

REPORT TO THE THIRTIETH LEGISLATURE STATE
OF HAWAII
2019

PURSUANT TO ACT 111 OF THE ACTS OF 2017, SLH,
AND SECTION 334 PART VIII, HAWAII REVISED STATUTES

REQUIRING THE DEPARTMENT OF HEALTH TO SUBMIT AN
ANNUAL REPORT RELATING TO PROGRESS IN IMPLEMENTING THE ADMINISTRATIVE
PROCESS ESTABLISHED BY THIS ACT,
THE DEPARTMENT'S UTILIZATION OF THE ADMINISTRATIVE PROCESS,
AND THE DEPARTMENT'S UTILIZATION OF
THE ASSISTED COMMUNITY TREATMENT PROCESS

PREPARED BY:
STATE OF HAWAII
DEPARTMENT OF HEALTH
DECEMBER 2018

Pursuant to ACT 111 of the ACTS of 2017, SLH, and Section 334 Part VIII, HRS

The Legislature of the State of Hawaii and the Governor passed and executed ACT 111 during 2017. This Act, specifically section 5, requires that:

The department of health shall report annually to the legislature on the department's progress in implementing the administrative process established by this Act, the department's utilization of the administrative process, and the department's utilization of the assisted community treatment process established pursuant to part VIII of chapter 334, Hawaii Revised Statutes.

Report

1. Progress in implementing the administrative process established by this Act.

The Department of Health (DOH) and specifically its Adult Mental Health Division (AMHD) has generated draft Hawaii Administrative Rules which are, as of this writing, substantially complete and final, and which are undergoing internal review prior to public hearing and promulgation

After the completion of internal review and approval through other Executive Branch agencies and the Governor's Office, we anticipate holding public hearing on these draft proposed rules during the month of February 2019.

2. The Department's utilization of the administrative process.

Since Hawaii Administrative Rules governing the administrative process have neither been promulgated nor implemented, there has been, as of the date of this report, no utilization of the administrative process.

3. The Department's utilization of the assisted community treatment process established pursuant to part VIII of chapter 334, Hawaii Revised Statutes.

There were six petitions filed pursuant to section 334-123, HRS, (Assisted Community Treatment) during the period which this report covers, five were granted and one was pending as of June 30, 2018.

If the individuals subject to Assisted Community Treatment orders are clients of AMHD, the division monitors their care, and works with programs and providers to increase the likelihood and length of successful community living.