12 (b) The pilot program shall establish two behavioral
13 health crisis centers from which to treat and direct patients
14 pursuant to the pilot program, one to be located in the city and
15 county of Honolulu and a second to be located elsewhere on the
16 island of Oahu or on a neighbor island. The department of
17 health shall determine the most appropriate sites for the
18 behavioral health crisis centers. The department of health may
19 lease or acquire property for the establishment of these
20 behavioral health crisis centers.



- 1 (c) Each behavioral health crisis center established for
2 purposes of the pilot program shall:
- 3 (1) Address mental health and substance use disorder
4 crisis issues;
 - 5 (2) Screen, assess, admit for stabilization, and redirect
6 clients to ongoing care in the most appropriate and
7 least restrictive community setting available,
8 consistent with the client's needs;
 - 9 (3) Provide services twenty-four hours a day, seven days a
10 week;
 - 11 (4) Provide services regardless of the client's ability to
12 pay, subject to subsection (d);
 - 13 (5) Offer a dedicated first responder drop-off area for
14 law enforcement vehicles and ambulances;
 - 15 (6) Not require medical clearance before admitting the
16 client but rather provide assessment and support for
17 the client's medical stability while at the behavioral
18 health crisis center;
 - 19 (7) Have the capacity to assess physical health needs and
20 deliver care for most minor physical health
21 challenges;



1 (8) Be staffed at all times with a multidisciplinary team
2 capable of meeting the needs of clients experiencing
3 all levels of mental health or substance use disorder
4 crises; and

5 (9) Screen clients for risk of suicide or violence and
6 complete more comprehensive risk assessments and
7 planning when clinically indicated.

8 (d) No person shall be denied services at a behavioral
9 health crisis center operated under the pilot program because of
10 the person's inability to pay; provided that subject to
11 section 334-6, Hawaii Revised Statutes, the behavioral health
12 crisis center shall make every reasonable effort to collect from
13 persons with the ability to pay, including insurance or third
14 parties, appropriate reimbursement for the cost of providing
15 services.

16 (e) The department of health shall collaborate with law
17 enforcement agencies, courts, mental health providers, and
18 community stakeholders for the execution and implementation of
19 the pilot program.

20 (f) The adult mental health division of the department of
21 health shall submit a report on the behavioral health crisis



1 center pilot program to the legislature no later than twenty
2 days prior to the convening of the regular sessions of 2025 and
3 2026. Each report shall include any proposed legislation and
4 progress updates on the:

- 5 (1) Establishment of the behavioral health crisis centers;
- 6 (2) Contracting of crisis intervention services and
7 diversion activities;
- 8 (3) Actual delivery and utilization of crisis intervention
9 services;
- 10 (4) Outcomes of services and diversion activities at the
11 behavioral health crisis centers; and
- 12 (5) Collection of reimbursements for the cost of providing
13 treatment or services, including reimbursements from
14 insurance or third-party payments.

15 (g) The behavioral health crisis center pilot program
16 shall cease to exist on December 31, 2026.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2024-2025 for
20 the establishment of the behavioral health crisis center pilot
21 program, including the leasing or acquisition of property and



1 contracting for crisis intervention and diversion services,
2 pursuant to this part, and a triage center for medically
3 monitored detoxification and the treatment of substance abuse
4 disorders and mental illnesses.

5 The sum appropriated shall be expended by the department of
6 health for the purposes of this part.

7 SECTION 4. In accordance with section 9 of article VII of
8 the Hawaii State Constitution and sections 37-91 and 37-93,
9 Hawaii Revised Statutes, the legislature has determined that the
10 appropriations contained in H.B. No. , will cause the state
11 general fund expenditure ceiling for fiscal year 2024-2025 to be
12 exceeded by \$ or per cent. In addition, the
13 appropriation contained in this Act will cause the general fund
14 expenditure ceiling for fiscal year 2024-2025 to be further
15 exceeded by \$ or per cent. The combined total
16 amount of general fund appropriations contained in only these
17 two Acts will cause the state general fund expenditure ceiling
18 for fiscal year 2024-2025 to be exceeded by
19 \$ or per cent. The reasons for exceeding the
20 general fund expenditure ceiling are that:



1 (1) The appropriation made in this Act is necessary to
2 serve the public interest; and

3 (2) The appropriation made in this Act meets the needs
4 addressed by this Act.

5 PART II

6 SECTION 5. Chapter 334, Hawaii Revised Statutes, is
7 amended by adding a new section to part I to be appropriately
8 designated and to read as follows:

9 "§334- Behavioral health crisis centers. Pursuant to
10 the authority and functions established under sections
11 334-2.5(a)(3)(B) and 334-3(a)(5), the director may establish or
12 contract with behavioral health crisis centers in each county of
13 the State to provide care, diagnosis, or treatment for persons
14 experiencing a mental illness or substance use disorder crisis."

15 SECTION 6. Section 334-59, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (a) to read:

18 "(a) Initiation of proceedings. An emergency admission
19 may be initiated as follows:

20 (1) If a law enforcement officer has reason to believe
21 that a person is imminently dangerous to self or



1 others, the officer shall call for assistance from
2 [~~the~~] a mental health emergency [~~workers~~] worker
3 designated by the director. Upon determination by the
4 mental health emergency [~~workers~~] worker that the
5 person is imminently dangerous to self or others, the
6 person shall be transported by ambulance or other
7 suitable means[~~7~~] to a licensed psychiatric facility
8 or other facility designated by the director for
9 further evaluation and possible emergency
10 hospitalization. A law enforcement officer may also
11 take into custody and transport to any facility
12 designated by the director any person threatening or
13 attempting suicide. The officer shall make
14 application for the examination, observation, and
15 diagnosis of the person in custody. The application
16 shall state or shall be accompanied by a statement of
17 the circumstances under which the person was taken
18 into custody and the reasons therefor which shall be
19 transmitted with the person to a physician, advanced
20 practice registered nurse, or psychologist at the
21 facility.



