THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 924 S.D. 1 Proposed

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

SECTION 1. Chapter 327C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§327C- **Medical diagnosis; cause of death; excited delirium prohibited.** (a) Excited delirium shall not be recognized as a valid medical diagnosis or cause of death in the State.

(b) A medical examiner, coroner, or health care provider shall not document, testify to, or otherwise use excited delirium as a recognized medical diagnosis or cause of death in any official capacity or communication.

(c) A medical examiner, coroner, or health care provider shall not state on the certificate of death, or in any report, that the cause of death was excited delirium. The medical examiner, coroner, or health care provider may list and describe the contributing causes of death, but shall not describe the underlying cause as excited delirium.

(d) A state or county government entity, or employee or contractor of a state or county government entity, shall not document, testify to, or otherwise use excited delirium as a recognized medical diagnosis or cause of death in any official capacity or communication.

(e) For the purposes of this section:

"Excited delirium" means a term used to describe a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which a court finds there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. "Excited delirium" includes but is not limited to excited delirium syndrome, hyperactive delirium, agitated delirium, and exhaustive mania.

"Health care provider" means a physician or osteopathic physician licensed under part I of chapter 453, physician or osteopathic physician excepted from licensure by section 453-2(b)(3), physician assistant licensed under chapter 453, or registered nurse licensed under chapter 457."

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

"**§353C Incident reports; excited delirium prohibited.** (a) A law enforcement officer shall not use the term excited delirium to describe an individual in an incident report completed by the law enforcement officer. A law enforcement officer may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical or mental condition at issue as excited delirium.

(b) For the purposes of this section:

"Excited delirium" has the same meaning as defined in section 327C- .

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

SECTION 3. Chapter 327C, Hawaii Revised Statutes, is amended by amending its title to read as follows:

"**[~~,~~]CHAPTER 327C[~~,~~]**

MEDICAL DIAGNOSIS; DEATH"

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

S.B. NO. 924 S.D. 1 Proposed

Report Title:
Excited Delirium; Medical Diagnosis; 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 medical examiner, coroner, or health care provider 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. (Proposed SD1)

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