



# DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

## AGENDA

### Disability and Communication Access Board General Meeting

Location: AAFES Building  
919 Ala Moana Blvd., Fifth Floor Conference Room  
Date: July 20, 2017  
Time: 11:00 a.m. to 1:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Executive Director's Report
  - Office Move
  - Personnel
  - Budget
- IV. Old Business
  - A. City and County of Honolulu, Bill 28 (2017) – A Bill for an Ordinance Relating to Public Transit (regarding Transit/HandiVan Fares) – Update
  - B. ADA Coordination Update
- V. New Business
  - A. City and County of Honolulu, Bill 67 (2017) – A Bill for an Ordinance Relating to Curb Ramps
  - B. City and County of Honolulu, Bill 68 (2017) – A Bill for an Ordinance Relating to Special Transit Service (HandiVan, paratransit) (refer to staff summary)
  - C. Act 64 (2017) – Relating to Public Meetings (relating to Boards and Commissions) (refer to staff summary)
  - D. Approval of the Plan of Action for Fiscal Year 2017-2018
  - E. Election of Officers
  - F. Appointment of Committees

VI. Committee Reports

- A. Executive Committee (No report)
- B. Legislative Committee
  - End of the Year Report
- C. Standing Committee on Communication Access
  - Hawaii Quality Assurance System – Update
  - Hawaii Administrative Rules, Title 11, Chapter 218, “Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind”
  - Other Communication Activities from the FY 2016-2017 Plan of Action
- D. Standing Committee on Facility Access
  - Document Reviews – Update
  - Hawaii Administrative Rules, Title 11, Chapter 216, “Disability and Communication Access Board Rules of Practice” – Update
  - Other Facility Access Activities from the FY 2016-2017 Plan of Action
- E. Standing Committee on Parking
  - Parking Renewal Notification Policy Change – Update
  - Memorandums of Agreement with the Counties – Update
  - Statistics – Update
  - Other Parking Activities from the FY 2016-2017 Plan of Action
- F. Special Parent Information Network
  - Update of Activities for Informational Purposes Only

VII. Open Forum

VIII. Next Meeting: September 21, 2017

IX. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact (808) 586-8121 (voice) or email at [dcab@doh.hawaii.gov](mailto:dcab@doh.hawaii.gov) by July 14, 2017.



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### MINUTES

#### Disability and Communication Access Board General Meeting

Location: AAFES Building  
919 Ala Moana Blvd., Fifth Floor Conference Room  
Date: July 20, 2017  
Time: 9:00 a.m. to 11:00 a.m.

PRESENT: Bryant Yabui, Vice Chairperson; Monty Anderson-Nitahara, Pauline Aughe, Bill Bow, Ed Chevy, Rosanna Daniel-Kanetake, Scott Fleming<sup>1</sup>, Nikki Kepoo, Marie Kimmey<sup>1</sup>, Summer Kozai, Phyllis Meighen, Landa Phelan, Misella Tomita, Board Members; Francine Wai, Debbie Jackson, Kristine Pagano, Kirby Shaw, Duane Buote, Colin Whited, Staff

ABSENT: Michael Okamoto, Chairperson

#### SIGN LANGUAGE

INTERPRETERS: Michele Morris and Laura Safranski

GUESTS: Pua McBride, Peggy Liang, Lynn Murakami-Akatsuka

I. The meeting was called to order by Vice Chairperson Bryant Yabui in the absence of Chairperson Michael Okamoto at 11:17 a.m.

#### II. Executive Director's Report

- Office Move. Francine Wai noted that the most significant announcement is the move of the office to 1010 Richards Street, Room 118 on June 1, 2017. We officially closed our old office on June 30, 2017 by disposing of unused furniture and cleaning the spaces assigned to DCAB. The former office was turned over by the Department of Accounting and General Services (DAGS) to the Office of Hawaiian Affairs (OHA), the building's owner. Although we are moved and are functional, we are not one hundred percent complete with the move, in part because there were many "extras" that were not budgeted for by DAGS and must be paid by the program which involved extensive paperwork. We just installed, at our expense, an automatic door opener and security cameras for the front and back doors to the DCAB office. There are pending expenses for other items, such as door kick plates, and a Phase 3 of modular furniture change orders. We expect a completion of our office in mid- to late August. Because we were the first occupants in the building on the first floor, we were the "test guinea pigs" for

<sup>1</sup> Board members Scott Fleming and Marie Kimmey did not vote at this meeting due to not having received their Oath of Office to complete.

every procedure and formality, especially the telecommunications. Francine Wai also noted that the full occupancy of the building is not expected until October 2017 and some services, such as recycling and wifi, are not being operationalized until the building is fully occupied. The building front door still has not passed inspection. We will continue to have our Board meetings at AAFES Building for the remainder of this year and hope that everything will be smoother by the time 2018 arrives.

