

JAN 19 2023

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# A BILL FOR AN ACT

RELATING TO THE STATE COUNCIL ON MENTAL HEALTH.

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

1           SECTION 1. The legislature finds that native Hawaiians  
2 experience distinct mental health disparities that pervade their  
3 day-to-day well-being and hinder their overall health.

4           For example, youth suicide attempts and death rates in  
5 Hawaii are highest among native Hawaiians, profoundly impacting  
6 their families and communities. Alarming, native Hawaiian  
7 youth and emerging adults in Hawaii are 2.3 times more likely to  
8 die of suicide than their Caucasian peers. Native Hawaiian  
9 youth are also twice as likely as Caucasian youth to have  
10 attempted suicide in a given year.

11           The legislature recognizes that the mental health  
12 disparities experienced by native Hawaiians start, tragically,  
13 in the early years of life. Native Hawaiian keiki are  
14 over-represented as victims of abuse and neglect. In high  
15 school, female native Hawaiian students experience feelings of  
16 sadness or hopelessness to a greater degree than other students.  
17 Native Hawaiian youth also have some of the highest rates of



1 drug use in the State. Not surprisingly, these mental health  
2 disparities often persist for native Hawaiians throughout  
3 adulthood and as senior citizens. Studies on native Hawaiian  
4 mental health illustrate the pressing need for state  
5 interventions and confirm that culturally-based programs are  
6 four times more successful at addressing native Hawaiians'  
7 specific mental health needs.

8       The legislature notes that native Hawaiians tend to  
9 underutilize existing mental health services, seeking therapy  
10 only after their mental illness becomes severe. They are also  
11 more likely to leave treatment programs prematurely. Cultural  
12 incongruence with western mental health approaches may be a  
13 driving factor in native Hawaiians' underutilization of mental  
14 health services. Experts have found that clients are more  
15 likely to seek out and use mental health services when their  
16 values and beliefs are congruent with the interventions  
17 provided.

18       The legislature recognizes its obligation to address health  
19 disparities throughout the State. Specifically,  
20 section 226-20(b)(7), Hawaii Revised Statutes, directs decision  
21 makers to "[p]rioritize programs, services, interventions, and



1 activities that address identified social determinants of health  
2 to improve native Hawaiian health and well-being[.]" The  
3 legislature also recognizes that eliminating health disparities  
4 and achieving health equity across demographics is a national  
5 priority.

6 The legislature further finds that the state council on  
7 mental health is responsible for reviewing, evaluating, and  
8 advising on the allocation and adequacy of the State's mental  
9 health resources. Requiring the council to include members  
10 having knowledge of or working experience involving native  
11 Hawaiian concepts of well-being, culturally-grounded mental  
12 health methodologies, or traditional healing or health practices  
13 will help to address systemic gaps in mental health services.  
14 The legislature similarly finds that it is important for council  
15 members to receive annual training on topics related to native  
16 Hawaiian healing and health. These requirements will help the  
17 State advance culturally responsive policies and programs that  
18 may be critical to addressing the dire mental health needs of  
19 Hawaii's native Hawaiian and Pacific islander communities.

20 Accordingly, consistent with the commitment embodied in Act  
21 155, Session Laws of Hawaii 2014, the purpose of this Act is to:



- 1           (1) Require native Hawaiian cultural representation on the
- 2                 state council on mental health; and
- 3           (2) Require members of the council to receive annual
- 4                 training on topics related to native Hawaiian healing
- 5                 and health.

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

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



# S.B. NO. 203

- 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) At least \_\_\_\_\_ members of the council shall have  
17          demonstrated knowledge of or work experience involving native  
18          Hawaiian concepts of well-being, culturally grounded mental  
19          health methodologies, or traditional healing and health  
20          practices, as evidenced by:



- 1        (1) A college or university degree in a relevant field,  
2        such as:  
3        (A) Psychology;  
4        (B) Social work;  
5        (C) Public health;  
6        (D) Nursing;  
7        (E) Hawaiian studies;  
8        (F) Health administration; or  
9        (G) Medicine;  
10       with a focus on native Hawaiian and indigenous health,  
11       transgenerational trauma, or traditional healing and  
12       health practices including hooponopono, laau lapaau,  
13       or lomilomi;  
14       (2) A work history that demonstrates an appropriate level  
15       of knowledge of or involvement in native Hawaiian and  
16       indigenous health, transgenerational trauma, or  
17       traditional healing and health practices including  
18       hooponopono, laau lapaau, or lomilomi;  
19       (3) A history of health, social, or advocacy work  
20       addressing native Hawaiian inequities; or



1        (4) Substantial community experience as a native Hawaiian  
2        traditional and customary practitioner offering  
3        healing treatments, techniques, services, or  
4        practices.

5        [~~(b)~~] (c) The council shall elect a chairperson from among  
6 its members. All members shall serve without compensation but  
7 shall be paid their necessary expenses in attending meetings of  
8 the council.

9        (d) Members of the council shall receive annual training  
10 on topics related to native Hawaiian healing and health,  
11 including training on cultural awareness and loss of ethnic  
12 identity.

13        [~~(e)~~] (e) The council shall advise the department on  
14 allocation of resources, statewide needs, and programs affecting  
15 two or more service areas. The council shall review and comment  
16 on the statewide comprehensive integrated service plan and shall  
17 serve as an advocate for adults with serious mental illness,  
18 children with serious emotional disturbances, other individuals  
19 with mental illnesses or emotional problems, and individuals  
20 with combined mental illness substance abuse disorders.



1           ~~(d)~~ (f) If the department's action is not in conformance  
2 with the council's advice, the department shall provide a  
3 written explanation of its position to the council.

4           ~~(e)~~ (g) The council shall prepare and submit an annual  
5 report to the governor and the legislature on implementation of  
6 the statewide comprehensive integrated service plan. The report  
7 presented to the legislature shall be submitted at least twenty  
8 days prior to the convening of each regular session.

9           ~~(f)~~ (h) A quorum for purposes of doing business shall  
10 consist of a majority of the members serving on the council  
11 immediately before a meeting begins.

12           ~~(g)~~ (i) If a quorum is present when a vote is taken, the  
13 affirmative vote of a majority of members present shall  
14 constitute a valid act of the council unless this chapter,  
15 part I of chapter 92, the articles of incorporation, or the  
16 bylaws require a greater number of affirmative votes."

17           SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

Kurt Feller





# S.B. NO. 263

**Report Title:**

State Council on Mental Health; Native Hawaiian Health Practices

**Description:**

Requires the state council on mental health to include an unspecified number of members with demonstrated knowledge of or work experience involving native Hawaiian health practices. Requires council members to receive annual training on topics related to native Hawaiian healing and health.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

