
A BILL FOR AN ACT

RELATING TO EXCITED DELIRIUM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 338, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§338- Cause of death; excited delirium prohibited. (a)
5 Excited delirium shall not be recognized as a valid medical
6 diagnosis or cause of death in the State.

7 (b) A local health officer or local agent of the
8 department of health shall not document, testify to, or
9 otherwise use excited delirium as a recognized medical diagnosis
10 or cause of death in any official capacity or communication.

11 (c) A local health officer or local agent of the
12 department of health shall not state on the certificate of
13 death, or in any report, that the cause of death was excited
14 delirium. The local health officer or local agent of the
15 department of health may list and describe the contributing
16 causes of death, but shall not describe the underlying cause as
17 excited delirium.



1 (d) For the purposes of this section, "excited delirium"
 2 means a term used to describe a person's state of agitation,
 3 excitability, paranoia, extreme aggression, physical violence,
 4 and apparent immunity to pain that is not listed in the most
 5 current version of the Diagnostic and Statistical Manual of
 6 Mental Disorders."

7 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is
 8 amended by adding a new section to be appropriately designated
 9 and to read as follows:

10 **"§353C- Incident reports; excited delirium prohibited.**

11 (a) A law enforcement officer shall not use the term excited
 12 delirium to describe an individual in an incident report
 13 completed by a law enforcement officer. A law enforcement
 14 officer may describe the characteristics of an individual's
 15 conduct, but shall not generally describe the individual's
 16 demeanor, conduct, or physical and mental condition at issue as
 17 excited delirium.

18 (b) For the purposes of this section:

19 "Excited delirium" has the same meaning as defined in
 20 section 338- .



1 "Law enforcement officer" has the same meaning as defined
2 in section 134-81."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect on December 31,
5 2050.

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Report Title:

Excited Delirium; Cause of Death; Incident Report; Law Enforcement Officers

Description:

Prohibits excited delirium from being recognized as a valid medical diagnosis or cause of death in the State. Prohibits a local health officer or local agent of the Department of Health from stating on a certificate of death or in any report that the cause of death was excited delirium. Prohibits law enforcement officers from using the term excited delirium to describe an individual in an incident report. Effective 12/31/2050. (SD1)

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