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## A BILL FOR AN ACT

RELATING TO THE COMPOSITION OF THE STATE COUNCIL ON MENTAL  
HEALTH.

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

1           SECTION 1. The legislature finds that native Hawaiians  
2 experience distinct health disparities that pervade their day-  
3 to-day well-being and hinder their overall health.

4           Data on native Hawaiian mental health evince the pressing  
5 need for state intervention and confirm that culturally-based  
6 programs are four times more successful in addressing those  
7 needs. For example, youth suicide attempt and death rates are  
8 highest among native Hawaiians, thus profoundly impacting their  
9 families and communities. Alarming, native Hawaiian youth and  
10 emerging adults are 2.3 times more likely to die by suicide  
11 compared to Caucasian youth in Hawai'i. Native Hawaiian youth  
12 are also two times more likely to have made a suicide attempt in  
13 the last year compared to their Caucasian peers.

14           These mental health disparities, tragically, start in the  
15 early years of life. Native Hawaiian keiki are over-represented  
16 as victims of abuse and neglect. By high school, female native



1 Hawaiian students experience feelings of sadness or hopelessness  
2 to a greater degree than their peers do. Native Hawaiian youth  
3 also maintain some of the highest rates of drug use in the  
4 State. Not surprisingly, these mental health disparities  
5 persist for native Hawaiians through adulthood and as senior  
6 citizens.

7       Unfortunately, native Hawaiians tend to underutilize  
8 existing mental health services, seeking therapy only after  
9 their illness becomes severe or leaving treatment prematurely.  
10 Cultural incongruence with Western mental health approaches may  
11 also be a driving factor in native Hawaiians' underutilization  
12 of mental health services. Experts explain that clients are  
13 more likely to seek out and use mental health services when  
14 their values and beliefs are congruent with the interventions  
15 provided.

16       In 2014, the legislature codified a commitment to address  
17 health disparities throughout the State. Specifically, section  
18 226-20(7), Hawai'i Revised Statutes, directs decision-makers to  
19 "prioritize programs, services, interventions, and activities  
20 that address identified social determinants of health to improve



1 native Hawaiian health and well-being . . . ." Additionally,  
2 the legislature recognized that eliminating health disparities  
3 and achieving health equity across demographics is a national  
4 priority, as unequal health outcomes and disparate well-being  
5 are pervasive even when people have health insurance and medical  
6 care.

7 The legislature finds that the state council on mental  
8 health is responsible for advising, reviewing, and evaluating  
9 the allocation and adequacy of mental health resources and  
10 services in the State. Accordingly, requiring the council to  
11 include members with knowledge of or work experience involving  
12 native Hawaiian concepts of well-being, culturally-grounded  
13 mental health methodologies, or traditional healing or health  
14 practices will help to systematically advance culturally  
15 responsive policies and programs that may be critical to  
16 addressing the dire mental health needs of Hawai'i's native  
17 Hawaiian and Pacific islander communities.

18 Accordingly, consistent with the commitment embodied in Act  
19 155, Session Laws of Hawai'i 2014, the legislature finds that it  
20 is now in the best interests of the State to provide appropriate



1 native Hawaiian cultural representation on the state council on  
2 mental health.

3 The purpose of this Act is to require at least two members  
4 of the state council on mental health to be individuals with  
5 demonstrated knowledge of or work experience involving native  
6 Hawaiian concepts of well-being, culturally-grounded mental  
7 health methodologies, or traditional healing or health  
8 practices.

9 SECTION 2. Section 334-10, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§334-10 State council on mental health. (a) There is  
12 established, within the department of health for administrative  
13 purposes, a state council on mental health. The council shall  
14 consist of twenty-one members appointed by the governor as  
15 provided in section 26-34. In making appointments to the  
16 council, the governor shall ensure that all service area boards  
17 of the State are represented, and that a majority of the members  
18 are nonproviders of mental health or other health services, and  
19 that a majority of the members are not state employees. The  
20 number of parents of children with serious emotional



1 disturbances shall be sufficient to provide adequate  
2 representation of such children in the deliberations of the  
3 council. The council shall be composed of residents of the  
4 State, including individuals representing:

- 5 (1) The principal state agencies with respect to mental  
6 health, education, vocational rehabilitation, criminal  
7 justice, housing, medicaid, and social services;
- 8 (2) Public and private entities concerned with the need,  
9 planning, operation, funding, and use of mental health  
10 services and related support services;
- 11 (3) Adults with serious mental illnesses who are  
12 receiving, or have received, mental health services;
- 13 (4) The families of such adults or families of children  
14 with serious emotional disturbances; and
- 15 (5) The Hawaii advisory commission on drug abuse and  
16 controlled substances who shall be a person  
17 knowledgeable about the community and the  
18 relationships between mental health, mental illness,  
19 and substance abuse.



