

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



GOV. MSG. NO. 1246

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

June 25, 2026

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Third State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura  
Speaker, and Members of the  
House of Representatives  
Thirty-Third State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on June 25, 2026, the following bill was signed into law:

H.B. NO. 1854, H.D. 1, S.D. 2,  
C.D. 1

RELATING TO COMMUNITY BEHAVIORAL  
HEALTH CLINICS.  
**ACT 145**

Mahalo,

A handwritten signature in cursive script that reads "Josh Green M.D.".

Josh Green, M.D.  
Governor, State of Hawai'i



1 "Certified community behavioral health clinic" means a  
2 behavioral health clinic that meets the criteria established by  
3 the federal Substance Abuse and Mental Health Services  
4 Administration and has been certified by the office.

5 "Office" means the community behavioral health clinics  
6 certifying office.

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

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

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



1 (b) At a minimum, the staff of the office shall consist  
2 of:

- 3 (1) One full-time quality manager;
- 4 (2) One full-time financial analyst;
- 5 (3) One full-time administrative assistant to the  
6 executive director;
- 7 (4) One full-time evaluator; and
- 8 (5) One full-time data engineer;

9 provided that the staff listed in this subsection shall be  
10 exempt from chapter 76 and shall serve at the pleasure of the  
11 executive director of the office.

12 (c) The office shall have the following powers and duties:

- 13 (1) Administer a certified community behavioral health  
14 clinics program, which shall include but not be  
15 limited to:
  - 16 (A) Creating and maintaining a prospective payment  
17 system, including analysis of cost reports for  
18 rebasing;
  - 19 (B) Creating and maintaining certification criteria  
20 for community behavioral health clinics; provided  
21 that the certification criteria shall be no less



1                   stringent than that required by the federal  
2                   Substance Abuse and Mental Health Services  
3                   Administration;  
4           (C)    Certifying and decertifying community behavioral  
5                   health clinics;  
6           (D)    Monitoring compliance with certification  
7                   requirements and requiring corrective action,  
8                   including corrective action plans, and when  
9                   necessary, the imposition of conditions,  
10                  suspension, or decertification;  
11           (E)    Providing technical assistance to certified  
12                   community behavioral health clinics and to  
13                   clinics seeking certification regarding  
14                   certification requirements and the prospective  
15                   payment system; and  
16           (F)    Coordinating and collaborating with government  
17                   and private entities to ensure federal  
18                   compliance, including submission of required data  
19                   and reports;  
20           (2)    Participate and engage with individuals and public and  
21                   private entities to ensure successful delivery of



1           mental health and substance use services to all people  
2           of the State through certified community behavioral  
3           health clinics;

4           (3) Establish reasonable fees for certification  
5           application; and

6           (4) Adopt rules pursuant to chapter 91 to implement this  
7           chapter.

8           **§ -4 Certified community behavioral health clinics**

9           **oversight board; established.** (a) There is established a  
10          certified community behavioral health clinics oversight board  
11          within the department of health for administrative purposes  
12          only. The board shall be composed of nine members to be  
13          appointed by the governor pursuant to section 26-34 for  
14          staggered terms; provided that at least fifty per cent of the  
15          board shall be residents of a county with a population less than  
16          500,000. The members of the board shall include:

17          (1) One representative from each of the counties of  
18               Hawaii, Maui, Kauai, and the city and county of  
19               Honolulu, each of whom shall be a resident with lived  
20               experience in mental health or substance use  
21               conditions, or both;



1 (2) One representative from a federally qualified health  
2 center;

3 (3) One representative from a substance use treatment  
4 provider;

5 (4) One representative from an adult mental health  
6 treatment provider;

7 (5) One representative from an inpatient psychiatric  
8 facility, inpatient acute care hospital, or hospital  
9 outpatient clinic; and

10 (6) One board certified physician in the field of  
11 pediatrics or child psychiatry.

12 (b) The following shall serve as ex officio, nonvoting  
13 members of the board:

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

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

16 (3) The superintendent of education, or the  
17 superintendent's designee; and

18 (4) The administrator of the med-QUEST division of the  
19 department of human services, or the administrator's  
20 designee.



1 (c) The board shall perform the following duties and  
2 functions:

3 (1) Review and comment upon:

4 (A) Clinic certification applications; and

5 (B) Any changes or modifications to certification  
6 criteria;

7 (2) Encourage efficient and coordinated use of federal,  
8 state, and private resources in the provision of  
9 services;

10 (3) Identify gaps in services and coordinate  
11 responsibilities of various public or private agencies  
12 for the missing services;

13 (4) Advocate for the needs of individuals with mental  
14 health or substance use conditions, or both, before  
15 the legislature, the public, and the governor; and

16 (5) Support and conduct outreach activities to identify  
17 individuals with mental health or substance use  
18 conditions, or both, and their families to obtain  
19 services, including access to crisis services or other  
20 specialized services.



