

ACT 211

H.B. NO. 3018-74

A Bill for an Act Relating to Mental Health Services for Children and Youth.

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

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

**“PART XV. MENTAL HEALTH SERVICES
FOR CHILDREN AND YOUTH**

Sec. 321- Children’s mental health services; department responsibility. It shall be the responsibility of the department of health to:

- (1) Provide preventative health services for children and youth;
- (2) Provide diagnostic and treatment services for emotionally disturbed children and youth; and
- (3) Provide treatment and rehabilitative services for mentally ill children and youth.

Such services shall be delivered at the earliest possible moment after the need for such services is established. All eligible children and youth between the ages of birth and seventeen shall receive the necessary mental health services to insure their proper and full development.

Sec. 321- Children’s mental health services branch. There is established within the department of health, mental health division, a children’s mental health services branch which shall be responsible for the implementation of centralized and highly specialized programs for children and youth.

The children’s mental health services branch shall include the following sections:

- (1) **Preschool section.** The preschool section shall provide services for early identification, prevention, and highly specialized treatment for children between the ages of birth and four years to community mental health centers, headstart and day care programs, and any other agency or organization, public or private, dealing with children between the ages of birth and four years. In addition, the preschool section shall provide appropriate training and consultation to community mental health center staffs relating to the treatment of children between the ages of birth and four years.
- (2) **Elementary section.** The elementary section shall provide highly specialized and centralized back-up clinical programs for children between the ages of five and eleven to community mental health centers, the department of education, and any other agency or organization, public or private, dealing with children between the ages of five and eleven. Programs shall focus on secondary prevention and all levels of highly specialized direct treatment. In addition, the elementary section shall provide training and consultation to community mental health center staffs relating to treatment of children between the ages of five and eleven.
- (3) **Intermediate section.** The intermediate section shall provide specialized and centralized back-up clinical programs for children between the ages of twelve and thirteen to community mental health centers, the department of education, and any other agency or organization, public or private, requesting such services. Programs shall focus on secondary prevention and all levels of highly specialized direct treat-

ment for children between the ages of twelve and thirteen years. In addition, the intermediate section shall provide training and consultation to community mental health center staffs relating to the treatment of children ages twelve and thirteen.

- (4) Adolescent section. The adolescent section shall provide closed, semi-closed, and open residential clinical treatment capabilities for highly disturbed adolescents between the ages of twelve and seventeen. In addition, the adolescent section shall provide training and consultation to community mental health center staffs relating to the treatment of adolescents between the ages of twelve and seventeen.

Sec. 321- Community mental health services for children and youth.

There is established within each community mental health center a children's mental health services team which, in conjunction with other public and private agencies, shall develop and provide a network of general, preventative, treatment, and rehabilitative services for children and youth based on the needs of each geographic region in which the community mental health center is located. The children's mental health services teams shall cooperate with and coordinate the activities of local public and private agencies servicing children and youth in their particular geographic area. In addition, where treatment of the child or youth requires more specialized and intensive services, and such services are not available within the geographic region of the community mental health center, the children's mental health services team shall refer the child or youth to the children's mental health services branch.

Sec. 321- Coordination of services with department of education. The children's mental health services team shall cooperate with the schools located in their particular geographic region in identifying and referring for treatment such children or youths in need of mental health services. In addition, the children's mental health services team shall:

- (1) Accept referrals from the school counselors and diagnostic teams for evaluation and direct treatment of children and youth suffering from mental and emotional disorders which interfere with their learning ability; and
- (2) Provide consultation to enable teachers and other school personnel to aid in the identification and screening of children in need of professional mental health services. The children's mental health services team of the community mental health centers may refer such consultation and training matters to the children's mental health services branch.

Sec. 321- Statewide children's mental health services plan. (a) On or before September 1, 1974, the children's mental health services branch shall develop and present to the governor and the legislature, as well as release for public inspection and comment, a statewide children's mental health services plan which shall include:

- (1) A census of the children and youth in the State who are in need of community mental health services showing the total number of such children and youth and their geographic distribution;

- (2) An inventory of the personnel and facilities available to provide mental health services to children and youth;
- (3) Identification of the criteria for determining how emotionally disturbed or mentally ill children and youth are to be treated;
- (4) Standards for the treatment to be received by emotionally disturbed or mentally ill children and youth;
- (5) A program for the recruitment, preparation, and inservice training of personnel in community mental health services to children and youth, and to allied fields, including participation, as appropriate, by institutions of higher learning, state and local agencies, and any other public and private agencies having relevant expertise;
- (6) Provision for early identification, diagnosis, screening, and treatment of children and youth in need of mental health services;
- (7) A full description of the state plan for providing its appropriate portion of mental health services to all children and youth in this State in each of the above mentioned areas; and
- (8) Any additional matters which may be necessary or appropriate, including recommendations for amendment of laws, changes in administrative practices and patterns of organization, and changes in levels and patterns of financial support relating to children's mental health services.

(b) Prior to the submission of the statewide children's mental health services plan under subsection (a) to the governor and the legislature, the department of health shall hold hearings on the plan in accordance with chapter 91. There shall be at least one hearing in each county; provided the city and county of Honolulu shall have three hearings in strategic geographic locations to provide the widest exposure of the plan to the population.

(c) Any amendments to the statewide children's mental health services plan shall be in accordance with chapter 91.

Sec. 321- Annual review. Before January 1 of each year, the department of health shall submit to the legislature and the governor:

- (1) A detailed account of the progress made toward fulfilling the statewide children's mental health services plan developed under section 321-
- (2) A revised census of the children and youth in the State who are in need of mental health services showing the total number of such children and their geographic distribution and the total number of such children and youth who are receiving mental health services by geographic distribution.
- (3) Any other additional matters which are necessary or appropriate, including recommendations for any amendment to any law, any changes in the administrative practices and patterns of organization, and any changes in the levels and patterns of financial support."

SECTION 2. This Act shall take effect upon its approval.

(Approved June 12, 1974.)