

**ACT 59**

**H.B. NO. 584**

A Bill for an Act Relating to Mental Health Services for Children and Youth.

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1.** Section 321-172, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 321-172 Children’s mental health services branch.** There is established within the department of health, mental health division, a children’s mental health services branch which shall coordinate the effective and efficient delivery of mental health services to children and youth, including services provided by private non-profit agencies under contract to the department of health, and be responsible for the development and implementation of centralized and highly specialized programs for children and youth.”

SECTION 2. Section 321-173, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 321-173 Community mental health services for children and youth.** There is established within each community mental health center a children’s mental health services team which, in conjunction with other public and private agencies, shall develop and provide a network of preventative, early identification, screening, diagnostic, treatment, and rehabilitative services for children and youth based on the needs of each geographic region in which the community mental health center is located. The children’s mental health services teams shall cooperate with and promote the coordination of the activities of local public and private agencies servicing children and youth in their particular geographic area.”

SECTION 3. Section 321-174, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 321-174 Coordination of services with department of education.** The children’s mental health services team shall cooperate with the schools located in their particular geographic region in identifying and referring for treatment such children or youths in need of mental health services. In conjunction with the children’s mental health services team, the department of education and the department of health shall develop memoranda of agreement which shall provide for a sharing of responsibilities for the affected agencies and shall include but not be limited to provisions for:

- (1) Accepting referrals from the school counselors and diagnostic teams for evaluation and direct treatment of children and youth suffering from mental and emotional disorders;
- (2) Providing consultation to enable teachers and other school personnel to aid in the identification and screening of children in need of professional mental health services;
- (3) Providing training and education about emotional disturbances of children to teachers, school counselors, and parents;
- (4) Assisting the department of education with mental health services for handicapped children; and
- (5) Performing other related services for school personnel, children, and parents.”

SECTION 4. Section 321-175, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 321-175 Statewide children’s mental health services plan.** (a) Commencing on September 1, 1980, and every five years thereafter, the children’s mental health services branch, on or before September 1 of each five-year cycle, shall

develop and present to the governor and the legislature, as well as release for public inspection and comment, a current statewide children's mental health services plan which shall include:

- (1) A survey of the children and youth in the State who are (A) in need of and (B) receiving mental health services showing the total number of such children and youth and their geographic distribution;
- (2) Identification of the public and private providers of mental health services to children and youth;
- (3) Identification of the criteria and standards for the treatment to be received by emotion-disturbed or mentally ill children and youth;
- (4) A program for the recruitment, orientation, and inservice training of personnel in community mental health services to children and youth, and to allied fields, including participation, as appropriate, by institutions of higher learning, state and local agencies, and other public and private agencies having relevant expertise;
- (5) A description of the provisions for prevention, early identification, diagnosis, screening, treatment, and rehabilitation (including, with regard to treatment and rehabilitation, services provided through inpatient, outpatient, and community residential facilities) of children and youth in need of mental health services;
- (6) An implementation plan for providing mental health services to all children and youth in the State in each of the above mentioned areas; and
- (7) Any additional matters which may be necessary or appropriate, including recommendations for amendment of laws, changes in administrative practices and patterns of organization, and changes in levels and patterns of financial support relating to children's mental health services.

(b) Prior to the submission of the statewide children's mental health services plan under subsection (a) to the governor and the legislature, the department of health shall hold hearings on the plan in accordance with chapter 91. There shall be at least one hearing in each county; except that the city and county of Honolulu shall have three hearings in strategic geographic locations to provide the widest exposure of the plan to the population.

(c) Any amendments to the statewide children's mental health services plan shall be in accordance with chapter 91."

SECTION 5. Section 321-176, Hawaii Revised Statutes, is amended to read as follows:

**"Sec. 321-176 Biennial review of progress.** Every two years, starting January 1, 1979, the department of health, on or before January 1 of each two-year cycle, shall submit to the legislature and the governor a report setting forth:

- (1) A detailed analysis of the progress made toward fulfilling the statewide children's mental health services plan developed under section 321-175; and
- (2) Other matters which are necessary or appropriate, including recommendations for any amendment to any law, any change in the administrative practices and patterns of organization, the current and prevailing memo-

**ACT 59**

randa of agreement, and any change in the levels and patterns of financial support.”

SECTION 6. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“**Sec. 321- Rules.** The director of health may adopt rules pursuant to chapter 91 necessary to carry out the purposes of this part.”

SECTION 7. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 8. This Act shall take effect upon its approval.

(Approved May 17, 1980.)

---

\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.