1 (d) Members of the board shall serve without compensation,  
2 but shall be paid their necessary expenses in attending meetings  
3 of the board.

4 § -5 **Certified community behavioral health clinics;**  
5 **certification; operations.** (a) No person, public or private,  
6 shall operate a certified community behavioral health clinic  
7 with the expectation of payment for services under a prospective  
8 payment system unless the community behavioral health clinic has  
9 been certified by the office pursuant to this chapter.

10 (b) Notwithstanding any other law to the contrary, a  
11 department of health community mental health center may provide  
12 services necessary to meet certification criteria established by  
13 the office.

14 § -6 **Decertification; procedures.** (a) The office shall  
15 adopt rules pursuant to chapter 91 to establish procedures  
16 governing the decertification of certified community behavioral  
17 health clinics. The rules shall include:

18 (1) Provision of notice to a certified community  
19 behavioral health clinic of any proposed  
20 decertification, including the reasons for the  
21 proposed action;



1           (2) An opportunity for the certified community health  
2           clinic to respond to the proposed decertification,  
3           which may include submission of a corrective action  
4           plan;

5           (3) An opportunity for a hearing in accordance with  
6           chapter 91 after a final determination on  
7           decertification; and

8           (4) Procedures for the issuance of a final determination  
9           and order by the office.

10          (b) The office may establish additional requirements, time  
11 periods, and procedures necessary to implement this section.

12          § -7 **Limitation of liability.** (a) Certification of a  
13 community behavioral health clinic pursuant to this chapter  
14 indicates that the clinic has met applicable certification  
15 requirements at the time of review and shall not be construed as  
16 an assurance of ongoing compliance or the outcomes of services  
17 provided.

18          (b) Each certified community behavioral health clinic  
19 shall remain responsible for compliance with applicable federal  
20 and state laws and for the care and services provided to its  
21 patients.



1 (c) The State's role in certifying and overseeing  
2 community behavioral health clinics in this chapter shall be  
3 limited to the administration of the certification program and  
4 shall not be construed to expand the State's obligations beyond  
5 those expressly provided by this chapter."

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

8 **"§329-2 Hawaii advisory commission on drug abuse and**  
9 **controlled substances; number; appointment.** There shall be  
10 established a state advisory commission on drug abuse and  
11 controlled substances consisting of [~~not~~] no more than fifteen  
12 [~~not~~] and no less than nine members appointed by the governor,  
13 as provided in section 26-34. The members shall be selected on  
14 the basis of their ability to contribute to the solution of  
15 problems arising from the abuse of controlled substances, and to  
16 the extent possible, shall represent the pharmacological,  
17 medical, community and business affairs, youth action,  
18 educational, legal defense, enforcement, and corrections  
19 segments of the community. One of the appointed members shall  
20 be a member of the state council on mental health established by  
21 section 334-10, and shall be knowledgeable about the community



1 and the relationships between mental health, mental illness, and  
2 substance abuse. One of the appointed members shall be a  
3 representative from the certified community behavioral health  
4 clinics certifying office established by section -3. The  
5 commission shall elect a chairperson from among its members.  
6 The members shall serve without compensation, but shall be paid  
7 their necessary expenses in attending meetings of the  
8 commission. The commission shall be a part of the department of  
9 health for administrative purposes; provided that the department  
10 of health shall appoint an ex-officio non-voting representative  
11 to the commission who shall regularly attend meetings of both  
12 this commission and the state council on mental health, and make  
13 regular reports to both bodies."

14 SECTION 3. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$300,000 or so much  
16 thereof as may be necessary for fiscal year 2026-2027 to carry  
17 out the purposes of this Act, including the hiring of an  
18 executive director for the community behavioral health clinics  
19 certifying office established pursuant to this Act.

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



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

7 SECTION 5. If any part of this Act is found to be in  
8 conflict with federal requirements that are a prescribed  
9 condition for the allocation of federal funds to the State, the  
10 conflicting part of this Act is inoperative solely to the extent  
11 of the conflict and with respect to the agencies directly  
12 affected, and this finding does not affect the operation of the  
13 remainder of this Act in its application to the agencies  
14 concerned. The rules adopted under this Act shall meet federal  
15 requirements that are a necessary condition to the receipt of  
16 federal funds by the State.

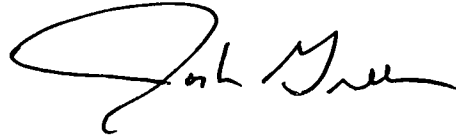
17 SECTION 6. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 7. This Act shall take effect on July 1, 2026.



H.B. NO. 1854  
H.D. 1  
S.D. 2  
C.D. 1

APPROVED this 25th day of June , 2026

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with a large initial "J" and "G".

GOVERNOR OF THE STATE OF HAWAII

HB No. 1854, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura  
Speaker  
House of Representatives

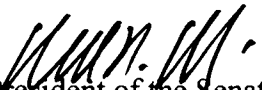



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 6, 2026  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.

  
President of the Senate

  
Clerk of the Senate