

ACT 76

S.B. NO. 1127

A Bill for an Act Making an Emergency Appropriation to the Child and Adolescent Mental Health Division.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii.

SECTION 2. Although funds were appropriated to the department of health for the child and adolescent mental health division for the fiscal period beginning July 1, 2000, and ending June 30, 2001, a critical funding emergency now exists. The program will expend all appropriated general and special funds before the end

of the current fiscal year, and the department will be unable to meet its fiscal obligation to provide services to certain emotionally disturbed children and adolescents. The increases in school-based services and residential placements are the primary contributing factors to this financial situation.

The purpose of this Act is to appropriate additional general and special fund moneys to allow the child and adolescent mental health division to continue to provide services to certain emotionally disturbed children and adolescents.

SECTION 3. It is the legislature's intention to fully fund the fiscal year 2000-2001 emergency appropriation requested by each executive department affected by the *Felix v Cayetano* consent decree. Funding for fiscal biennium 2001-2003 is dependent upon the monetary needs demonstrated and is reflected in the General Appropriations Act for fiscal year 2001-2003.

As the executive branch has submitted written requests for the specific amounts which it believes are necessary for it to meet the *Felix* decree, it is expected that with the passage of *Felix* emergency appropriation bills for each department and the budget bill, the departments will meet their obligations under the consent decree in a timely manner for this year and for fiscal year 2001-2002.

By written communication:

- (1) Submitted by the department of health to the House committee on finance dated April 5, 2001, the department of health requested an appropriation of \$41,976,926 in connection with the *Felix* consent decree, as an emergency appropriation; and
- (2) Submitted by the department of health to the House committee on finance dated April 6, 2001, the department of health requested an appropriation of \$478,250 in connection with the *Felix* consent decree, as an emergency appropriation.

The purpose of this Act is to fully fund these requests as part of the full funding for all the executive departments' *Felix* needs for this and the coming fiscal year.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$41,976,926 or so much thereof as may be necessary for fiscal year 2000-2001 to be used in support of services provided to certain emotionally disturbed children and adolescents.

SECTION 5. There is appropriated out of the behavioral health administration title IV-E reimbursement, interdepartmental transfer fund the sum of \$478,250 or so much thereof as may be necessary for fiscal year 2000-2001 to be used in support of training costs of staff employed by or contracted to the department of health, or contracted or deployed to the Felix Monitoring Project for the purpose of improving services provided to certain emotionally disturbed children and adolescents.

SECTION 6. The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 7. This Act shall take effect upon its approval.

(Approved April 27, 2001.)