

A Bill for an Act Relating to Exceptional Children.

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

SECTION 1. The purpose of this Act is to amend sections 301-27 and 321-174 to clarify the legislature's intent that the services of psychologists, as defined in Chapter 465, Hawaii Revised Statutes, are to be included in the provision of services to and screening of exceptional children in the public schools.

SECTION 2. Section 301-27, Hawaii Revised Statutes, is amended to read as follows:

“§301-27 Occupational therapy services, physical therapy services, school health services, mental health services, psychological services, and medical services for diagnostic or evaluative purposes. The department of health shall, within the funds available, be responsible for the related services of occupational therapy, physical therapy, school health, mental health, psychological, and medical services for evaluation or diagnostic purposes, and shall, within the funds available provide for those exceptional children needing such services who attend public school in the State. The department of health shall work in cooperation with the department of education to implement this section. The procedures to implement this section shall be in accordance with the department of health's rules [and regulations].”

SECTION 3. Section 321-174, Hawaii Revised Statutes, is amended to read as follows:

“§321-174 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 conjunction with the children's mental health services team, the department of education and the department of health shall develop [memoranda] a memorandum of agreement which shall provide for a sharing of responsibilities for the affected agencies and shall include but not be limited to provisions for:

- (1) Accepting referrals from the school counselors and diagnostic teams for evaluation and direct treatment of children and youth suffering from mental and emotional disorders;
- (2) Providing consultation to enable teachers and other school personnel to aid in the identification and screening of children in need of professional mental health services[;] and the services of psychologists, as defined in chapter 465;
- (3) Providing training and education about emotional disturbances of children to teachers, school counselors, and parents;
- (4) Assisting the department of education with mental health services and the services of psychologists, as defined in chapter 465; for handicapped children; and
- (5) Performing other related services for school personnel, children, and parents.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 30, 1985.)