

REPORT TO THE TWENTY EIGHTH LEGISLATURE  
STATE OF HAWAII  
2016

PURSUANT TO SECTION 334-123, HAWAII REVISED STATUTES  
REQUIRING THE DEPARTMENT OF HEALTH TO SUBMIT AN  
ANNUAL REPORT RELATING TO MH-1s AND HOSPITALIZATIONS OF PERSONS  
WHO ARE UNDER AN ORDER TO TREAT

PREPARED BY:  
STATE OF HAWAII  
DECEMBER 2015

## EXECUTIVE SUMMARY

In accordance with section 334-123, Hawaii Revised Statutes (HRS), the Department of Health is submitting a report to the Twenty-Eighth Legislature that provides information from treating providers related to MH-1s and hospitalization of persons who are under an order to treat.

Act 221, Session Laws of Hawaii 2013 (SLH), established the initiation of proceeding for assisted community treatment. The purpose of this legislation is to provide specific information for the petitioning of assisted community treatment including defining who may petition and what the petition shall state. It describes the requirements for a treating provider who wishes to file a petition pursuant to section 334-123, HRS, which includes obtaining historical information related to MH-1s and hospitalization of persons under an order to treat and tracking further episodes of MH-1s and hospitalization while the persons are under the order.

The attached assisted community treatment report for FY 2015 includes findings beginning with the date of July 1, 2014 through the end of the fiscal year, June 30, 2015.

*(b) An entity designated by the department of health shall gather information from treating providers related to MH-1s and hospitalizations of persons who are under an order to treat and submit an annual report of its findings and recommendations to the legislature no later than twenty days prior to the convening of the every regular session beginning with the regular session of 2015.*

Between the initial effective date (July 1, 2014), and the end of the fiscal year, June 30, 2015 the findings and recommendations are listed below.

**Findings:** There were no petitions granted pursuant to section 334-123, HRS, (Assisted Community Treatment) during the period which this report covers. Hence, there is no relevant information forthcoming from providers regarding MH-1s and hospitalizations for persons who are under the order.

**Hearings were held on petitions in family court on Oahu. The result of those hearings was that no petitions were granted.**

**Recommendations:** The Department of Health (or entity designated by it) has the continuing responsibility, per current law, to create the report, as outlined above. However, there is currently no requirement that treating providers give the information to the Department of Health or its designee the information specified in Act 221, SLH 2013, section 21:

- (1) Obtain historical information related to MH-1s and hospitalization of persons who are under an order to treat; and
- (2) Track further episodes of MH-1s and hospitalization while the persons are under the order.

The department recommends the addition of a requirement directing treating providers to give the information specified in Act 221, SLH 2013, section 21, (a)(1) and (2) to the Department of Health or its designee, by September 30th of each year, for the purposes of compiling the written report.