

JAN 20 2017

A BILL FOR AN ACT

RELATING TO STATE COUNCIL ON MENTAL HEALTH.

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

1 SECTION 1. Section 334-10, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§334-10 State council on mental health.** (a) There is
4 established, within the department of health for administrative
5 purposes, a state council on mental health. The council shall
6 consist of twenty-one members appointed by the governor as
7 provided in section 26-34. In making appointments to the
8 council, the governor shall ensure that all service area boards
9 of the State are represented, and that a majority of the members
10 are nonproviders of mental health or other health services, and
11 that a majority of the members are not state employees. The
12 number of parents of children with serious emotional
13 disturbances shall be sufficient to provide adequate
14 representation of such children in the deliberations of the
15 council. The council shall be composed of residents of the
16 State, including individuals representing:



- 1 (1) The principal state agencies with respect to mental
2 health, education, vocational rehabilitation, criminal
3 justice, housing, medicaid, and social services;
- 4 (2) Public and private entities concerned with the need,
5 planning, operation, funding, and use of mental health
6 services and related support services;
- 7 (3) Adults with serious mental illnesses who are
8 receiving, or have received, mental health services;
- 9 (4) The families of such adults or families of children
10 with serious emotional disturbances; and
- 11 (5) The Hawaii advisory commission on drug abuse and
12 controlled substances who shall be a person
13 knowledgeable about the community and the
14 relationships between mental health, mental illness,
15 and substance abuse.
- 16 (b) The council shall elect a chairperson from among its
17 members. All members shall serve without compensation but shall
18 be paid their necessary expenses in attending meetings of the
19 council.
- 20 (c) The council shall advise the department on allocation
21 of resources, statewide needs, and programs affecting two or



1 more service areas. The council shall review and comment on the
2 statewide comprehensive integrated service plan and shall serve
3 as an advocate for adults with serious mental illness, children
4 with serious emotional disturbances, other individuals with
5 mental illnesses or emotional problems, and individuals with
6 combined mental illness substance abuse disorders.

7 (d) If the department's action is not in conformance with
8 the council's advice, the department shall provide a written
9 explanation of its position to the council.

10 (e) The council shall prepare and submit an annual report
11 to the governor and the legislature on implementation of the
12 statewide comprehensive integrated service plan. The report
13 presented to the legislature shall be submitted at least twenty
14 days prior to the convening of each regular session.

15 (f) A quorum for purposes of doing business shall consist
16 of a majority of the members serving on the council immediately
17 before a meeting begins.

18 (g) If a quorum is present when a vote is taken, the
19 affirmative vote of a majority of members present shall
20 constitute a valid act of the council unless this chapter, part



1 I of chapter 92, the articles of incorporation, or the bylaws
2 require a greater number of affirmative votes."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect upon its approval.

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S.B. NO. 203

Report Title:

State Council on Mental Health; Quorum; Membership

Description:

Amends the membership of the State Council on Mental Health, defines quorum for the Council, and specifies number of votes required to constitute valid acts of the Council. Designates the State Council on Mental Health within the department of health for administrative purposes.

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