

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO SERVICE AREA BOARDS.

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

1           SECTION 1. Section 334-11, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§334-11 Service area boards.** (a) A service area board  
4 shall be established within the department of health for  
5 administrative purposes to advise each service area  
6 administrator. Each board shall consist of nine members  
7 appointed by the governor, who shall serve for terms to be  
8 determined by the governor. After the initial appointees, the  
9 governor shall fill each vacancy on a board by appointing a  
10 member from a list of four persons submitted by that board,  
11 except that, if the board is unable to achieve a quorum at two  
12 consecutive meetings called for the purpose of making such a  
13 list, the list may be provided by a group of at least seven  
14 service area consumers and nonproviders of mental health  
15 services. This group shall consist of all board members willing  
16 to participate in making the list and other area consumers and  
17 nonproviders of mental health services to be selected by the



1 service area board chairperson and service area administrator.  
2 Any meeting called for the purpose of making the list shall be  
3 subject to part I of chapter 92. The members of the board shall  
4 be service area residents, who are consumers or nonproviders of  
5 mental health services and service area providers with a  
6 majority being non-state employees and nonproviders of mental  
7 health or other health services.

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

12 (b) Each service area administrator and board, in  
13 consultation with public and private providers, shall  
14 participate in the development of comprehensive integrated  
15 service area plans and budgets. Each board shall advise the  
16 service area administrator about service area needs to prevent  
17 and treat mental or emotional disorders, combined mental illness  
18 substance abuse disorders, and persons afflicted by these  
19 disorders, and provide advice, guidance, and recommendations to  
20 both the advisory commission on drug abuse and controlled



1 substances, section 329-2, and the state council on mental  
2 health, section 334-10, as they deem appropriate.

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

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

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

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.

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# S.B. NO. 202

**Report Title:**

Service Area Boards; Mental Health and Substance Abuse

**Description:**

Amends statutory provisions relating to quorum and voting requirements for service area boards on mental health and substance abuse. Designates service area boards on mental health and substance abuse within the department of health for administrative purposes.

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