- Personnel: Francine Wai reported that Colin Whited has been hired, as of July 3, 2017 as the new Communication Access Specialist. We are pleased to have him on staff, although sorry to lose him as a valuable Board member.
- Budget: Francine Wai reported that the Administration has imposed across-the-board cuts to all programs with general funds due to unknown revenue projections from the Council of Revenues. The Administration is targeting ten percent and only releasing the first quarter appropriation to the programs. Our first quarter general fund appropriation is about \$250,000, which will result in about \$25,000 in restrictions. We are uncertain as to whether the restrictions will continue in subsequent quarters. When Francine Wai prepares the budget for the Executive Committee, she will prepare various options for review.

### III. Old Business

#### A. City and County of Honolulu, Bill 28 (2017) – A Bill for an Ordinance Relating to Public Transit (regarding Transit/HandiVan Fares) – Update

Kirby Shaw provided members with an update on the proposed changes in fares for TheBus and TheHandi-Van. Bill 28 (2017) Relating to Public Transit would have increased the fare for one way trips on TheHandi-Van paratransit service from the current \$2.00 per trip to \$4.00 per trip by January 1, 2020. DCAB submitted testimony in opposition to Bill 28 because the higher fares would negatively impact low income passengers. Bill 28 was amended by CD1, which removed all references to TheHand-Van fares, meaning that there would be no Handi-Van fare increase via this bill. However, a Department of Transportation Services study recommended future Hand-Van fare increases because the cost of the service is unsustainable.

#### B. ADA Coordination Update

Members were referred to the ADA Coordination Update provided by staff. Debbie Jackson added that two staff members attended the National ADA Symposium in Denver this year.

### IV. New Business

#### A. City and County of Honolulu, Bill 67 (2017) – A Bill for an Ordinance Relating to Curb Ramps

Members were referred to the staff summary mailed out with the agenda. Francine Wai noted that this bill will add 'parking in front of curb ramps' as another location in a laundry list of locations where parking is prohibited and

subject to a traffic infraction. The Board voted to support Bill 68 (M/S/P Bow/Phelan).

B. City and County of Honolulu, Bill 68 (2017) – A Bill for an Ordinance Relating to Special Transit Service (HandiVan, paratransit)

Bryan Mick referred members to the staff summary mailed to all members. In addition to the information provided in the staff summary regarding paratransit fares and contracting with human service providers, he added that Bill 68 (2017) would amend the Revised Ordinances of Honolulu (ROH) requirement that the Department of Transportation Services (DTS) contract the special transit services to the same entity created under Chapter 13, Article 8 to administer TheBus. By changing the word 'shall' to 'may' the City in the future could award the contract to provide special transit services, or continue to have a single entity run both services. The recently released Paratransit Growth Management Study (PGMS) recommends that the City Council commission a study to investigate the cost-benefits of separating the management of TheBus from TheHandi-Van. Should the Council decide this is the policy direction it wants to pursue, Bill 68 would allow for the separation of TheBus and TheHandi-Van to occur. The Board voted to support Bill 68 (M/S/P Kepoo/Kimmey).

C. Act 64 (2017) – Relating to Public Meetings (relating to Boards and Commissions)

Francine Wai referred members to the staff summary mailed to all members. The summary provided a brief overview of Act 64, enacted this Legislative session. Because it is already enacted, it does not require any Board action. It is not a disability-related legislation. However, it does impact the way boards and commissions operate, including DCAB, and has disability implications. The Act will require boards and commissions to make all meeting materials available to the public at the time they are made available to Board members.

D. Approval of the Plan of Action for Fiscal Year 2017-2018

During the Annual Planning meeting that immediately preceded the Board meeting, the Board reviewed the proposed Plan of Action as drafted. Francine Wai noted the two changes that were made during the Planning meeting as follows: Objective 7.1.1 in Transportation, the Board added reference to "ride hailing services in the list of transportation options to be monitored for accessibility, and added a new objective in Transportation deleting references to Handi-Van and TheBus and left the wording as 'paratransit' and 'bus service' to ensure that the objective was not limited to Oahu only. The Board voted to approve the proposed Plan of Action, as presented with the two amendments (M/S/P Meighen/Phelan).

