



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 community behavioral health clinics,  
5                   monitoring and, when necessary, providing  
6                   corrective action to certified community  
7                   behavioral health clinics;
- 8                   (D) Providing technical assistance to certified  
9                   community behavioral health clinics and to  
10                  clinics seeking certification regarding  
11                  certification requirements and the prospective  
12                  payment system; and
- 13                  (E) Coordinating and collaborating with government  
14                  and private entities to ensure federal  
15                  compliance, including submission of required data  
16                  and reports;
- 17                  (2) Participate and engage with individuals and public and  
18                  private entities to ensure successful delivery of  
19                  mental health and substance use services to all people  
20                  of the State through certified community behavioral  
21                  health clinics;



- 1 (3) Establish reasonable fees for certification  
2 application; and  
3 (4) Adopt rules pursuant to chapter 91 for the purposes of  
4 implementing this chapter.

5 § -4 **Certified community behavioral health clinics**  
6 **oversight board; established.** (a) There is established a  
7 certified community behavioral health clinics oversight board  
8 within the department of health for administrative purposes  
9 only. The board shall be composed of ten members to be  
10 appointed by the governor pursuant to section 26-34 for  
11 staggered terms; provided that at least fifty per cent of the  
12 board shall be residents of a county with a population less than  
13 500,000. The members of the board shall include:

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



- 1 (3) One representative from a substance use treatment
- 2 provider;
- 3 (4) One representative from an adult mental health
- 4 treatment provider;
- 5 (5) One representative from an inpatient psychiatric
- 6 facility, inpatient acute care hospital, or hospital
- 7 outpatient clinic; and
- 8 (6) One board certified physician in the field of
- 9 pediatrics or child psychiatry.

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

- 12 (1) The governor, or the governor's designee;
- 13 (2) The director of health, or the director's designee;
- 14 (3) The superintendent of education, or the
- 15 superintendent's designee; and
- 16 (4) The administrator of the med-QUEST division of the
- 17 department of human services, or the administrator's
- 18 designee.

19 (c) The board shall perform the following duties and  
20 functions:

- 21 (1) Review and comment upon:



- 1 (A) Clinic certification applications; and
- 2 (B) Any changes or modifications to certification
- 3 criteria;
- 4 (2) Decertify a certified community behavioral health
- 5 clinic as appropriate if the certified community
- 6 behavioral health clinic has not made required
- 7 corrective action;
- 8 (3) Encourage efficient and coordinated use of federal,
- 9 state, and private resources in the provision of
- 10 services;
- 11 (4) Identify gaps in services and coordinate
- 12 responsibilities of various public or private agencies
- 13 for such missing services;
- 14 (5) Advocate for the needs of individuals with mental
- 15 health or substance use conditions, or both, before
- 16 the legislature, the public, and the governor; and
- 17 (6) Support and conduct outreach activities to identify
- 18 individuals with mental health or substance use
- 19 conditions, or both, and their families to obtain
- 20 services, including access to crisis services or other
- 21 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 SECTION 2. Section 329-2, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "§329-2 **Hawaii advisory commission on drug abuse and**  
17 **controlled substances; number; appointment.** There shall be  
18 established a state advisory commission on drug abuse and  
19 controlled substances consisting of [~~not~~] no more than fifteen  
20 nor less than nine members appointed by the governor, as  
21 provided in section 26-34. The members shall be selected on the



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



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

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

- 16 (1) The principal state agencies with respect to mental  
17 health, education, vocational rehabilitation, criminal  
18 justice, housing, medicaid, and social services;
- 19 (2) Public and private entities concerned with the need,  
20 planning, operation, funding, and use of mental health  
21 services and related support services;



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

3 (4) The families of such adults or families of children  
4 with serious emotional disturbances; [~~and~~]

5 (5) The Hawaii advisory commission on drug abuse and  
6 controlled substances who shall be a person  
7 knowledgeable about the community and the  
8 relationships between mental health, mental illness,  
9 and substance abuse[-]; and

10 (6) The certified community behavioral health clinics  
11 certifying office established pursuant to  
12 section -3."

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

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



1 SECTION 5. 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 6. 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 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 7. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 8. This Act shall take effect on July 1, 3000.



**Report Title:**

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

**Description:**

Establishes the Community Behavioral Health Clinics 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. 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 Clinics Certifying Office. Appropriates  
funds. Effective 7/1/3000. (HD1)

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

