

S.B. NO. 3078

JAN 28 2026

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH INTERVENTION.

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

1 SECTION 1. The legislature finds that the State's mental
2 health laws provide a variety of methods to intervene and
3 support individuals suffering from mental illness or substance
4 abuse.

5 In 2025, the legislature passed Senate Bill No. 1322,
6 enacted as Act 219, Session Laws of Hawaii 2025, substantially
7 clarifying the procedures relating to the emergency
8 transportation, examination, and hospitalization of individuals
9 who may be mentally ill or suffering from substance abuse and
10 who are imminently dangerous to self or others. These
11 clarifications included guidance on the roles and
12 responsibilities of crisis intervention officers during
13 emergency transportation. Act 219 also clarified the laws
14 governing assisted community treatment and the administration of
15 treatment over the objection of patients who have been
16 involuntarily committed to a psychiatric facility or who are in
17 the custody of the director of health and residing in a
18 psychiatric facility.

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1 The purpose of this Act is to make additional
2 clarifications to the laws concerning mental health intervention
3 by:

4 (1) Requiring the director of law enforcement to adopt
5 rules establishing training and certification
6 standards and procedures for crisis intervention
7 officers;
8 (2) Clarifying the scope of treatment allowable under
9 orders for assisted community treatment; and
10 (3) Requiring the department of the attorney general to
11 assist with the preparation, filing, and presentation
12 of any request for a court or administrative order
13 authorizing treatment over the objection of certain
14 patients.

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

18 "§353C- Training and certification standards and
19 procedures regarding crisis intervention officers. Without
20 regard to chapter 91, the director shall adopt rules setting
21 forth statewide training and certification standards and
22 procedures for a crisis intervention officer."

1 SECTION 3. Section 334-122, Hawaii Revised Statutes, is
2 amended by amending the definition of "assisted community
3 treatment" to read as follows:

4 ~~"Assisted community treatment" [includes medication~~
5 ~~specifically authorized by court order; individual]~~ means the
6 categories of treatment and services ordered by the court in a
7 treatment plan pursuant to section 334-127(b). "Assisted
8 community treatment" includes a case management plan and case
9 management services to provide care coordination under the
10 supervision of an assisted community treatment provider. The
11 categories of treatment and services may include:

12 (1) Medication;
13 (2) Periodic blood tests or urinalysis to monitor
14 compliance with prescribed medication;
15 (3) Individual or group therapy; [day]
16 (4) Day or partial day programming activities; [services]
17 (5) Services and training, including educational and
18 vocational activities; [supervision]
19 (6) Supervision of living arrangements;
20 (7) Residential services;
21 (8) Alcohol and substance abuse treatment and counseling;

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1 (9) Periodic blood tests or urinalysis for the presence of
2 alcohol or illegal drugs for individuals with a
3 history of alcohol or substance abuse; and [any]
4 (10) Any other services prescribed to either alleviate the
5 subject of the order's disorder or disability,
6 maintain or maximize semi-independent functioning, or
7 prevent further deterioration that may reasonably be
8 predicted to result in the need for hospitalization or
9 more intensive or restrictive levels of care in the
10 community or incarceration for criminal behavior."

11 SECTION 4. Section 334-161, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) [For the purposes of this section, "imminently
14 dangerous to self or others" means that, without intervention,
15 the person will likely become dangerous to self or dangerous to
16 others within the next forty-five days.] The department of the
17 attorney general shall assist with the preparation and filing of
18 any request for authorization to provide treatment over a
19 patient's objection, whether submitted through an administrative
20 process or to a court, and shall assist with the presentation of
21 the case at any related court proceedings; provided that, if the

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1 requestor is a private provider or other private individual, the
2 requestor may decline the assistance."

3 SECTION 5. Section 353C-1, Hawaii Revised Statutes, is
4 amended by amending the definition of "crisis intervention
5 officer" to read as follows:

6 ""Crisis intervention officer" means a law enforcement
7 officer, as defined in section 139-1, who has been trained and
8 certified to recognize and communicate with an individual who is
9 in crisis or suffering from some form of impairment, whether
10 from dementia, Alzheimer's disease, or any physical,
11 developmental, cognitive, psychological, or substance use
12 disorder influencing their behavior. [Training and
13 certification standards shall be determined with the department
14 of health.]"

15 SECTION 6. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 7. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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1 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY:



4

BY REQUEST

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Report Title:

Mental Health; Crisis Intervention Officer; Assisted Community Treatment; Administration of Treatment Over the Patient's Objection

Description:

Requires the Director of Law Enforcement to adopt rules establishing training and certification standards and procedures for crisis intervention officers. Clarifies the scope of treatment allowable under orders for assisted community treatment. Requires the Department of the Attorney general to assist with the preparation, filing, and presentation of any request for a court or administrative order authorizing treatment over the objection of certain patients.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO MENTAL HEALTH INTERVENTION.

PURPOSE: To require the Director of Law Enforcement to adopt rules governing the training and certification standards and procedures regarding crisis intervention officers; to clarify the scope of treatment allowable under orders for assisted community treatment; and to require the Department of the Attorney General to assist with the preparation, filing, and presentation of requests for orders for treatment over objection.

MEANS: Add a new section to chapter 353C, Hawaii Revised Statutes (HRS); amend the definition of "assisted community treatment" under section 334-122, HRS; amend the definition of "crisis intervention officer" under section 353C-1, HRS; and amend section 334-161(b), HRS.

JUSTIFICATION: Act 219, Session Laws of Hawaii 2025, substantially clarified and strengthened the procedures for intervention and treatment of individuals suffering from mental illness or substance abuse. This bill is needed to further improve Hawaii's mental laws by expanding treatment options and access to treatment for affected individuals.

The bill addresses an ambiguity in the law by requiring the Director of Law Enforcement to adopt rules governing the training and certification standards and procedures for crisis intervention officers. It amends the definition of "assisted community treatment" to clarify and broaden the type of treatment options available under the law. It amends the definition of "crisis intervention officer" to clarify that "law enforcement officer," as used in the definition, is

defined in section 139-1 and to conform to the new requirement that the Department of Law Enforcement establish by rules training and certification standards and procedures for crisis intervention officers.

Additionally, it supports medical providers in delivering necessary care by authorizing the Department of the Attorney General to assist with preparation, filing, and presentation of requests for treatment orders when a patient objects. This authority is consistent with previous amendments to chapter 334, HRS, which authorized the Department of the Attorney General to assist with assisted community treatment petitions and involuntary hospitalization proceedings.

Impact on the public: The bill promotes increased public safety, improves access to treatment, and enhances support for medical professionals caring for individuals in crisis.

Impact on the department and other agencies: The bill clarifies roles and responsibilities for the Director of Law Enforcement, the Department of the Attorney General, and professionals involved in assisted community treatment.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: Department of Law Enforcement; Department of Health; the Judiciary

EFFECTIVE DATE: Upon approval.