

REPORT TO THE TWENTY NINTH LEGISLATURE
STATE OF HAWAII
2017

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
JANUARY 2017

EXECUTIVE SUMMARY

In accordance with section 334-123, Hawaii Revised Statutes (HRS), the Department of Health is submitting a report to the Twenty-Ninth 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 2016 includes findings beginning with the date of July 1, 2015 through the end of the fiscal year, June 30, 2016.

(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 July 1, 2015 and the end of the fiscal year, June 30, 2016 the findings and recommendations are listed below.

Findings: There was one petition filed pursuant to section 334-123, HRS, (Assisted Community Treatment) during the period which this report covers. This petition was withdrawn before the scheduled hearing. Hence, there is no relevant information forthcoming from providers regarding MH-1s and hospitalizations for persons who are under the order.

There were no hearings.

Recommendations: The Department of Health (or entity designated by it) has the continuing responsibility, per current law, to create the report, as outlined above. The Department of Health will continue to report this information on an annual basis.

Act 114, passed during the Twenty-Eighth Legislature, modified the Assisted Outpatient Treatment (AOT) process as of July 1, 2016. Court orders will state probable cause to believe a person is mentally ill, suffering from substance abuse, or is imminently dangerous to self or others (within the next 45 days) and in need of care or treatment or both and to transport that person to any designated mental health program. Involuntary medications can be administered in the Emergency Department or inpatient with the maximum duration of AOT that may be ordered to up to one year.