

ACT 89

H.B. NO. 1585

A Bill for an Act Relating to Guardianship.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 560:5-316, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) A guardian, without authorization of the court, ~~may~~ shall not ~~revoke~~:

- (1) ~~Revoke~~ any health care directions set forth in any medical directive or health care power of attorney of which the ward is the principal~~[-~~ ~~However~~]; provided that the appointment of a guardian shall automatically ~~terminates~~ terminate the authority of any agent designated in the medical directive or health care power of attorney[-]; or
- (2) Restrict the personal communication rights of the ward, including the right to receive visitors, telephone calls, and personal mail, unless deemed by the guardian to pose a risk to the safety or well-being of the ward.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 21, 2016.)