E. Election of Officers

The Nominating Committee consisting of members Lynn Murakami-Akatsuka, Barbara Fischlowitz-Leong, and Anthony Riecke-Gonzales provided a proposed Slate of Officers for fiscal year 2017-2018. The proposed slate is

Bill Bow for Chairperson and Monty Anderson-Nitahara for Vice Chairperson. The elections were open to nominations from the floor but none was received. The Board voted to elect officers as proposed by the Nominating Committee (M/S/P Aughe/Kepoo).

F. Appointment of Committees

Francine Wai noted that she will be confirming with members as to their desire to serve on a Committee and send out a list of Committee assignments. She is assuming that returning members will wish to serve on the same committee(s) as in the past unless otherwise informed.

V. Committee Reports

A. Executive Committee (No report)

B. Legislative Committee

Debbie Jackson referred members to the End-of-the-Year Legislative Report mailed to all members.

C. Standing Committee on Communication Access

Chairperson Misella Tomita reported that the Standing Committee on Communication Access met once since the last meeting. It was announced that, moving forward, DCAB will administer the Hawaii Quality Assurance System (HQAS) test upon request. The Committee is continuing to work on the administrative rules with input from the community, especially interpreters. The Committee still has work to do on the required provision of services, definitions, description of credential levels, and recommended fee schedule. The Committee will continue to wait until all the changes are made before asking for a full Board vote.

The Committee will meet after today's General meeting. In addition to the administrative rules, the following items are on the agenda: (a) Funding for local organizations sponsoring continuing education workshops for sign language interpreters; (b) Working Group of stakeholders to examine the need for possible regulation and oversight of American Sign Language (ASL) interpreters and ASL interpreter referral agencies; and (c) Legislation on open captioning and audio description at movie theaters.

D. Standing Committee on Facility Access

Bill Bow reported for outgoing Chairperson Anthony Riecke-Gonzales. He reported that the Facility Access Unit completed 302 document reviews in the fourth quarter of fiscal year 2016-2017. Revenues were on track with projections. He also reported that the DCAB Administrative Rules, Title 11, Chapter 216 were signed by the Governor on May 4, 2017 with an effective date of May 14, 2017. The rules conform our definition of buildings, facilities, and sites to statute. The Committee also reviewed the fee schedule to interpret the existing fee structure as to how the infrastructure cap should be applied to different types of projects. Finally, the Committee reviewed the

goals and objectives for facility access that were incorporated into the Plan of Action already discussed.

E. Standing Committee on Parking

Chairperson Pauline Aughe stated that the Standing Committee on Parking last met on July 6, 2017. She noted that DCAB discontinued mailing renewal notices to permittees whose permits expire in July 2017 or later. Permittees are now responsible for noticing the expiration date on the placards and identification card. The Memorandums of Agreement with the four Counties have all been executed and will remain in effect until June 30, 2019.

With respect to statistics, in the fourth quarter of fiscal year 2017, 7,279 placards were issued: 1,546 were temporary placards, while 5,733 were long term placards. Of the long term placards, 2,489 were renewals issued by DCAB. Twenty-eight thousand eight hundred dollars (\$28,800) was reimbursed to the Counties for placard issuance.

She provided some additional updates from the Plan of Action. DCAB began using a separate application form for existing permittees who want to renew their long term placards. The database and application forms have been modified to collect applicant emails addresses. This is optional for permittees. It will allow DCAB to notify permittees of changes to the parking program, and possibly of pending permit expirations, in the future. The parking locator app was updated and is now available for use on iPhones. Staff updated the Parking Program User Guide (for permittees) and the Parking Manual (for database users). These items will be distributed soon.

F. Special Parent Information Network

A written staff report will be attached to the minutes. Francine Wai reported that SPIN is in the process of planning for their Annual SPIN Conference in 2018 that will be held on April 21 at the UH Campus Center. More information will be forthcoming. SPIN staff is also involved in preparing the Special Education Advisory Council Annual Report. SPIN staff was also a participant advisor in the screening of the new Superintendent of Education.

VI. Open Forum

There were no comments from the public. Bryant Yabui and Francine Wai stated that staff forgot to include an agenda item to approve the minutes of the May 18, 2017 Board meeting. Thus, the agenda of the next meeting in September will include an agenda item to approve minutes of both the May 18, 2017 meeting and today's July 20, 2017 meeting.

