
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, 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. Furthermore, Native
12 Hawaiian youth are 2 times more likely to have made a suicide
13 attempt in the last year compared to their Caucasian peers.

14 Such 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
17 Hawaiian students experience feelings of sadness or hopelessness

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

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

14 In 2014, the legislature codified a commitment to address
15 health disparities throughout the State. Specifically, section
16 226-20(7), Hawai'i Revised Statutes, directs decision-makers to
17 "[p]rioritize programs, services, interventions, and activities
18 that address identified social determinants of health to improve
19 native Hawaiian health and well-being [. . .]." Additionally,
20 the legislature recognized that eliminating health disparities
21 and achieving health equity across demographics is a national
22 priority, as unequal health outcomes and disparate well-being

1 are pervasive even when people have health insurance and medical
2 care.

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

14 Accordingly, consistent with the commitment embodied in Act
15 155 (2014), the legislature finds that it is now in the best
16 interests of the State to provide appropriate Native Hawaiian
17 cultural representation on the state council on mental health.

18 The purpose of this Act is to require at least three
19 members of the state council on mental health to be reserved for
20 individuals with demonstrated knowledge of or work experience
21 involving Native Hawaiian concepts of well-being, culturally-

1 grounded mental health methodologies, or traditional healing or
2 health practices.

3 SECTION 2. Section 334-10, Hawai'i Revised Statutes, is
4 amended to read as follows:

5 **"§334-10 State council on mental health.** (a) There is
6 established a state council on mental health. The council shall
7 consist of twenty-one members appointed by the governor as
8 provided in section 26-34. In making appointments to the
9 council, the governor shall ensure that all service area boards
10 of the State are represented, and that a majority of the members
11 are nonproviders of mental health or other health services, and
12 that a majority of the members are not state employees. The
13 number of parents of children with serious emotional
14 disturbances shall be sufficient to provide adequate
15 representation of such children in the deliberations of the
16 council. The council shall be composed of residents of the
17 State, including individuals representing:

- 18 (1) The principal state agencies with respect to mental
19 health, education, vocational rehabilitation, criminal
20 justice, housing, and social services;

1 (2) Public and private entities concerned with the need,
2 planning, operation, funding, and use of mental health
3 services and related support services;

4 (3) Adults with serious mental illnesses who are
5 receiving, or have received, mental health services;

6 (4) The families of such adults or families of children
7 with serious emotional disturbances; and

8 (5) The Hawaii advisory commission on drug abuse and
9 controlled substances who shall be a person
10 knowledgeable about the community and the
11 relationships between mental health, mental illness,
12 and substance abuse.

13 (b) The council shall elect a chairperson from among its
14 members. All members shall serve without compensation but shall
15 be paid their necessary expenses in attending meetings of the
16 council.

17 (c) At least three members of the council shall have
18 demonstrated knowledge of or work experience involving Native
19 Hawaiian concepts of well-being, culturally grounded mental
20 health methodologies, or traditional healing or health practices
21 as evidenced by:

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

8 (2) Work history that demonstrates an appropriate level of
9 knowledge of or involvement in 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 (3) Health, social, or advocacy work history addressing
14 Native Hawaiian inequities; or

15 (4) Substantial community experience as a Native Hawaiian
16 traditional and customary practitioner in healing
17 treatments, techniques, services, or practices.

18 ~~(c)~~ (d) The council shall advise the department on
19 allocation of resources, statewide needs, and programs affecting
20 two or more service areas. The council shall review and comment
21 on the statewide comprehensive integrated service plan and shall
22 serve as an advocate for adults with serious mental illness,

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1 children with serious emotional disturbances, other individuals
2 with mental illnesses or emotional problems, and individuals
3 with combined mental illness substance abuse disorders.

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

7 [~~(e)~~](f) The council shall prepare and submit an annual
8 report to the governor and the legislature on implementation of
9 the statewide comprehensive integrated service plan. The report
10 presented to the legislature shall be submitted at least twenty
11 days prior to the convening of each regular session."

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 provided that the composition of the state council on mental
16 health shall comply with this Act beginning on July 1, 2020.

17 INTRODUCED BY: _____

18 By Request