

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 2396
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2396, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of the bill is to increase protections for state mental health workers, minimize the census at the Hawaii State Hospital, and promote community-based health services for forensic patients by, among other things:

- (1) Establishing that a person commits the felony offense of assault in the second degree if the person knowingly or intentionally causes bodily injury to a person employed at a state-operated or state-contracted mental health facility;
- (2) Requiring the Department of Health (DOH) to submit an annual report that, at a minimum, summarizes yearly data on forensic patients;
- (3) Requiring yearly court status hearings for individuals ordered to be conditionally released or hospitalized as an inpatient by the mental health court;



- (4) Reducing the minimum length of hospitalization from 90 to 30 days for individuals who are recommitted after conditional release; and
- (5) Appropriating funds for the operation and expansion of the mental health court.


Your Committee received testimony in support of this measure from the Department of Health and The Queen's Medical Center. The Hawaii Government Employees Association supported the intent of the measure. The Office of the Public Defender did not support this bill. The Judiciary submitted comments.

Your Committee has amended this bill by:

- (1) Deleting the provision establishing that a person commits the felony offense of assault in the second degree if the person knowingly or intentionally causes bodily injury to a person employed at a state-operated or state-contracted mental health facility; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2396, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2396, S.D. 1, H.D. 2.

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



TOMMY WATERS, Chair



