

## ACT 97

S.B. NO. 2866

A Bill for an Act Relating to Personnel for Mental Health.

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

SECTION 1. Section 334-4, Hawaii Revised Statutes, is amended to read as follows:

“**§334-4 Personnel for mental health program.** The director [of health] shall appoint professional and nonprofessional staff as the director deems necessary to carry out the state mental health program and for which appropriations are available. Positions for psychiatrists are exempted from chapters 76 and 77. The director may employ psychiatrists as needed by the department [of health] on a contractual basis, subject to the approval of the governor. The director [of health] may appoint an administrator, three associate hospital administrators, a director of psychosocial rehabilitation, a chief of the department of nursing, a risk manager, a patients’ rights advisor, and a facilities plant engineer for the state hospital established pursuant to section 334-31 and these positions shall be exempt from chapters 76 and 77.”

SECTION 2. Section 457G-2, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§457G-2]]~~ **Qualifications of occupational therapists and occupational therapy assistants.** [Occupational] (a) Except as provided in subsection (b), occupational therapists and occupational therapy assistants shall have completed the educational requirements and supervised field work experience required for certification by the American Occupational Therapy Certification Board for the American Occupational Therapy Association, and shall have passed a national certification examination administered by that association.

(b) Occupational therapists and occupational therapy assistants employed in a civil service position with the department of health need not obtain certification by the American Occupational Therapy Certification Board upon the following conditions:

- (1) The person shall have met all the requirements of subsection (a), except for passing the national certification examination administered by the American Occupational Therapy Association; and
- (2) The person shall not be employed in the occupational therapist or occupational therapy assistant position with the department of health for longer than one year without having passed the national certification examination administered by the American Occupational Therapy Association.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; except that Section 2 of this Act shall be repealed on June 30, 2000, and section 457G-2, Hawaii

**ACT 97**

Revised Statutes, is reenacted in the form in which it read on the day before the approval of this Act.

(Approved May 29, 1998.)