

Date of Hearing: March 25, 2009

Committee: House Education/Health

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent

Title: H.R. 68 (H.C.R. 86), Requesting the Department of Health and Department of Education to provide a comprehensive report of post Felix Consent Decree Child and Adolescent Mental Health Services and funding.

Purpose: To request the Department of Health and Department of Education to provide a comprehensive report of post Felix Consent Decree Child and Adolescent Mental Health Services and funding.

Department's Position: The Department of Education (Department) does not support H.R. 68 (H.C.R. 86). Information on the number of students with mental health needs served and outcomes, the number of vacant positions, along with issues related to filling vacant positions within the Department can be found in the Integrated Performance Monitoring Report. The Department's of Education and Health publish this report jointly on a quarterly basis. Previous and current performance data for the Departments are available through Departmental websites: (<http://165.248.6.166/data/felix/index.htm> and <http://www.hawaii.gov/health/mental-health/camhd/index.html>).

The Department participates in quality assurance meetings and has for the past six years. These quality assurance meeting participants include the Department of Health's Child and Adolescent Mental Health Division, Early Intervention Section, Developmental Disabilities Division and, Alcohol and Drug Abuse Division; the Department of Human Services; Family Court; Hawaii Families As Allies; and, the Community Children's Council Office. As stated, this interagency group along with its community partners has been meeting for the past six years and grew out of a need as seen by the Department of Education and the Department of Health to assure continued sustainability of the infrastructure and system performance practices developed under the Felix Consent Decree. It reflects the commitment of both Departments to maintain an accountable system of care for our children with special needs in Hawaii.

The Department does not support H.R. 68 (H.C.R. 86).



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
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In reply, please refer to:
File:

House Committees on Education and Health

**HCR 86, Requesting the Department of Health and Department of Education to
provide a Comprehensive Report of Post Felix Consent Decree Child and
Adolescent Mental Health Services and Funding**

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

March 25, 2009, 2:00 p.m., Room 309

- 1 **Department's Position:** The department opposes the resolution as unnecessary.
- 2 **Fiscal Implications:** Significant but unquantified additional work hours would be required.
- 3 **Purpose and Justification:** This Resolution requires DOH and DOE to report on past and current
- 4 funding levels of child and adolescent mental health and special education services, including a listing of
- 5 all state, federal and matching dollar streams; the past and current numbers of children with mental
- 6 health needs served and client outcomes; and the number of vacant positions and issues related to filling
- 7 vacant positions within DOE with similar information provided by the Department of Human Resources
- 8 Development regarding filling vacant positions within DOH-Child and Adolescent Mental Health
- 9 Division.

10 The Child and Adolescent Mental Health Division values accountability and transparency in

11 government and goes to great lengths to apprise stakeholders and the public of its efforts and outcomes.

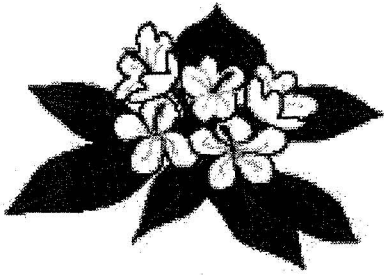
12 The CAMHD website posts various reports, including the quarterly Integrated Performance Monitoring

13 Reports, Annual Evaluations, annual Quality Assurance and Improvement Program and Work Plan,

14 annual Consumer Survey Reports, annual Provider Satisfaction Surveys, and quarterly newsletters.

1 The DOH opposes this resolution as unnecessary.

2 We thank you for this opportunity to testify.



S E A C
Special Education Advisory Council

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March 25, 2009

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Roy M. Takumi, Chair
House Committee on Education
Ryan I. Yamane, Chair
House Committee on Health
State Capitol
Honolulu, HI 96813

RE: HR 68 - REQUESTING THE DEPARTMENT OF HEALTH
AND DEPARTMENT OF EDUCATION TO PROVIDE A
COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE
CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND
FUNDING

Dear Representatives Takumi and Yamane and Members of the
Committees:

The Special Education Advisory Council (SEAC), Hawaii's State
Advisory Panel under the Individuals with Disabilities Education Act
(IDEA), **supports** House Resolution 68 and welcomes the information
it may gather.

SEAC was an active participant in monitoring the progress of the
Felix Consent Decree, and we have had some concerns since federal
oversight ended in 2006, including the following:

- the reduction in the number of students identified as having a
disability under IDEA and Section 504 of the Rehabilitation Act;
- the ongoing challenge of collecting data that is compatible to both the
Department of Education and the Child & Adolescent Mental Health
Divison (CAMHD);
- the poorness of fit with CAMHD programs for some students with
developmental disabilities and autism spectrum disorders;



Representatives Takumi and Yamane
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- decreasing funding levels for essential staff positions;
- delays in filling mental health and school based behavioral health positions; and
- an inadequate number of community based programs meeting the diverse needs of students with disabilities and emotional and behavioral challenges.

