

JAN 30 2026

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# A BILL FOR AN ACT

RELATING TO COMMUNITY BEHAVIORAL HEALTH CLINICS.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to title 19 to be appropriately designated  
3 and to read as follows:

4 **"CHAPTER**

5 **CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS**

6 **§ -1 Purpose.** The purpose of this chapter is to  
7 establish a community behavioral health clinic certifying office  
8 to certify community behavioral health clinics and provide  
9 technical assistance for clinics seeking certification under  
10 federal guidelines to promote consistency and accessibility for  
11 all people of the State to mental health and substance use  
12 services.

13 **§ -2 Definitions.** As used in this chapter, unless the  
14 context otherwise requires:

15 "Board" means the certified community behavioral health  
16 clinics oversight board.



1        "Certified community behavioral health clinic" means a  
2        behavioral health clinic that has been certified by the  
3        community behavioral health clinic certifying office.

4        "Office" means the community behavioral health clinic  
5        certifying office.

6        "Person" means one or more individuals, a company,  
7        corporation, partnership, association, or any other type of  
8        legal entity.

9        "Prospective payment system" means a payment methodology  
10      that establishes a fixed rate for services provided by a  
11      certified community behavioral health clinic.

12        **§ -3 Establishment of the community behavioral health**  
13        **clinics certifying office; staff; duties.** (a) There is  
14      established a community behavioral health certifying office  
15      within the department of health for administrative purposes  
16      only. The office shall be headed by an executive director, who  
17      shall be appointed by the board and shall be exempt from chapter  
18      76. The executive director shall have experience in health care  
19      administration and behavioral health.

20        (b) At a minimum, the staff of the office shall consist  
21      of:





1 corrective action to certified community  
2 behavioral health clinics;

3 (D) Providing technical assistance to certified  
4 community behavioral health clinics and to  
5 clinics seeking certification on certification  
6 requirements and the prospective payment system;  
7 and

8 (E) Coordinating and collaborating with government  
9 and private entities to ensure federal  
10 compliance, including submission of required data  
11 and reports;

12 (2) Participate and engage with individuals and public and  
13 private entities to ensure successful delivery of  
14 mental health and substance use services to all people  
15 of the State through certified community behavioral  
16 health clinics;

17 (3) Establish reasonable fees for certification  
18 application; and

19 (4) Adopt rules pursuant to chapter 91 for the purposes of  
20 implementing this chapter.



1           **S -4 Certified community behavioral health clinics**

2   **oversight board; established.** (a) There is established a

3   certified community behavioral health clinics oversight board

4   within the department of health for administrative purposes

5   only. The board shall be composed of eleven members to be

6   appointed by the governor pursuant to section 26-34 for

7   staggered terms; provided that at least fifty per cent of the

8   board shall be residents of a county with a population less than

9   500,000. The members of the board shall include:

10           (1) Per populated island, one resident with lived

11           experience in mental health or substance use

12           conditions, or both;

13           (2) One representative from a federally qualified health

14           center;

15           (3) One representative from a substance use treatment

16           provider;

17           (4) One representative from an adult mental health

18           treatment provider;

19           (5) One representative from an inpatient psychiatric

20           facility, inpatient acute care hospital, or hospital

21           outpatient clinic; and



5 (1) The governor, or the governor's designee;

**6** (2) The director of health, or the director's designee;

9 (4) The administrator of the med-QUEST division of the  
10 department of human services, or the administrator's  
11 designee.

12 (c) The board shall perform the following duties and  
13 functions:

**14** (1) Review and comment upon:

15 (A) Clinic certification applications; and

16 (B) Any changes or modifications to certification  
17 criteria;

18 (2) Decertify a certified community behavioral health  
19 clinic as appropriate if the certified community  
20 behavioral health clinic has not made required  
21 corrective action;



15 (d) Members of the board shall serve without compensation,  
16 but shall be paid their necessary expenses in attending meetings  
17 of the board.

18       § -5 Certified community behavioral health clinics;

19 certification; operations. (a) No person, public or private,

20 shall operate a certified community behavioral health clinic

21 with the expectation of payment for services under a prospective



1 payment system unless the community behavioral health clinic has  
2 been certified by the office pursuant to this chapter.

3 (b) Notwithstanding any other law to the contrary, a  
4 department of health community mental health center may provide  
5 services necessary to meet certification criteria established by  
6 the office.

7 **§ -6 Certified community behavioral health clinic**  
8 **special fund; established; deposits; expenditures.** (a) There is  
9 established within the state treasury the certified community  
10 behavioral health clinic special fund, to be administered by the  
11 office, into which shall be deposited:

12 (1) All fees collected under this chapter; and  
13 (2) Appropriations made by the legislature to the fund.  
14 (b) Moneys in the special fund shall be expended by the  
15 office to assist in offsetting program expenses of the office."

