
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that children who are
2 deaf, hard of hearing, or deaf-blind have the same ability and
3 capability to learn language as their peers who do not have a
4 similar disability. The ability and right to develop language
5 are central to the human experience and necessary prerequisites
6 to literacy as well as cognitive, emotional, linguistic,
7 academic, and social growth and the chance for children to
8 evolve into healthy and productive members of society.

9 The legislature further finds that the department of health
10 and the department of education are committed to collaborating
11 to improve services for children who are deaf, hard of hearing,
12 or deaf-blind so that they begin kindergarten with the necessary
13 language skills to acquire the knowledge and academic
14 competencies that will allow them to be successful in school and
15 life.

16 The legislature further finds that under the Individuals
17 with Disabilities Education Act (IDEA), P.L. 108-446:



1 (1) The department of health, early intervention section
2 is responsible, under part C, for the provision of
3 early intervention services as identified in the
4 child's individualized family support plan to children
5 from birth to age three years with special needs and
6 their families;

7 (2) The department of education is responsible, under part
8 B, for the provision of special education and related
9 services as identified in the child's individualized
10 education program to children age three to five years
11 with special needs; and

12 (3) The executive office on early learning is responsible
13 for coordinating the early childhood education
14 services in the pre-kindergarten program within the
15 public school system.

16 The legislature further finds that children who are deaf,
17 hard of hearing, or deaf-blind are diverse and include children
18 with congenital or acquired hearing loss, unilateral and
19 bilateral hearing loss, all degrees of hearing loss from minimal
20 to profound, and all types of hearing loss.

21 The purpose of this Act is to:



- 1 (1) Enhance early language services for children from
- 2 birth to age five years who are deaf, hard of hearing,
- 3 or deaf-blind within the department of health to
- 4 support age-appropriate language development; and
- 5 (2) Establish a working group for the purposes of
- 6 investigating issues related to resources and tools
- 7 for parents of children who are deaf, hard of hearing,
- 8 or deaf-blind and improvements to the statewide system
- 9 of services that support age-appropriate language
- 10 development for children from birth to age five who
- 11 are deaf, hard of hearing, or deaf-blind.

12 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
 13 amended by adding a new section to part XXVIII to be
 14 appropriately designated and to read as follows:

15 "§321- Early language services for children who are
 16 deaf, hard of hearing, or deaf-blind. Early intervention
 17 services for infants and toddlers may include, but not be
 18 limited to, service providers and mentors of the deaf, hard of
 19 hearing, or deaf-blind who use American sign language; service
 20 providers and mentors of the deaf who use oral language;
 21 American sign language teachers for families of young children;



1 family-to-family support; and training of early intervention
2 providers."

3 SECTION 3. (a) The department of health, department of
4 education, and executive office on early learning shall
5 establish and convene a working group for the purpose of making
6 recommendations to the legislature on issues related to
7 supporting age-appropriate development for children from birth
8 to age five years who are deaf, hard of hearing, or deaf-blind.
9 The working group shall include the following members to be
10 selected by the director of health:

- 11 (1) One parent of a child who is deaf, hard of hearing, or
12 deaf-blind who uses American sign language;
- 13 (2) One parent of a child who is deaf, hard of hearing, or
14 deaf-blind who uses oral language;
- 15 (3) One parent of a child who is deaf, hard of hearing, or
16 deaf-blind who uses a cochlear implant device;
- 17 (4) One parent of a child who is deaf-blind;
- 18 (5) One individual who is deaf, hard of hearing, or deaf-
19 blind who uses American sign language;
- 20 (6) One individual who is deaf, hard of hearing, or deaf-
21 blind who uses oral language;



- 1 (7) One credentialed teacher who uses American sign
2 language for children under age six years who are
3 deaf, hard of hearing, or deaf-blind;
- 4 (8) One credentialed teacher who uses oral language for
5 children under age six years who are deaf, hard of
6 hearing, or deaf-blind;
- 7 (9) One early intervention specialist who works with
8 infants and toddlers using American sign language;
- 9 (10) One early intervention specialist who works with
10 infants and toddlers using oral language;
- 11 (11) One audiologist or speech language pathologist with
12 knowledge of language assessment and intervention for
13 children who are deaf, hard of hearing, or deaf-blind;
- 14 (12) One representative from the English as a second
15 language community;
- 16 (13) One representative from the department of health
17 disability and communication access board;
- 18 (14) One representative from the department of health
19 newborn hearing screening program;
- 20 (15) One representative from the department of health early
21 intervention section;



1 (16) One representative from the department of education;
2 and

3 (17) One representative from the executive office on early
4 learning.

5 Excluding the members who are parents of children who are
6 deaf, hard of hearing, or deaf-blind, the majority of the
7 remaining members shall be deaf, hard of hearing, or deaf-blind
8 and represent the diversity of their community which includes
9 deaf culture, hard of hearing, cochlear implant and hearing aid
10 users, unilateral hearing loss, auditory neural hearing loss,
11 and cultural diversity. At least one member shall be a
12 representative from the county of Hawaii, Maui, or Kauai. At
13 least one parent member shall be deaf, hard of hearing, or deaf-
14 blind. Two parent members shall have children who are deaf,
15 hard of hearing, or deaf-blind who are under six years of age at
16 the time of appointment by the director of health.

17 (b) The working group shall examine, research, and make
18 recommendations for the following:

19 (1) A resource guide for parents of children who are deaf,
20 hard of hearing, or deaf-blind that may include
21 milestones of age-appropriate language development,



- 1 websites related to deafness and hearing loss,
2 national and state organizations and resources for
3 families, terms and definitions related to deafness
4 and hearing loss, and communication choices;
- 5 (2) Tools used to assess and plan language development
6 services for children from birth to age five years who
7 are deaf, hard of hearing, or deaf-blind;
- 8 (3) Data and the availability of data on the language and
9 literacy development for children from birth to age
10 five years who are deaf, hard of hearing, or deaf-
11 blind;
- 12 (4) Improvements concerning the statewide system of
13 services that support age-appropriate language
14 development for children from birth to age five years
15 who are deaf, hard of hearing, or deaf-blind; and
- 16 (5) Improvements concerning the transition of children at
17 age three years from the department of health early
18 intervention services to the department of education
19 services.
- 20 (c) All activities of the departments of health and
21 education in implementing this section shall be consistent with



1 federal law regarding early intervention and the education of
2 children with disabilities.

3 (d) The working group shall submit an interim report of
4 its findings and recommendations, including any proposed
5 legislation and a proposed extension of the working group, to
6 the legislature no later than twenty days prior to the convening
7 of the regular session of 2017, and a final report of the
8 working group's findings and recommendations, including any
9 proposed legislation, to the legislature no later than twenty
10 days prior to the convening of the regular session of 2018.

11 (e) The working group shall cease to exist on June 30,
12 2018.

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 2016.

APPROVED this 30 day of JUN, 2016



GOVERNOR OF THE STATE OF HAWAII