SEAC has also observed that the internal review process established during the Felix Consent decree has changed markedly. Reviews are now done so infrequently that they do not gather adequate data to measure student and family satisfaction and identify system issues needing resolution.

Thank you for the opportunity to present testimony. As a body that advises the Department on the unmet needs of students with disabilities, SEAC would benefit greatly from having the data provided by this resolution.

Sincerely,

Ivalee Sinclair, Chair



...working for Hawaii's mental health for 67 years

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March 24, 2009

TO: House Committee on Education Chair, Rep. Roy Takumi, and Vice chair Rep. Lyla Berg; House Committee on Health, Rep. Ryan Yamane, Chair, and Rep. Scott Nishimoto, Vice Chair; and Committee members
FR: Marya Grambs, Executive Director, Mental Health America of Hawai`i
RE: **Strong Support** for HR68, HCR86, Requesting the Department of Health and Department of Education to Provide a Comprehensive Report of Post- Felix Consent Decree Child and Adolescent Mental Health Services and Funding

At: Hearing 2:00 Wed 3/25/09 room 309

Mental Health America of Hawai`i has served Hawai`i for 67 years, promoting mental health, reducing stigma, and improving the care and treatment of children, elders, and adults with mental illnesses.

We stand in strong support of these Resolutions.

As you know, the State spent \$1.4 billion during 12 agonizing years under the Felix decree trying to get it right – developing mandated services to children with behavioral problems. Now the court pressure is gone, and we're in a budget crisis. What's happening to those hard-fought services?

We need to know, specifically, the funding level and numbers of children served, both during court oversight and currently, as well as issues related to filling of vacant positions by the Child and Adolescent Mental Health Division by DHRD. We need to know whether the system is moving in the direction of failing our children once again.

We must not let current circumstances destroy the system that was so carefully and laboriously built up to address the needs of some of our states' most vulnerable children.

Thank you.

A JOINT LEGISLATIVE EFFORT

E-Mail: EDNtestimony@Capitol.hawaii.gov
Regarding: EDN/HLT Committee]
Hearing on: 3-25-09, 2:00 and Room 309

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Date: March 24, 2009

To: Rep. Roy Takumi, Chair – House Education Committee
Rep. Lyla Berg, PhD., Vice Chair – House Education Committee
Rep. Ryan Yamane, Chair – House Health Committee
Rep. Scott Nishimoto, Vice-Chair- House Health Committee

From: Dennis Arakaki
Executive Director
Hawaii Family Forum / Hawaii Catholic Conference

Re: STRONG SUPPORT FOR HCR 86/HR 68

Honorable Chairs Takumi and Yamane, Vice Chairs, Dr. Berg and Rep. Nishimoto and members of the House Education and Health Committees, I am Dennis Arakaki, **representing both the Hawaii Family Forum and the Roman Catholic Church in the State of Hawaii.**

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. The Roman Catholic Church in Hawaii, under the leadership of Bishop Larry Silva, represents over 220,000 Catholics in Hawaii.

In 1991, the House Health Committee and the House Human Services Committee Established the Child and Adolescent Mental Health Task Force through a concurrent resolution. The co-chairs were Representative Jim Shon and yours truly. The Task Force was able to establish a framework for a system of care and also a strategic plan to request increases in funding through the budget to build components of the system. However, a class action lawsuit ensued which we now know as the Felix consent decree that resulted in large sums of funding and a rush to build a system of care to meet the consent decree.

While funding was no longer at issue, the system of care that was developed left many wondering if it was the most effective approach to meeting the mental health and behavioral health needs of children and adolescents in the state of Hawaii. Because the system was education based, there were many questions left about whether the community based side of the system would ever be developed. One of the issues that the original task force was supposed to tackle was the need for more integration and interface between the department of education and the department of health. To this day, I don't believe that issue has been resolved.

Now that the state's financial shortfalls will inevitably require cuts in services, personnel and programs, especially at the community level, it is time to re-look at the advances made by Felix and the potential backslide that budget cuts will incur. We may also want to determine the programs and services that could be deemed essential that should be protected from budget reductions.

I also wish to recommend an amendment to have either the department of health or the department of education, responsible for producing the report in collaboration with the other department.

Thank you for this opportunity to testify on this measure.