

## LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII  
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS  
830 Punchbowl Street  
Honolulu, Hawaii 96813

**Wednesday, February 13, 2013**

DLIR Conference Room 320  
830 Punchbowl Street, Honolulu, Hawaii 96813

Maui District Health Office, State Office Building  
54 South High Street, Room 415, Wailuku, Hawaii 96703

746 Hele Mauna Street  
Hilo, Hawaii 96720

### MINUTES

The meeting was called to order at 9:44 A.M. with quorum by Vice-chair, Gerald Ohta. The Neighbor Island council members from the Big Island, Maui and Kauai joined in via video and teleconferencing.

#### 1. Attendance

##### *Present:*

- |                                    |   |
|------------------------------------|---|
| – Dominic Inocelda                 | Language Access Advisory Council, Chair                                   |
| – Gerald Ohta                      | Language Access Advisory Council, Vice Chair                              |
| – Serafin “Jun” Colmenares         | Executive Director, Office of Language Access, Ex-officio                 |
| – Livia Wang for Bill Hoshijo      | Executive Director, Civil Rights Commission, Ex-officio                   |
| – Melba Bantay                     | Language Access Advisory Council Member                                   |
| – Jennifer Dotson                  | Language Access Advisory Council Member                                   |
| – Patricia Harpstrite              | Language Access Advisory Council Member                                   |
| – Margarita Hopkins                | Language Access Advisory Council Member                                   |
| – Dr. Ruth Mabanglo                | Language Access Advisory Council Member                                   |
| – Mary Santa Maria                 | Language Access Advisory Council Member                                   |
| – Dr. Tin Myaing Thein             | Language Access Advisory Council Member                                   |
| – Kristine Pagano for Francine Wai | Executive Director, Disability and Communication Access Board, Ex-officio |

##### *Excused:*

- |                      |   |
|----------------------|---|
| – Lito Asuncion      | Language Access Advisory Council Member |
| – M. Alohalani Boido | Language Access Advisory Council Member |
| – Edelene Uriarte    | Language Access Advisory Council Member |

**Guests:** Lana Choi, Kerry Evans, and Leigh Ringstad, BSRN students from UH Maui College, Outreach Program

**Staff:**

- Rebecca Gardner, legal analyst; Gail McGarvey, secretary
- Beverly Bownds, ASL interpreter

**2. Welcome and Introductions**

- The Chair welcomed all present including those participating by video and/or teleconferencing. Three student guests were introduced via videoconferencing. They were Lana Choi, Kerry Evans and Leigh Ringstad who are doing a Global Public Health internship with Mary Santa Maria at the Maui District Health Office (MDHO) and the Disaster Preparedness program this semester. They are working on a language access survey for the MDHO. Part of their learning and research is to learn about the Hawaii Language Access law and the Office of Language Access (OLA) functions and duties.

**3. Approval of minutes of the January 09, 2013 meeting**

- With no amendments or revisions, the minutes were approved as circulated.

**4. Executive Director's Report**

- Executive Director Jun Colmenares submitted a written report. Here are some highlights.
- Executive Director attended the opening of the 27<sup>th</sup> Legislative Session on Wednesday, January 16, 2013.
- He met with the Ad Hoc Committee on the 6<sup>th</sup> Annual Hawaii Conference on Language Access on Wednesday, January 16, 2013 to discuss conference theme, tentative schedule and topics/speakers.
- OLA participated in a phone interview with Momo Chang of the National Interpreter Action Network (NIAN) on the proposed legislation on January 23, 2013 at Senator Chun-Oakland's office. This interview will be published on the NIAN's website.
- He presented a PowerPoint presentation at the Language Access Law Forum held at the UH William S. Richardson School of Law on January 25, 2013 regarding Hawaii's LEP population, OLA's functions and a compliance update.
- OLA's executive director presented testimonies in support of SB58 and HB266 during Senate and House Committee hearings on January 31, 2013 and February 8, 2013, respectively.
- OLA is still waiting for appointments of representatives from a Hawaiian language advocacy organization and the County of Kauai to the council.
- No news about OLA's transfer to a new location; DAGS is still looking.

**5. Report of the Chair**

- There was no report from the Chair.

**6. Reports of Standing and Ad Hoc Committees**

- **Legislative Committee:** The Executive Director reported that SB58 and its companion bill HB266 have passed through the House and Senate subject matter committees with amendments.

