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# A BILL FOR AN ACT

RELATING TO GUARDIANSHIP.

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

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

3 "(c) A guardian, without authorization of the court, [~~may~~]  
4 shall not [~~revoke~~]:

5 (1) Revoke any health care directions set forth in any  
6 medical directive or health care power of attorney of  
7 which the ward is the principal [~~—However,~~]; provided  
8 that the appointment of a guardian shall automatically  
9 [~~terminates~~] terminate the authority of any agent  
10 designated in the medical directive or health care  
11 power of attorney [~~-~~]; or

12 (2) Restrict the personal communication rights of the  
13 ward, including the right to receive visitors,  
14 telephone calls, and personal mail, unless deemed by  
15 the guardian to pose a risk to the safety or well-  
16 being of the ward."

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 Statutory material to be repealed is bracketed  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

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



**Report Title:**

Uniform Probate Code; Guardianship; Adult; Rights; Communication

**Description:**

Prohibits guardians of an adult ward from restricting the ward's right to communicate, unless it is deemed by the guardian to pose a risk to the safety or well-being of the ward. (HB1585 CD1)

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

