

Rep. Beth Fukumoto Chang
House Minority Leader
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Fact Sheet: Mental Health in Hawaii

In Hawaii, there is a significant need to improve the resources available for mental health treatment and services. This session, the legislature is undertaking a number of measures related to mental health services, both to increase capacity and improve outcomes. Better mental health capabilities are one of the ways to improve lives for everyone in Hawaii.

Some of the measures would increase bed space; increase patient eligibility, particularly for the young; better evaluate criminal defendants; and improve services to those who may harm themselves (e.g. attempt suicide) or others. These and other measures will help people live more productive lives and reduce costs related to just pushing them through a "revolving door."

Here is a brief synopsis of a few of the key bills addressing mental health in the 2016 session:

HB2359 – Relating to Forensic Mental Health Procedures

- Ensures the timely administration of mental health examinations.
- Supports the process of expedient administration of justice.
- Clarifies the procedure for a reevaluation of fitness to proceed after a finding of unfitness and attempts at restoration.
- Requires three psychologists or psychiatrists to examine an individual if it is suspected that they are unfit to stand trial.

HB1806 – Relating to Criminal Proceedings

- Revises the language pertaining to penal responsibility and mental health.
- Provides the courts with the discretion to appoint one mental health examiner, rather than three, to evaluate a felony defendant's mental fitness to proceed.
- Allows a case to proceed with only one mental health examination, but requires three to determine criminal responsibility.

HB1686 – Relating to Mental Health Treatment

- Amends the criteria for involuntary hospitalizations and other forms of mental health treatment to replace the current standard of imminent dangerousness with the criterion of a likelihood of harm to self or others based on recent behavior.
- Keeps the statutes the same, but eliminates the word "imminently" dangerous.

HB2559 – Relating to Mental Health

- Requires the family court to consider assisted community treatment as an alternative to commitment to a psychiatric facility for a person subject to a petition for involuntary hospitalization.

- Allows for assisted community treatment if the person is found to not require hospitalization.

HB1929 – Relating to Forensic Health Care Professionals

- Authorizes the Director of Health to recruit board-certified forensic health care professionals, including those from other states.
- Gives authority to the Director of Health to offer monetary and reciprocity incentives to recruit the needed specialists.

HB2357 – Relating to Age of Consent for Adolescent Mental Health Services

- To reduce the barriers in accessing mental health care for adolescents by lowering the age of consent to receive treatment from 18 years old to 12 years old.
- Minors beginning at age 12 years old would be eligible to receive mental health treatment without parental consent if the mental health care professional deems it inappropriate to inform the parents.