1 (2) Upon written or oral application of any licensed
2 physician, advanced practice registered nurse,
3 psychologist, attorney, member of the clergy, health
4 or social service professional, or any state or county
5 employee in the course of employment, a judge may
6 issue an ex parte order orally, but shall reduce the
7 order to writing by the close of the next court day
8 following the application, stating that there is
9 probable cause to believe the person is mentally ill
10 or suffering from substance abuse, is imminently
11 dangerous to self or others and in need of care or
12 treatment, or both, giving the findings upon which the
13 conclusion is based. The order shall direct that a
14 law enforcement officer or other suitable individual
15 take the person into custody and deliver the person to
16 a designated mental health program, if subject to an
17 assisted community treatment order issued pursuant to
18 part VIII of this chapter, or to the nearest facility
19 designated by the director for emergency examination
20 and treatment, or both. The ex parte order shall be
21 made a part of the patient's clinical record. If the



1 application is oral, the person making the application
2 shall reduce the application to writing and shall
3 submit the same by noon of the next court day to the
4 judge who issued the oral ex parte order. The written
5 application shall be executed subject to the penalties
6 of perjury but need not be sworn to before a notary
7 public.

8 (3) Any licensed physician, advanced practice registered
9 nurse, physician assistant, or psychologist who has
10 examined a person and has reason to believe the person
11 is:

12 (A) Mentally ill or suffering from substance abuse;

13 (B) Imminently dangerous to self or others; and

14 (C) In need of care or treatment;

15 may direct transportation, by ambulance or other
16 suitable means, to a licensed psychiatric facility or
17 other facility designated by the director for further
18 evaluation and possible emergency hospitalization. A
19 licensed physician, an advanced practice registered
20 nurse, or physician assistant may administer treatment
21 as is medically necessary, for the person's safe



1 transportation. A licensed psychologist may
2 administer treatment as is psychologically necessary."

3 2. By amending subsections (d) and (e) to read:

4 "(d) Emergency hospitalization. If the psychiatrist or
5 advanced practice registered nurse with prescriptive authority
6 and who holds an accredited national certification in an
7 advanced practice registered nurse psychiatric specialization
8 who performs the emergency examination has reason to believe
9 that the patient is:

10 (1) Mentally ill or suffering from substance abuse;

11 (2) Imminently dangerous to self or others; and

12 (3) In need of care or treatment, or both;

13 the psychiatrist or advanced practice registered nurse with
14 prescriptive authority and who holds an accredited national
15 certification in an advanced practice registered nurse
16 psychiatric specialization shall direct that the patient be
17 hospitalized on an emergency basis or cause the patient to be
18 transferred to another psychiatric facility or other facility
19 designated by the director for emergency hospitalization, or
20 both. The patient shall have the right immediately upon
21 admission to telephone the patient's guardian or a family member



1 including a reciprocal beneficiary, or an adult friend and an
2 attorney. If the patient declines to exercise that right, the
3 staff of the facility shall inform the adult patient of the
4 right to waive notification to the family, including a
5 reciprocal beneficiary, and shall make reasonable efforts to
6 ensure that the patient's guardian or family, including a
7 reciprocal beneficiary, is notified of the emergency admission
8 but the patient's family, including a reciprocal beneficiary,
9 need not be notified if the patient is an adult and requests
10 that there be no notification. The patient shall be allowed to
11 confer with an attorney in private.

12 (e) Release from emergency hospitalization. If at any
13 time during the period of emergency hospitalization the treating
14 physician determines that the patient no longer meets the
15 criteria for emergency hospitalization and the examination
16 pursuant to section 334-121.5 has been completed, the physician
17 shall expediently discharge the patient. If the patient is
18 under criminal charges, the patient shall be returned to the
19 custody of a law enforcement officer. In any event, the patient
20 shall be released within forty-eight hours of the patient's
21 admission to a psychiatric facility[7] or other facility



1 designated by the director, unless the patient voluntarily
2 agrees to further hospitalization, or a proceeding for
3 court-ordered evaluation or hospitalization, or both, is
4 initiated as provided in section 334-60.3. If that time expires
5 on a Saturday, Sunday, or holiday, the time for initiation is
6 extended to the close of the next court day. Upon initiation of
7 the proceedings, the facility shall be authorized to detain the
8 patient until further order of the court."

9 PART III

10 SECTION 7. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

DOH; Behavioral Health Crisis Center Pilot Program; Behavioral Health Crisis Centers; Crisis Intervention; Diversion; Reports; Appropriation; General Fund Expenditure Ceiling Exceeded

Description:

Establishes the Behavioral Health Crisis Center Pilot Program. Authorizes the Department of Health to establish or contract with behavioral health crisis centers in each county. Requires reports to the Legislature. Appropriates funds for the pilot program, including a triage center for medically monitored detoxification and the treatment of substance abuse disorders and mental illnesses. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025. Effective 7/1/2050. (SD2)

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