

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 1013  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1013, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO INVOLUNTARY HOSPITALIZATION,"

begs leave to report as follows:

The purpose and intent of this measure is to establish an involuntary hospitalization task force to:

- (1) Examine certain sections of chapter 334, Hawaii Revised Statutes;
- (2) Make recommendations to the Legislature to reduce unnecessary emergency department admissions; and
- (3) Improve access for involuntarily hospitalized (MH-1) patients to the most appropriate level of care.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Office of the Public Defender, Kaiser Permanente Hawai'i, Healthcare Association of Hawaii, The Queen's Health Systems, and Hawai'i Pacific Health.

Your Committee finds that the overlapping issues of mental illness, substance abuse, and homelessness present complex



problems for the State. One such complex problem is associated with the current process for MH-1 patients - those individuals transported by law enforcement officers to a health care facility for mental health evaluation. Current practice has been to transport patients experiencing a mental health emergency to a hospital's emergency department. Often, these patients require involuntary hospitalization. However, there is a significant burden on licensed psychiatric facilities that have emergency services given that these facilities receive the bulk of MH-1 patients.

According to testimony received by your Committee, an emergency room does not have the appropriate setting for meeting the long-term needs of these patients, who could also potentially be harmful to the hospital staff and other patients. Moreover, emergency facilities have concurrently seen a significant rise in psychiatric emergency transfers, resulting in overcrowding and creating an unsafe environment. A local hospital testified before your Committee that it has experienced disproportionate increases in the number of MH-1 patients brought into its facility, despite the expansion of designated receiving facilities; in 2018, about sixty percent of the MH-1 patients transported to the facility's emergency department did not require a psychiatric evaluation and could have been transported to another emergency department. This measure establishes a task force to examine existing laws and practices and make recommendations to the Legislature to reduce unnecessary emergency department admissions and improve standardized access for MH-1 patients.

Your Committee has amended this measure by:

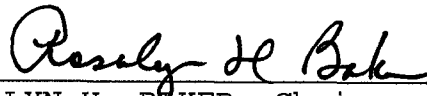
- (1) Clarifying the objectives and focus areas of the involuntary hospitalization task force;
- (2) Amending the membership of the task force;
- (3) Clarifying that the task force shall submit a report to the Legislature no later than twenty days, rather than thirty days, prior to the convening of the Regular Session of 2020;
- (4) Inserting an effective date of July 1, 2019; and



- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1013, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1013, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



---

ROSALYN H. BAKER, Chair



