

JAN 26 2011

A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that budgetary reductions
2 have forced cuts to state mental health services, causing harm
3 to thousands of mentally ill persons by reducing access to
4 needed medication, treatment, and other services. This
5 reduction in mental health services may be contrary to the
6 United States Supreme Court holding in *Olmstead v. L. C.*, 527
7 U.S. 581 (1999). This holding gave people with disabilities the
8 right to live in the community if they desire rather than being
9 institutionalized, and the failure to provide necessary supports
10 to these persons may constitute a denial of that right.

11 The department of health adult mental health division
12 changed its eligibility rules in July 2010, to end services it
13 provides to patients other than those with severe and persistent
14 mental illness. This left thousands of people searching for
15 help from private providers who are already in short supply.
16 The adult mental health division also eliminated or reduced
17 support for residential facilities, parent education, support
18 groups, and clubhouses that have been important resources for



1 the mentally ill. Cuts have also been made to area-service
2 administrator positions for the adult mental health division,
3 which has adversely impacted the availability and coordination
4 of mental health resources on the neighbor islands. In the wake
5 of these steep cuts and intense government-wide budget
6 pressures, it is also questionable whether the State is able to
7 provide necessary oversight for the conditional release
8 population of the Hawaii state hospital at Kaneohe. A recently
9 reported incident of homicide and suicide involving a person who
10 was conditionally released from the Hawaii state hospital
11 brought to light serious concerns regarding whether the State
12 has the means to adequately monitor and treat former criminal
13 defendants who are on conditional release.

14 The purpose of this Act is to make an appropriation for the
15 restoration of mental health services.

16 SECTION 2. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2011-2012 and
19 the same sum or so much thereof as may be necessary for fiscal
20 year 2012-2013 for restoration of funding for mental health
21 services for adults, adolescents, and children, that have been
22 eliminated or reduced in the past two years.



Report Title:

Mental Health Services; Appropriation; Keiki Caucus

Description:

Makes an appropriation for mental health services for adults, adolescents, and children, that have been eliminated or reduced in the past two years.

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