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1        (b) At least two members of the council shall have  
2 demonstrated knowledge of or work experience involving native  
3 Hawaiian concepts of well-being, culturally-grounded mental  
4 health methodologies, or traditional healing or health practices  
5 as evidenced by:

6        (1) A college or university degree in a relevant field,  
7 such as psychology, social work, public health,  
8 nursing, Hawaiian studies, health administration or  
9 medicine, with a focus on native Hawaiian and  
10 indigenous health, transgenerational trauma, or  
11 traditional healing or health practices such as  
12 ho'oponopono, lā'au lapa'au, or lomilomi;

13        (2) Work history that demonstrates an appropriate level of  
14 knowledge of or involvement in native Hawaiian and  
15 indigenous health, transgenerational trauma, or  
16 traditional healing or health practices such as  
17 ho'oponopono, lā'au lapa'au, or lomilomi;

18        (3) Health, social, or advocacy work history addressing  
19 native Hawaiian inequities; or



1           (4) Substantial community experience as a native Hawaiian  
2           traditional and customary practitioner in healing  
3           treatments, techniques, services, or practices.

4           ~~[(b)]~~ (c) The council shall elect a chairperson from among  
5 its members. All members shall serve without compensation but  
6 shall be paid their necessary expenses in attending meetings of  
7 the council.

8           ~~[(e)]~~ (d) The council shall advise the department on  
9 allocation of resources, statewide needs, and programs affecting  
10 two or more service areas. The council shall review and comment  
11 on the statewide comprehensive integrated service plan and shall  
12 serve as an advocate for adults with serious mental illness,  
13 children with serious emotional disturbances, other individuals  
14 with mental illnesses or emotional problems, and individuals  
15 with combined mental illness substance abuse disorders.

16           ~~[(d)]~~ (e) If the department's action is not in conformance  
17 with the council's advice, the department shall provide a  
18 written explanation of its position to the council.

19           ~~[(e)]~~ (f) The council shall prepare and submit an annual  
20 report to the governor and the legislature on implementation of



1 the statewide comprehensive integrated service plan. The report  
2 presented to the legislature shall be submitted at least twenty  
3 days prior to the convening of each regular session.

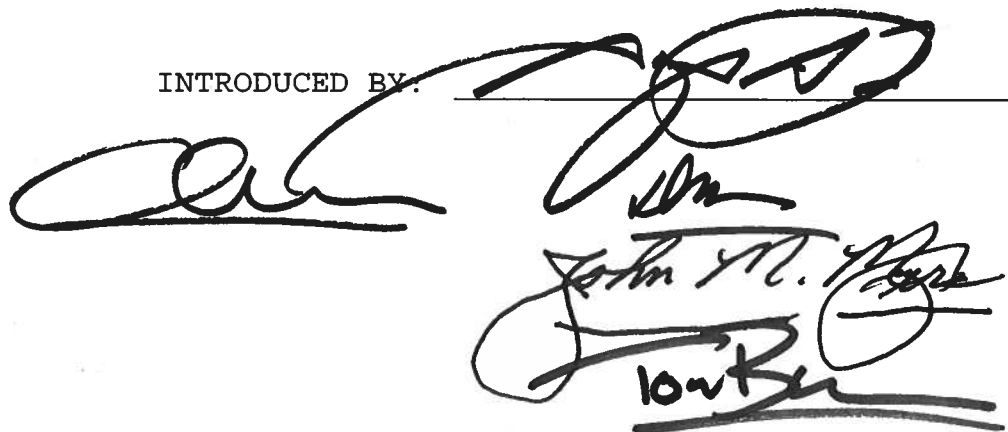
4 ~~[(f)]~~ (g) A quorum for purposes of doing business shall  
5 consist of a majority of the members serving on the council  
6 immediately before a meeting begins.

7 ~~[(g)]~~ (h) If a quorum is present when a vote is taken, the  
8 affirmative vote of a majority of members present shall  
9 constitute a valid act of the council unless this chapter, part  
10 I of chapter 92, the articles of incorporation, or the bylaws  
11 require a greater number of affirmative votes."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.  
15

INTRODUCED BY:

A series of handwritten signatures in black ink. The first signature is on the left, followed by a large, stylized signature on the right. Below these are two more signatures, one of which appears to be 'John M. ...' and another that looks like 'Lou ...'.





# H.B. NO. 292

**Report Title:**

State Council on Mental Health; Composition; Native Hawaiian Concepts and Practices

**Description:**

Specifies that at least two members of the State Council on Mental Health shall have demonstrated knowledge of or work experience involving native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices.

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

