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# A BILL FOR AN ACT

RELATING TO THE COMPOSITION OF 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 distinct health disparities that pervade their day-  
3 to-day well-being and hinder their overall health.

4       Data on native Hawaiian mental health evince the pressing  
5 need for state intervention and confirm that culturally-based  
6 programs are four times more successful in addressing those  
7 needs. For example, youth suicide attempt and death rates in  
8 Hawaii are highest among native Hawaiians, profoundly impacting  
9 their families and communities. Alarming, native Hawaiian  
10 youth and emerging adults are 2.3 times more likely to die by  
11 suicide compared to Caucasian youth in Hawaii. Furthermore,  
12 native Hawaiian youth are twice as likely to have made a suicide  
13 attempt in the last year compared to their Caucasian peers.

14       These mental health disparities tragically start in the  
15 early years of life. Native Hawaiian keiki are over-represented  
16 as victims of abuse and neglect. By high school, female native



1 Hawaiian students experience feelings of sadness or hopelessness  
2 to a greater degree than their peers. Native Hawaiian youth  
3 also maintain some of the highest rates of drug use in the  
4 State. Not surprisingly, these mental health disparities  
5 persist for native Hawaiians through adulthood and as senior  
6 citizens.

7       Unfortunately, native Hawaiians tend to underutilize  
8 existing mental health services, seek therapy only after their  
9 illness has becomes severe, or leave treatment prematurely.  
10 Cultural incongruence with western mental health approaches may  
11 be a driving factor in native Hawaiians' underutilization of  
12 mental health services. Experts explain that clients are more  
13 likely to seek out and use mental health services when their  
14 values and beliefs are congruent with the interventions  
15 provided.

16       In 2014, the legislature codified a commitment to address  
17 health disparities throughout the State. Specifically, section  
18 226-20(b)(7), Hawaii Revised Statutes, directs decision-makers  
19 to "[p]rioritize programs, services, interventions, and  
20 activities that address identified social determinants of health  
21 to improve native Hawaiian health and well-being[.]"



1 Additionally, the legislature recognized that eliminating health  
2 disparities and achieving health equity across demographics is a  
3 national priority, as unequal health outcomes and disparate  
4 well-being are pervasive even when people have health insurance  
5 and medical care.

6 The legislature further finds that the state council on  
7 mental health is responsible for advising, reviewing, and  
8 evaluating the allocation and adequacy of mental health  
9 resources and services in the State. Accordingly, requiring the  
10 council members to receive training on native Hawaiian concepts  
11 of well-being, culturally-grounded mental health methodologies,  
12 or traditional healing or health practices will help to  
13 systemically advance culturally responsive policies and programs  
14 that may be critical to addressing the dire mental health needs  
15 of Hawaii's native Hawaiian and Pacific islander communities.

16 Accordingly, consistent with the commitment embodied in Act  
17 155, Session Laws of Hawaii 2014, the legislature finds that it  
18 is now in the best interests of the State to provide appropriate  
19 native Hawaiian cultural training for the state council on  
20 mental health.



1       The purpose of this Act is to require members of the state  
2 council on mental health to receive annual training on topics  
3 such as cultural awareness and loss of ethnic identity, as well  
4 as other topics that address native Hawaiian healing and health  
5 practices.

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

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



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

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

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

(4) The families of such adults or families of children 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) The council shall elect a chairperson from among its members. All members shall serve without compensation but shall be paid their necessary expenses in attending meetings of the council.

(c) Members of the council shall receive annual training that includes topics such as cultural awareness and loss of



1 ethnic identity, as well as other topics that address native  
2 Hawaiian healing and health practices.

3       ~~[(e)]~~ (d) The council shall advise the department on  
4 allocation of resources, statewide needs, and programs affecting  
5 two or more service areas. The council shall review and comment  
6 on the statewide comprehensive integrated service plan and shall  
7 serve as an advocate for adults with serious mental illness,  
8 children with serious emotional disturbances, other individuals  
9 with mental illnesses or emotional problems, and individuals  
10 with combined mental illness substance abuse disorders.

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

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

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



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

6        SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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



**Report Title:**

Office of Hawaiian Affairs; State Council on Mental Health;  
Native Hawaiian Health Practices

**Description:**

Requires that members of the State Council on Mental Health receive annual training that includes topics such as cultural awareness and loss of ethnic identity, as well as other topics that address Native Hawaiian healing and health practices.  
(SD2)

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