VII. Next Meeting

Francine Wai reported that the survey of Board members indicated that changing the dates of the September and November meetings to September 14, 2017 and November 9, 2017, respectively, was agreeable to members. This will allow staff to attend conferences and workshops that were recently announced. The 2018 dates

will remain unchanged at the third Thursday of the month. Staff will send out a list of new dates to all the members.

VIII. The meeting was adjourned at 12:20 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



FRANCINE WAI





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### Disability and Communication Access Board General Meeting ADA Coordination Update July 20, 2017

Since the last Board meeting on May 11, 2017, ADA Coordination activities included:

1. Technical assistance relating to programs and services provided by all staff (March and April 2017) to the following State or County ADA Coordinators or Departments:

#### Situation/Department/Agency

#### Issue

University of Hawaii

A student with a disability is allowed to have a live-in personal care attendant (PCA). Is the University responsible for providing meals for the PCA?

*Lodging is reasonable, but not meals. It may be considered a reasonable accommodation to allow the PCA to participate in the meal plan at the University, at his or her own expense.*

Health

Working on making one agency's web site accessible. Is there any review for Section 508 compliance?

*The State incorporated Section 508 compliance in the Comptroller's Memo in 2010, but has not updated it yet. If the IT personnel are instructed to use Web Content Accessibility Guidelines (WCAG) 2.0 at the AA level, that will provide web site compliance for people with disabilities. At this time, if those guidelines are followed the web site will meet minimum compliance.*

Transportation

Do all the airports now have a service animal relief area inside the sterile areas (beyond TSA), and where are they located?

*All of the airports, except Hilo, provide a relief area in the sterile areas and maps are on the DOT website, but not easy to locate. Hilo is currently under construction. One viewer who is blind offered comment that the pdf document was not accessible, and a text description of where the area is located should be provided.*

Public Safety

A Deaf inmate wants to enroll in a class that other inmates are allowed to enroll in. The class is once a week for two hours per class. Who is responsible to pay for the interpreter?

*The Department of Public Safety offers the class and if the inmate is qualified to take the class and has requested an interpreter, the Department is responsible to pay. If the class is two hours of continuous talking, two interpreters may need to be hired for the class.*

County of Maui

Should the paratransit agency be concerned about transporting passengers carrying medical marijuana? *Smoking of the medical marijuana is prohibited on vehicles, so it should not be used while the rider is on the vehicle. Cannot prohibit the person from carrying it with them, if they are not using it.*

2. Hosted two ADA webinars:
  - One webinar sponsored by the Pacific ADA Center and the Federal Emergency Management Agency (FEMA) on:
    - “Clear and Effective Emergency Communications over Wireless Devices”
  - One webinar sponsored by the U.S. Access Board on:
    - “Common Errors and Omissions,”
3. Two DCAB staff members attended the ADA Symposium in Chicago between May 14 – 17, 2017.
4. Three DCAB staff members conducted a panel presentation: “A DCAB Overview” (ADA Coordination, Facility Access, and Program and Policy Development) for the disability access service providers of the University of Hawaii System.
5. Maintained current information on the ADA Coordinators secured web site and DCAB’s web site by ensuring a current list of ADA Coordinators was available.
6. Staffed one State ADA Coordinators Orientation meeting, one State ADA Coordinators meeting, and attended and participated in one County ADA Coordination meeting.
7. Provided technical assistance to the Ethics Commission, Office of the Ombudsman, Office of Elections, Libraries, Regulated Industries Complaints Office, Departments of Agriculture, Education, Health, Public Safety, University of Hawaii at Manoa, University of Hawaii–Hilo, and the Counties of Maui, Kauai and City and County of Honolulu on various issues related to access to programs and services.
8. Provided technical assistance to the Hawaii Health Systems Corporation, Departments of Education, Health, Taxation, Transportation, the various campuses of the University of Hawaii, and the Counties of Hawaii, Kauai, Maui on reasonable accommodations for employees with disabilities.
9. Provided technical assistance to one hundred sixty-two callers in May and June 2017 on issues related to the ADA, and a total of nine hundred fifteen calls during the fiscal year.

Any questions regarding ADA Coordination activities should be directed to Debbie Jackson at 586-8121 or [debbra.jackson@doh.hawaii.gov](mailto:debbra.jackson@doh.hawaii.gov).



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### STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING July 20, 2017

**TOPIC:** Honolulu City Council Bill 67 (2017) – A Bill for an Ordinance Relating to Curb Ramps

**SUMMARY:**

Bill 67 (2017) would amend the Revised Ordinances of Honolulu (ROH) to make it illegal to stop, stand, or park a vehicle in front of a curb ramp, except when necessary to avoid conflict with other traffic or in compliance with the law or directions of a police officer or traffic control device.