16 SECTION 2. Section 329-2, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 **"§329-2 Hawaii advisory commission on drug abuse and**  
19 **controlled substances; number; appointment.** There shall be  
20 established a state advisory commission on drug abuse and  
21 controlled substances consisting of not more than fifteen nor



1 less than nine members appointed by the governor, as provided in  
2 section 26-34. The members shall be selected on the basis of  
3 their ability to contribute to the solution of problems arising  
4 from the abuse of controlled substances, and to the extent  
5 possible, shall represent the pharmacological, medical,  
6 community and business affairs, youth action, educational, legal  
7 defense, enforcement, and corrections segments of the community.  
8 One of the appointed members shall be a member of the state  
9 council on mental health established by section 334-10, and  
10 shall be knowledgeable about the community and the relationships  
11 between mental health, mental illness, and substance abuse. One  
12 of the appointed members shall be a representative from the  
13 certified community behavioral health clinic certifying office  
14 established by section -3. The commission shall elect a  
15 chairperson from among its members. The members shall serve  
16 without compensation, but shall be paid their necessary expenses  
17 in attending meetings of the commission. The commission shall  
18 be a part of the department of health for administrative  
19 purposes; provided that the department of health shall appoint  
20 an ex-officio non-voting representative to the commission who  
21 shall regularly attend meetings of both this commission and the



1 state council on mental health, and make regular reports to both  
2 bodies."

3 SECTION 3. Section 334-10, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) There is established, within the department of health  
6 for administrative purposes, a state council on mental health.

7 The council shall consist of [twenty-one] twenty-two members  
8 appointed by the governor as provided in section 26-34. In  
9 making appointments to the council, the governor shall ensure  
10 that all service area boards of the State are represented, and  
11 that a majority of the members are nonproviders of mental health  
12 or other health services, and that a majority of the members are  
13 not state employees. The number of parents of children with  
14 serious emotional disturbances shall be sufficient to provide  
15 adequate representation of such children in the deliberations of  
16 the council. The council shall be composed of residents of the  
17 State, including individuals representing:

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



16 SECTION 4. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$800,000 or so much  
18 thereof as may be necessary for fiscal year 2026-2027 to carry  
19 out the purposes of this Act, including the hiring of necessary  
20 staff for the community behavioral health clinic certifying  
21 office established pursuant to this Act.



1        The sum appropriated shall be expended by the department of  
2    health for the purposes of this Act.

3        SECTION 5. If any provision of this Act, or the  
4    application thereof to any person or circumstance, is held  
5    invalid, the invalidity does not affect other provisions or  
6    applications of the Act that can be given effect without the  
7    invalid provision or application, and to this end the provisions  
8    of this Act are severable.

9        SECTION 6. If any part of this Act is found to be in  
10   conflict with federal requirements that are a prescribed  
11   condition for the allocation of federal funds to the State, the  
12   conflicting part of this Act is inoperative solely to the extent  
13   of the conflict and with respect to the agencies directly  
14   affected, and this finding does not affect the operation of the  
15   remainder of this Act in its application to the agencies  
16   concerned. The rules under this Act shall meet federal  
17   requirements that are a necessary condition to the receipt of  
18   federal funds by the State.

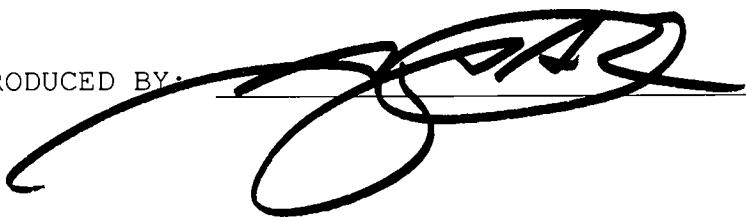
19       SECTION 7. Statutory material to be repealed is bracketed  
20   and stricken. New statutory material is underscored.

21       SECTION 8. This Act shall take effect on July 1, 2026.



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INTRODUCED BY:

A large, handwritten signature is written over the line. The signature is written in a cursive, fluid style, appearing to read "INTRODUCED BY" followed by a name.

# S.B. NO. 3274

**Report Title:**

Department of Health; Community Behavioral Health Clinics Certifying Office; Oversight Board; New Special Fund; Hawaii Advisory Commission on Drug Abuse and Controlled Substances; State Council on Mental Health; Appropriation

**Description:**

Establishes the Community Behavioral Health Clinic Certifying Office to certify community behavioral health clinics and provide technical assistance for clinics seeking certification. Establishes the Certified Community Behavioral Health Clinics Oversight Board. Establishes the Certified Community Behavioral Health Clinic Special Fund. Amends the composition of the Advisory Commission on Drug Abuse and Controlled Substances and State Council on Mental Health to include a member from the Community Behavioral Health Clinic Certifying Office. Appropriates funds.

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

