A BILL FOR AN ACT

RELATING TO THE MENTAL HEALTH AND SUBSTANCE ABUSE SPECIAL FUND.

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

SECTION 1. The legislature finds that there is an unmet need in the State for expanded treatment facilities for high-acuity and high-cost patients with chronic substance abuse and mental health disorders. Subacute residential stabilization services, otherwise known as crisis stabilization beds, can bridge the gap for individuals in crisis for whom acute inpatient hospitalization is unnecessary but lower level residential and community treatment modalities are insufficient.

The legislature also finds that there is a need for transitional placement units that would allow an individual with severe and persistent mental illness to live semi-independently but also return quickly to higher levels of care if the individual decompensates. Crisis stabilization beds and transitional placement units are service components that are vital parts of a comprehensive continuum of care for behavioral health. Currently, Hawaii's treatment resources do not include crisis stabilization beds or transitional placement units.
The legislature finds that the individuals who would likely benefit from crisis stabilization beds often enter and reenter the health care system through emergency departments, often under a designation for emergency examination pursuant to section 334-59, Hawaii Revised Statutes, more commonly known as MH-1. After discharge from an emergency department but prior to long-term rehabilitation and treatment, some patients may require several days or weeks in a controlled environment to deescalate from their crisis. Similarly, if an individual is reintegrated to the community prematurely, the cycle of relapse and decompensation often continues. The legislature finds that crisis stabilization beds and transitional placement units would meet this important community need.

The legislature further finds that, due to focused efforts in recent years to maximize billing and reimbursement, the mental health and substance abuse special fund can sustain expanded program operations in addition to new capital improvement projects related to crisis stabilization beds and transitional placement units.

The purpose of this Act is to authorize expenditures from the mental health and substance abuse special fund to be used
for capital improvement projects for facilities owned by the State, including investment in existing state facilities that have underutilized bed space to create an inventory of crisis stabilization beds and supported transition units.

SECTION 2. Section 334-15, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There is established a special fund to be known as the mental health and substance abuse special fund into which shall be deposited all revenues and other moneys collected from certification programs and treatment services rendered by the mental health and substance abuse programs operated by the State. Notwithstanding any other law to the contrary, the department [is authorized to] may establish separate accounts within the special fund for depositing moneys received from certification programs and from each mental health and substance abuse program. Moneys deposited into the respective accounts of each program shall be used for the payment of the operating expenses or capital improvement projects of the respective program[...]; provided that no more than fifteen per cent of the expenditures per fiscal year from the mental health and substance abuse special fund and no more than fifteen per cent
of the total surplus per fiscal year of the mental health and
substance abuse special fund shall be used to fund capital
improvement projects; provided further that no funds used for
capital improvement projects pursuant to this section shall be
used for purposes of expanding inpatient forensic capacity at
the Hawaii state hospital.

For purposes of this subsection, "capital improvement
project" means:

(1) The acquisition by the State of real property;
(2) Improvements to expand capacity and serviceability of
   existing, state-owned public facilities; or
(3) The development of new state-owned public facilities."

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

SECTION 4. This Act shall take effect on December 31,
2059.
Report Title:
Mental Health and Substance Abuse Special Fund; Uses; Capital Improvement Projects

Description:
Authorizes expenditures from the mental health and substance abuse special fund to be used for certain capital improvement projects. Limits the expenditures for capital improvement projects at 15 per cent of total expenditures from the special fund and 15 per cent of the total surplus of the special fund. Excludes projects that would expand inpatient forensic capacity at the Hawaii State Hospital from permissible capital improvement projects funded from the mental health and substance abuse special fund. Effective 12/31/2059. (HD1)