

ACT 291

S.B. NO. 2482

A Bill for an Act Relating to Wellness.

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

SECTION 1. The legislature finds that research conducted over the last two decades in the fields of neuroscience, molecular biology, public health, genomics, and epigenetics reveal that experiences in the first few years of life build changes into the biology of the human body that, in turn, influence a person's lifelong physical, mental, and spiritual health. Adverse childhood experiences are traumatic experiences that occur during childhood, including physical, emotional, or sexual abuse; untreated mental illness; incarceration of a household member; domestic violence; and separation or divorce involving household members. These experiences can have a profound effect on a child's developing brain and body and, if not treated properly, can increase a person's risk for disease and other health conditions through adulthood.

The legislature further finds that early adverse childhood experiences shape the physical architecture of a child's developing brain and can prevent the development of a sturdy foundation for learning, quality health, and positive behavior. Strong, frequent, or prolonged stress in childhood caused by adverse childhood experiences can become toxic stress, impacting the development of a child's fundamental brain architecture and stress response systems. Early childhood education offers a unique window of opportunity to prevent and heal the impacts of adverse childhood experiences and toxic stress on a child's brain, body, and spirit. Research on toxic stress and adverse childhood experiences indicates the existence of a growing public health crisis for the State with implications for Hawaii's educational, juvenile justice, criminal justice, and public health systems.

The legislature also finds that neurobiological, epigenetic, and physiological studies have shown that traumatic experiences in childhood and adolescence can diminish concentration, memory, and the organizational language abilities students need to succeed in school, thereby negatively impacting a student's academic performance, classroom behavior, and the ability to form relationships. A critical factor in buffering children from the effects of toxic stress and adverse childhood experiences is the existence of supportive, stable relationships between children and their families, caregivers, and other important adults in their lives. Cultural practices that provide asset-based approaches involving the influence of a stable non-relative adult can provide the resilience needed to mitigate the effects on a child who has had high adverse childhood experiences. Positively influencing the architecture of a child's developing brain is more effective and less costly than attempting to correct poor learning, health, and behaviors later in life.

The purpose of this Act is to establish an office of wellness and resilience as a semi-autonomous authority within the office of the governor to support and implement the statewide framework developed by the trauma-informed care task force established pursuant to Act 209, Session Laws of Hawaii 2021, by:

- (1) Addressing the various barriers that impact the physical, social, and emotional well-being of all people in the State by building wellness and resilience through trauma-informed, strengths-based strategies; and
- (2) Supporting agencies in their individual reform efforts to address trauma-informed care and move toward a collaborative, shared purpose of collective system reform.

SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . OFFICE OF WELLNESS AND RESILIENCE

§27- Definitions. As used in this part, unless the context otherwise requires:

“Office” means the office of wellness and resilience.

“Trauma-informed care task force” means the trauma-informed care task force established pursuant to Act 209, Session Laws of Hawaii 2021.

§27- Office of wellness and resilience; established. (a) There is established within the office of the governor, on a temporary basis and for special purposes, the office of wellness and resilience.

(b) The office shall be headed by an executive director, who shall be appointed by the governor without regard to chapter 76, and who shall serve at the pleasure of the governor.

(c) The governor may use moneys from existing, unfilled staff positions from other executive branch agencies to appoint additional staff for the office. Staff appointed pursuant to this subsection shall be exempt from chapters 76 and 89 but shall be members of the state employees' retirement system and shall be eligible to receive the benefits of any state employee benefit program generally applicable to officers and employees of the State.

(d) Department directors may assign additional employees from existing positions within their respective department to the office; provided that the employees shall represent their respective department's needs and shall have direct communication with the respective department's leadership during the course of their assignment with the office.

§27- Functions. The office shall:

- (1) Address issues identified and implement solutions recommended by the trauma-informed care task force through a cross-representation of state departments and the private sector, including private donors;
- (2) Identify common issues, unmet needs, and challenges encountered by departments and work to solve those issues through a cross-representation of state departments and the private sector, including private donors;
- (3) Seek funding solutions using moneys that each department has access to, including federal, state, and private sources, and work with philanthropic organizations and other entities from the private sector to re-evaluate the State's funding priorities and find funding solutions to implement interdepartmental programming;
- (4) Establish a procurement team that has cross-agency representation to streamline existing department grant and funding management and meet existing fiduciary obligations and other state requirements;
- (5) Interact with community agencies, organizations, and other stakeholders to ensure the office is meeting the needs and wellness requirements of communities throughout the State; and
- (6) Create a social determinants of health electronic dashboard that identifies a baseline of needs and concerns that impede high quality-of-life outcomes.

§27- Annual report. The office shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session that contains a summary of its activities during the preceding year, including:

- (1) Actions taken to address issues, unmet needs, and challenges relating to wellness and resilience;
- (2) Funds received pursuant to the activities of the office from federal, state, private, and philanthropic sources;
- (3) The office's engagement with community entities and other stakeholders; and
- (4) Any other findings and recommendations, including any proposed legislation."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$894,528 or so much thereof as may be necessary for fiscal year 2022-2023 for the establishment and operations of the office of wellness and resilience, including six full-time equivalent (6.0 FTE) positions and two contracted consultants.

The sum appropriated shall be expended by the office of the governor for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2022.

(Approved July 12, 2022.)