

JAN 21 2026

A BILL FOR AN ACT

RELATING TO COMMUNITY RESIDENTIAL TREATMENT.

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

1 SECTION 1. Chapter 334, Hawaii Revised Statutes, is
2 amended by adding a new section to part VII to be appropriately
3 designated and to read as follows:

4 "S334- Youth mental health residential treatment
5 programs; liability insurance; safety plan; community
6 notification. (a) Any person applying to contract or extend or
7 renew a contract with the department to operate a youth mental
8 health residential treatment program shall:

9 (1) Obtain and maintain during the operation of the
10 program a general liability insurance policy with
11 minimum coverage in an amount not less than \$2,000,000
12 per occurrence and \$4,000,000 in the aggregate, or any
13 higher amount as the department may establish by rule;
14 and

15 (2) Submit to the department for review and approval a
16 community safety action plan, which shall include:



(A) Procedures for responding to and resolving behavioral, sexual, medical, or environmental emergencies;

(B) A twenty-four-hour emergency contact number for the program operator; and

(C) Staff response protocols for any incident affecting program participants or the surrounding community.

(b) Any person applying to contract or extend or renew a contract with the department to operate a youth mental health residential treatment program shall provide the following to the community association or the neighborhood board, as applicable, for the community in which the program will operate:

(1) Written notice of the program's establishment and location; and

(2) The program's community safety action plan, as a condition for the department to enter into, extend, or renew the contract.

(c) Proof of the liability insurance required under subsection (a) and written notice and submission of the community safety action plan required under subsection (b) shall



1 be verified by the department, or its designee, before the
2 department enters into, extends, or renews any contract for any
3 youth mental health residential treatment program.

4 (d) Failure to maintain the liability insurance or
5 maintain and follow the program's approved community safety
6 action plan shall constitute grounds for suspension or
7 termination of a contract with the department.

8 (e) The department shall adopt rules pursuant to
9 chapter 91 necessary for the purposes of this section.

10 (f) For the purposes of this section:

11 "Community association" includes:

12 (1) An association, as that term is defined in sections
13 421J-2 and 514B-3; and

14 (2) Board of directors of a cooperative housing
15 corporation.

16 "Youth mental health residential treatment program" means
17 an intensive mental health service program operated in a
18 residential small group living setting that provides
19 twenty-four-hour care, supervision, and structured mental health
20 treatment services to children or adolescents, and that is
21 delivered pursuant to a contract with the department under



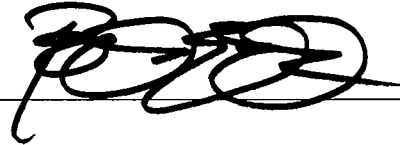
1 chapter 103F. "Youth mental health residential treatment
2 program" does not include facilities licensed under chapter 321
3 or any facility subject to certificate of need requirements
4 under chapter 323D."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

10 INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be "P. J. ...", is written over a horizontal line.

S.B. NO. 2133

Report Title:

DOH; Community; Residential Treatment; Youth Mental Health Residential Treatment Program; Contract Requirements; General Liability Insurance; Community Safety Action Plan; Community Association; Neighborhood Boards; Notification

Description:

Requires any person applying to the Department of Health to contract or extend or renew a contract to operate certain residential treatment programs to, as a condition of the contract, obtain and maintain a general liability insurance policy with a certain minimum coverage amount; submit to the Department for review and approval a community safety action plan; and provide to the community association or neighborhood board in the community in which the program will operate a written notice of the program's establishment and location and the community safety action plan.

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