- In response to Dr. Myaing’s query, the executive director explained that the bill proposes the creation of a statewide language access resource center which would maintain a roster of interpreters and translators; train state and state-funded agencies; support the recruitment and retention of interpreters and translators; provide, coordinate and publicize training opportunities for interpreters and translators; work toward identifying or creating a certification process of interpreters and translators. The proposed legislation would also include a multi-lingual website pilot project that would explore its utility and feasibility to improve language access information online to LEP populations.
- Patricia Harpstrite asked what were the amendments for SB58 SD1. The bill had been amended with changes that (1) updated recent census data and (2) revised the language regarding the public roster of interpreters/translators, listing any of their qualifications and credentials, and (3) included appropriations.
- There was a lengthy and detailed discussion regarding OLA developing a public listing of available interpreters and translators, and what types of credentials should be listed. Kristine Pagano, Disability and Communications Access Board (DCAB) and Pat Harpstrite, Hawai’i Interpreters Action Network’s (HIAN) preferences were to only list official nationally recognized certifications. OLA testimony on this issue stated that it preferred to leave the field open, so that interpreters/translators can list other qualifications and information if they did not have certificates or licenses.
- Kristine Pagano asked if the numbers of certification would be limited and what kinds of certification would be acceptable. She also commented that the proposal is very ambitious and that the staff and money being requested might not be enough. Becky Gardner responded that OLA would be responsible for making decisions on certification and what would be acceptable. Jun Colmenares also commented that the resources being requested might be small but we have to start somewhere. Pat Harpstrite expressed a preference to add a disclaimer if the credentialing info is going to be self-reported. Becky added that OLA’s preference is to keep the language in statute open for OLA to make policy decisions. Mary Santa Maria agreed that the language in statute should be broad enough so that policy decisions can be made that would best accomplish the intent of the bill.
- A motion was made by Jun Colmenares to have LAAC submit testimony for SB58 SD1 and HB266 and seconded by Gerald Ohta. The motion passed with no nays and three abstentions (Dr. Tin Myaing Thein, Patricia Harpstrite and Kristine Pagano). The chair will draft and submit testimony for the LAAC.
- **Special Projects Committee:** Rebecca Gardner reported there were no new stories submitted but asked the council to please continue to submit stories or situations about language access that has been denied. She would like to include stories for the OLA newsletter and for testimony at Crossover.
- **Plans Review Committee:** The committee is not organized yet.
- **By-Laws Committee:** The committee has not met yet.
- **2013 Language Access Month Committee:** The committee has not met yet.
- **2013 6<sup>th</sup> Language Access Conference Committee:** The committee met on January 16, 2013. The two day conference with two tracks will be on Wed/Thurs August 7-8, 2013 at the East-West Center. This year’s theme will be about language access in a community health setting; “Ola Pono”. The Hawaiian words “Ola” means “health and wellness” and “Pono” means “righteousness”. A draft program was distributed with names of tentative speakers/topics, workshops and two tracks listed. Track 1 would be for

hospital/healthcare/state and nonprofit administrators; track 2 would pertain to medical and healthcare interpreting, with a workshop on medical terminology. The committee welcomes ideas and suggestions from the council. Mary Santa Maria suggested Carie Uesugi for Track I for Language Access Plans for Hospitals and Health Clinics, formerly with Queen's Medical Center, Carie has recently moved to Maui Memorial to set up their language access plan. She is knowledgeable and has great experience in this area. For the keynote speaker, Jun Colmenares had two names listed. One is Mara Youdelman, Managing Attorney in the Washington, DC office of the National Health Law Program (NHeLP) and co-author of Ensuring Linguistic Access in Health Care Settings: Legal Rights and Responsibilities. Mary Santa Maria said she heard Mara Youdelman speak on health law and that she is an excellent speaker. The second name is Dr. J. Nadine Gracia, MD, MSCE, Deputy Assistant Secretary for Minority Health and Director of the Office of Minority Health at the U.S. Department of Health and Human Services. Mary Santa Maria suggested we try to contact Dr. Gracia first, as it might be harder to get Mara Youdelman. There are two health interpreter certification agencies and Jun plans to invite both. A letter of inquiry has been sent to Asian and Pacific Islander American Health Forum (APIAHF) in San Francisco, California, to see if they would like to participate.

