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# A BILL FOR AN ACT

RELATING TO STATE COUNCIL ON MENTAL HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1.   Section 334-10, Hawaii Revised Statutes, is  
2   amended to read as follows:

3       "**§334-10   State council on mental health.**   (a)   There is  
4   established, within the department of health for administrative  
5   purposes, a state council on mental health.   The council shall  
6   consist of twenty-one members appointed by the governor as  
7   provided in section 26-34.   In making appointments to the  
8   council, the governor shall ensure that all service area boards  
9   of the State are represented, and that a majority of the members  
10   are nonproviders of mental health or other health services, and  
11   that a majority of the members are not state employees.   The  
12   number of parents of children with serious emotional  
13   disturbances shall be sufficient to provide adequate  
14   representation of such children in the deliberations of the  
15   council.   The council shall be composed of residents of the  
16   State, including individuals representing:



1 (1) The principal state agencies with respect to mental  
2 health, education, vocational rehabilitation, criminal  
3 justice, housing, medicaid, and social services;

4 (2) Public and private entities concerned with the need,  
5 planning, operation, funding, and use of mental health  
6 services and related support services;

7 (3) Adults with serious mental illnesses who are  
8 receiving, or have received, mental health services;

9 (4) The families of such adults or families of children  
10 with serious emotional disturbances; and

11 (5) The Hawaii advisory commission on drug abuse and  
12 controlled substances who shall be a person  
13 knowledgeable about the community and the  
14 relationships between mental health, mental illness,  
15 and substance abuse.

16 (b) The council shall elect a chairperson from among its  
17 members. All members shall serve without compensation but shall  
18 be paid their necessary expenses in attending meetings of the  
19 council.

20 (c) The council shall advise the department on allocation  
21 of resources, statewide needs, and programs affecting two or



1 more service areas. The council shall review and comment on the  
2 statewide comprehensive integrated service plan and shall serve  
3 as an advocate for adults with serious mental illness, children  
4 with serious emotional disturbances, other individuals with  
5 mental illnesses or emotional problems, and individuals with  
6 combined mental illness substance abuse disorders.

7 (d) If the department's action is not in conformance with  
8 the council's advice, the department shall provide a written  
9 explanation of its position to the council.

10 (e) The council shall prepare and submit an annual report  
11 to the governor and the legislature on implementation of the  
12 statewide comprehensive integrated service plan. The report  
13 presented to the legislature shall be submitted at least twenty  
14 days prior to the convening of each regular session.

15 (f) A quorum for purposes of doing business shall consist  
16 of a majority of the members serving on the council immediately  
17 before a meeting begins.

18 (g) If a quorum is present when a vote is taken, the  
19 affirmative vote of a majority of members present shall  
20 constitute a valid act of the council unless this chapter, part



1 I of chapter 92, the articles of incorporation, or the bylaws  
2 require a greater number of affirmative votes."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect on July 1, 2050.



**Report Title:**

State Council on Mental Health; Quorum; Membership

**Description:**

Amends the membership of the State Council on Mental Health, defines quorum for the Council, and specifies number of votes required to constitute valid acts of the Council. Designates the State Council on Mental Health within the department of health for administrative purposes. (SB203 HD1)

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