

REPORT TO THE THIRTY-FIRST LEGISLATURE
STATE OF HAWAII
2022

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 2021

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 completed and are being finalized.

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

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

During the period which this report covers, there were twenty-nine requests for administrative authorization of treatment over objection at Hawaii State Hospital through the administrative process. Twenty-six requests for authorization were granted and three were denied. There were four appeals of the administrative panel's determination leading to one appeal being accepted (authorization was overturned) and three being denied (authorization was upheld).

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

During the period which this report covers, there were zero petitions filed pursuant to Part VIII of Chapter 334, Hawaii Revised Statutes, (Assisted Community Treatment).