

ACT 138

S.B. NO. 202

A Bill for an Act Relating to Service Area Boards.

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

SECTION 1. Section 334-11, Hawaii Revised Statutes, is amended to read as follows:

“§334-11 Service area boards. (a) A service area board shall be established within the department of health for administrative purposes to advise each service area administrator. Each board shall consist of nine members appointed by the governor, who shall serve for terms to be determined by the

governor. After the initial appointees, the governor shall fill each vacancy on a board by appointing a member from a list of four persons submitted by that board, except that, if the board is unable to achieve a quorum at two consecutive meetings called for the purpose of making such a list, the list may be provided by a group of at least seven service area consumers and nonproviders of mental health services. This group shall consist of all board members willing to participate in making the list and other area consumers and nonproviders of mental health services to be selected by the service area board chairperson and service area administrator. Any meeting called for the purpose of making the list shall be subject to part I of chapter 92. The members of the board shall be service area residents, who are consumers or nonproviders of mental health services and service area providers with a majority being non-state employees and nonproviders of mental health or other health services.

Each board shall elect a chairperson from among its members. All members shall serve without compensation but shall be paid their necessary expenses in attending meetings of the board.

(b) Each service area administrator and board, in consultation with public and private providers, shall participate in the development of comprehensive integrated service area plans and budgets. Each board shall advise the service area administrator about service area needs to prevent and treat mental or emotional disorders, combined mental illness substance abuse disorders, and persons afflicted by these disorders, and provide advice, guidance, and recommendations to both the advisory commission on drug abuse and controlled substances, section 329-2, and the state council on mental health, section 334-10, as they deem appropriate.

(c) If a service area administrator's actions are not in conformance with the board's planning decisions, the service area administrator shall provide a written explanation to the board.

(d) A quorum for purposes of doing business shall consist of a majority of the members serving on a board immediately before a meeting begins.

(e) If a quorum is present when a vote is taken, the affirmative vote of a majority of the members present shall constitute a valid act of a board unless this chapter, part I of chapter 92, or the articles or bylaws of the board require the vote of a greater number of members."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2018.

(Approved July 5, 2018.)