

ACT 6

S.B. NO. 62

A Bill for an Act Relating to Mental Health and Substance Abuse.

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

SECTION 1. Section 334-11, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A service area board shall be established to advise each service area center. The board shall consist of [fifteen] nine members appointed by the governor, who shall serve for a term to be determined by the governor. After the initial appointees, the governor shall fill each vacancy on a board by appointing a member from a list of four persons submitted by that board. The members of

the board shall be service area residents and service area providers with a majority being residents and nonproviders of mental health or other health services.

The board members shall elect a chairperson. All members shall serve without compensation but shall be paid their necessary expenses in attending meetings of the board."

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

- "(c) The department shall specifically:
 - (1) Perform statewide assessments of the need for prevention, treatment, and rehabilitation services in the areas of mental or emotional disorders and substance abuse;
 - (2) [Utilize geographical service areas for the delivery of services in the areas of mental or emotional disorders and substance abuse. These areas shall be defined by catchment boundaries existing as of June 30, 1984.] Adopt rules pursuant to chapter 91 for establishing the number and boundaries of the geographical service areas for the delivery of services in the areas of mental or emotional disorders and substance abuse. Each statewide four-year plan shall include a review of the effectiveness of the geographical service areas in promoting accessibility and continuity of appropriate care to all residents of that geographical area;
 - (3) Establish a service area center in each geographical service area that shall be the focal point for the development, delivery, and coordination of services in that area;
 - (4) Ensure statewide and community-based planning for the ongoing development and coordination of the service delivery system as guided by needs assessment data and performance related information;
 - (5) Establish standards and rules for psychiatric facilities and their licensing, where applicable;
 - (6) Establish standards and rules for services in the areas of mental health and substance abuse treatment, including assurances of the provision of minimum levels of accessible service to persons of all ages, ethnic groups, and geographical areas in the State;
 - (7) Ensure community involvement in determining the service delivery arrangements appropriate to each community of the State;
 - (8) Cooperate with public and private health, education, and human service groups, agencies, and institutions in establishing a coordinated system to meet the needs of persons with mental or emotional disorders and substance abuse difficulties;
 - (9) Evaluate and monitor all services in the fields of mental health and substance abuse where such services are supported fully or in part by state resources;
 - (10) Promote and conduct research, demonstration projects, and studies concerned with the nature, prevention, intervention, and consequences of mental or emotional disorders and substance abuse;
 - (11) Keep records, statistical data, and other information as may be necessary in carrying out the functions of the mental health system and this chapter;
 - (12) Advocate patients' rights in all psychiatric facilities in the State and investigate any grievances submitted to the department by any

ACT 6

- patient in a psychiatric facility, except as provided in section 334E-2(d). The department shall establish rules and procedures for the purpose of this paragraph within one year after January 1, 1985, and post the rules in a conspicuous manner and accessible place;
- (13) Promote and conduct a systematic program of accountability for all services provided, funds expended, and activities carried out under its direction or support in accordance with sound business, management, and scientific principles;
 - (14) Coordinate mental health resources in each service area by the presentation of a mental health systems service plan incorporating the planning of each service area. The service area center and the service area board, in collaboration with private and public agencies serving their population, shall submit recommendations for the statewide four-year plan, including needs assessment, program planning, resource development, priorities for funding, monitoring, and accountability activities;
 - (15) Oversee and coordinate service area programs and provide necessary administrative and technical assistance to assist service area programs in meeting their program objectives; and
 - (16) Provide staffing to the state council and service area boards to assist in the performance of their functions."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 11, 1985.)