- **Language Access Law Forum:** reported by Becky Gardner, the Language Access Law Forum held on Friday, January 25, 2013, at the William S. Richardson School of Law was well attended and received excellent evaluations. Photos from the law forum and evaluation comments were included in the OLA winter newsletter. Justice Sabrina McKenna was a very good speaker and her personal story about being an interpreter for her foreign speaking mother got the audience's interest. Calleen Ching, staff attorney at the Hawaii Immigrant Justice Center at the Legal Aid Society of Hawaii, gave a primer on federal and state language access laws, while Jun Colmenares, Executive Director of OLA, gave an overview of the Hawaii's LEP population, OLA's functions and state agency compliance. Bill Hoshijo was the moderator for the panel of state agencies represented by: Pat McManaman, Esq. Director, Department of Human Services; Debi Tulang-Desilva, Esq., Office of Equality and Access to the Courts (OEAC) State Judiciary; Gerald Ohta, Affirmative Action Officer, DOH Language Access Coordinator and Jun Colmenares, OLA Executive Director. The panel of community leaders in language access were: Jocelyn Howard, MSW candidate, Pacific Islands Studies, UH Manoa, East-West Center Fellow Graduate and assistant director of MCAP – Micronesian Cultural Awareness Program; Joakim "Jojo" Peter, Ph.D. Candidate, College of Education, UH Manoa; Merina Sapolu, Community Health Educator, Kooka Kalihi Valley (KKV) Comprehensive Family Services Certified Medical Interpreter and founder and instructor, KKV Medical Interpreter Training Program "Bridging the Gap". The moderator was Jenn Rose, J.D., Gender Equity Specialist, Advocacy Office, UH Manoa. The forum was videotaped and will be posted on the OLA website, with a possibility for showing on OLELO. Attorneys who met the requirements will receive Hawaii State Bar Association (HSBA) 3.25 CLE credits. Dominic Inocelda thanked the OLA staff for their hard work in putting together a successful event.

#### 7. **"I Speak" Cards**

- Marsha Tamura of Hawaii Civil Defense could not attend the meeting due to a prior commitment. Gerald Ohta said he had brought samples of "I Speak" cards, accordion style, to the Language Access Law Forum. Director Pat McManahan from the State Department of Human Services (DHS) offered to help with the printing of more cards. OLA will do a smaller, not accordion card format, just business card size with two sided printing. A

meeting will be planned to decide on card content, evaluate, process, etc. Per Dominic Inocelda the Inter-Agency Council might be an organizer.

8. **Agenda Items for Next Meeting**

- Invite State Office of Information Practices to give a talk and answer questions about the Sunshine Law, especially since there are new members on the council.
- Invite Marsha Tamura of Hawaii Civil Defense regarding “I Speak” cards.

9. **Announcements**

- The 3<sup>rd</sup> Cross Cultural Health Conference: Collaborative and Multidisciplinary Interventions presented by the John A. Burns School of Medicine, UH Mānoa, was held last week on February 8 & 9, 2013 at the Ala Moana Hotel in Honolulu. Gerald Ohta had a presentation on federal and state requirements and guidelines for language access.
- Inter-Agency Council (IAC) will meet on Wednesday, February 27, 2013 at 2:30 P.M. at Susannah Wesley Community Center.
- Mary Santa Maria made an announcement of an upcoming workshop the Maui Interpreters Hui with Maui Memorial Medical Center (MMMC) will hold on Saturday, March 1, 2013 for interpreters and medical/healthcare providers who use interpreters to get an update on what is happening with language access services, Hawaii’s language access law and for interpreters to network with providers.
- DCAB announcement from Kristine Pagano, coming up is a two day conference April 19, 20, 2013 for ASL interpreters at Kapiolani Community College. Sign language interpreters may accrue continuing education credits for attending. For more information please contact Kristine Pagano by phone (808) 447-1397 or email [Kristine.Pagano@doh.hawaii.gov](mailto:Kristine.Pagano@doh.hawaii.gov).
- The Eighth National Conference on Quality Health Care for Culturally Diverse Populations will be held March 11-14, 2013 at the Oakland Marriott City Center in Oakland, California. Jun Colmenares, Dominic Inocelda and Gerald Ohta are registered to attend.
- Next Language Access Advisory Council Meeting has been moved up to Wednesday, March 06, 2013 at 9:30 AM – 11:00 AM as the Executive Director, Chair and Vice-chair will be out-of-town attending the above mentioned conference in Oakland, California.

10. **Adjournment**

- Meeting was adjourned at 11:12 AM