

STAND. COM. REP. NO. 1596-26

Honolulu, Hawaii

APR 01, 2026

RE: H.C.R. No. 146  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committee on Health, to which was referred H.C.R. No. 146 entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO PRIORITIZE THE CONSIDERATION OF LEGISLATION PROHIBITING THE USE OF "EXCITED DELIRIUM", OR SIMILAR PSEUDOSCIENTIFIC CONCEPTS, AS A MEDICAL DIAGNOSIS, CAUSE OF DEATH, OR LEGAL THEORY IN THE STATE OF HAWAII,"

begs leave to report as follows:

The purpose of this measure is to urge the Legislature to prioritize the consideration of legislation prohibiting the use of "excited delirium", or similar pseudoscientific concepts, as a medical diagnosis, cause of death, or legal theory in the State of Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center; Haddad & Sherwin LLP; American Civil Liberties Union of Hawai'i; Drug Policy Forum of Hawai'i; and numerous individuals.

Your Committee finds that although law enforcement has often used "excited delirium" as a justification for use of force, particularly in incidents involving individuals experiencing mental health crises or people of color, "excited delirium" is not a recognized medical diagnosis, has no basis in accepted medical

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science, and lacks consistent or objective diagnostic criteria. Your Committee believes that steps should be taken to prohibit the use of this unsupported terminology when issuing death certificates or in the defense of the use of force by law enforcement.

Your Committee has amended this measure by:

- (1) Deleting language urging the Legislature to prioritize the consideration of specific legislation;
- (2) Inserting language urging the counties to adopt ordinances that prohibit the use of "excited delirium", or similar terminology, as a medical diagnosis, cause of death, or legal theory;
- (3) Amending the list of recipients of certified copies of this measure;
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 146, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
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GREGG TAKAYAMA, Chair



