

JAN 22 2021

A BILL FOR AN ACT

RELATING TO THE STATE COUNCIL ON MENTAL HEALTH.

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

1 SECTION 1. The legislature finds that native Hawaiians
2 experience mental health disparities that require culturally
3 responsive solutions. Native Hawaiian youth are more than twice
4 as likely to attempt suicide than their Caucasian peers. Native
5 Hawaiian keiki are overrepresented as victims of abuse and
6 neglect, and native Hawaiian youth experience higher rates of
7 depression and drug use. Native Hawaiians are also less likely
8 than other populations to seek help from the State's mental
9 health services.

10 The legislature recognizes that, to address these
11 disparities, culturally based mental health services are needed.
12 Research shows that treatment programs are four times more
13 successful when interventions are congruent with the client's
14 values and beliefs. The need to provide programs that are
15 grounded in native Hawaiian healing and health practices is
16 especially critical given the State's commitment in section
17 226-20, Hawaii Revised Statutes, to "[p]rioritize programs,



1 services, interventions, and activities that address identified
2 social determinants of health to improve native Hawaiian health
3 and well-being[.]"

4 The legislature finds that the state council on mental
5 health is responsible for ensuring that Hawaii's residents
6 receive adequate and appropriate mental health services.
7 Requiring the council to include members having educational,
8 professional, or practical backgrounds in native Hawaiian and
9 indigenous health, transgenerational trauma, and traditional
10 healing practices will help the State advance and develop
11 culturally responsive policies and programs.

12 Accordingly, the purpose of this Act is to require some
13 members of the state council on mental health to have
14 demonstrated knowledge of or work experience involving
15 traditional native Hawaiian health practices.

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

18 "**§334-10 State council on mental health.** (a) There is
19 established, within the department of health for administrative
20 purposes, a state council on mental health. The council shall
21 consist of twenty-one members appointed by the governor as



1 provided in section 26-34. In making appointments to the
2 council, the governor shall ensure that all service area boards
3 of the State are represented, and that a majority of the members
4 are nonproviders of mental health or other health services, and
5 that a majority of the members are not state employees. The
6 number of parents of children with serious emotional
7 disturbances shall be sufficient to provide adequate
8 representation of such children in the deliberations of the
9 council. The council shall be composed of residents of the
10 State, including individuals representing:

- 11 (1) The principal state agencies with respect to mental
12 health, education, vocational rehabilitation, criminal
13 justice, housing, medicaid, and social services;
- 14 (2) Public and private entities concerned with the need,
15 planning, operation, funding, and use of mental health
16 services and related support services;
- 17 (3) Adults with serious mental illnesses who are
18 receiving, or have received, mental health services;
- 19 (4) The families of such adults or families of children
20 with serious emotional disturbances; and



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

(b) At least members of the council shall have demonstrated knowledge of or work experience involving native Hawaiian concepts of well-being, culturally grounded mental health methodologies, or traditional healing and health practices, as evidenced by:

(1) A college or university degree in a relevant field, such as:

(A) Psychology;

(B) Social work;

(C) Public health;

(D) Nursing;

(E) Hawaiian studies;

(F) Health administration; or

(G) Medicine;

with a focus on native Hawaiian and indigenous health, transgenerational trauma, or traditional healing and



1 health practices including hooponopono, laau lapaau,
2 or lomilomi;

3 (2) A work history that demonstrates an appropriate level
4 of knowledge of or involvement in native Hawaiian and
5 indigenous health, transgenerational trauma, or
6 traditional healing and health practices including
7 hooponopono, laau lapaau, or lomilomi;

8 (3) A history of health, social, or advocacy work
9 addressing native Hawaiian inequities; or

10 (4) Substantial community experience as a native Hawaiian
11 traditional and customary practitioner offering
12 healing treatments, techniques, services, or
13 practices.

14 ~~[(b)]~~ (c) The council shall elect a chairperson from among
15 its members. All members shall serve without compensation but
16 shall be paid their necessary expenses in attending meetings of
17 the council.

18 ~~[(e)]~~ (d) The council shall advise the department on
19 allocation of resources, statewide needs, and programs affecting
20 two or more service areas. The council shall review and comment
21 on the statewide comprehensive integrated service plan and shall



1 serve as an advocate for adults with serious mental illness,
2 children with serious emotional disturbances, other individuals
3 with mental illnesses or emotional problems, and individuals
4 with combined mental illness substance abuse disorders.

5 ~~[(d)]~~ (e) If the department's action is not in conformance
6 with the council's advice, the department shall provide a
7 written explanation of its position to the council.

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

13 ~~[(f)]~~ (g) A quorum for purposes of doing business shall
14 consist of a majority of the members serving on the council
15 immediately before a meeting begins.

16 ~~[(g)]~~ (h) If a quorum is present when a vote is taken, the
17 affirmative vote of a majority of members present shall
18 constitute a valid act of the council unless this chapter, part
19 I of chapter 92, the articles of incorporation, or the bylaws
20 require a greater number of affirmative votes."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval;
4 provided that the composition of the state council on mental
5 health shall comply with this Act no later than July 1, 2022.

6
INTRODUCED BY: Kurt Fevella



S.B. NO. 905

Report Title:

State Council on Mental Health; Native Hawaiian Health Practices

Description:

Requires the state council on mental health to include an unspecified number of members with demonstrated knowledge of or work experience involving native Hawaiian health practices.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