**ANALYSIS:**

Curb ramps are an important feature of sidewalks that allow a person with a disability to safely transition from the street to the sidewalk or vice versa. They are required under the Americans with Disabilities Act (ADA) when necessary to provide an accessible path of travel for both Title II and Title III covered properties. If a vehicle is allowed to park in front of a curb ramp, the accessible path of travel is blocked and therefore renders the curb ramp useless.

**STAFF RECOMMENDATION:**

Staff recommends that DCAB submit written testimony in support to Bill 67 (2017).



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### STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING July 20, 2017

**TOPIC:** Honolulu City Council Bill 68 (2017) – A Bill for an Ordinance Relating to Special Transit Service

#### SUMMARY:

Bill 68 (2017) would amend the Revised Ordinances of Honolulu (ROH) to add several definitions, create a fare table that would maintain the current fare rates for Americans with Disabilities Act (ADA) complementary paratransit trips, establish higher fares for trips that exceed ADA complementary paratransit trips, allow the Department of Transportation Services (DTS) to negotiate with qualified human services organizations and charge a higher fare provided it does not exceed applicable rules set by the Centers for Medicare and Medicaid for paratransit services, and to allow DTS to establish a taxi subsidy program.

#### ANALYSIS:

Bill 68 implements several of the recommendations contained in the recently released DTS paratransit study. This study concluded that without several major policy changes, the increased demand for paratransit rides would degrade the on time performance to a point where the system would not be in compliance with ADA requirements. One of these policy changes would be for a higher fare to be set for services which exceed ADA complementary paratransit trips. These are defined as same day one-way passenger trips, passenger trips to or from locations outside the core service area for the special transit service (i.e., outside of the three quarter mile corridor around the fixed route service area), and passenger trips occurring outside the hours and days of fixed route service regularly provided by TheBus.

Similarly rides provided by qualified human service agencies are considered to exceed the ADA complementary paratransit definition and can charge a higher rate. This bill would establish that ability in ordinance and hopefully encourage more agencies to provide paratransit services to their clients, lessening the demand on TheHandi-Van.

The paratransit study states that in fiscal year 2016 an average one way ride on TheHandi-Van cost \$45.39. The cost for supplemental service provider, such as taxis, to provide equivalent service was \$22.33. Therefore, the study recommends implementing a taxi voucher program for a five-year period. This Bill would establish in ROH the ability for DTS to establish such a program.

#### STAFF RECOMMENDATION:

Staff recommends that DCAB submit written testimony in support to Bill 68 (2017).



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### STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING July 20, 2017

TOPIC: Act 64 (2017) – Relating to Public Meetings (Boards and Commissions)

SUMMARY:

Governor Ige signed HB 165, HD1, SD2, CD1 into law as Act 64 (2017). This Act impacts public meetings and the way that Boards and Commissions operate. The Act does the following:

- (1) Board packets for public inspection: Boards must make board packets available for public inspection in the board's office at the time they are distributed to board members, to the extent that the documents are publicly disclosable under the UIPA. Disclosure is not required of executive session minutes, license applications, or other records for which the board cannot reasonably complete its redaction of non-public information in the time available before the public inspection required by the bill. Packets need not be mailed to requesters, but boards must accommodate requests for electronic access to the packet as soon as practicable.
- (2) Electronic notice of meetings: Sunshine Law meeting notices must be posted on state and county electronic calendars, with copies to be provided for posting in a central location in paper or electronic format by the Lieutenant Governor's Office for state boards and County Clerks for county boards. Boards are still required to provide copies of the notice and agenda to the Lieutenant Governor's Office or County Clerk, but as the electronic calendar will provide the official notice required by the Sunshine Law, the failure to file timely copies of notices with the Lieutenant Governor's Office or County Clerks will not require cancellation of the meeting. When the notice is electronically posted, boards must continue to send notices to requesters by postal mail, or electronically if so requested; as before, the Sunshine Law will continue to require cancellation of a meeting if a board fails to comply with this amended requirement to notify requesters.
- (3) Meeting minutes may be kept in recorded form and must be posted online: In lieu of written minutes, a board may now keep its minutes in a digital or analog recording format (e.g., via a tape recorder) and provide a written summary (Note: The Act provides specificity on the contents of a summary discussion of each agenda item) and when motions and votes were made by the board.

Boards must post their written minutes, or minutes in recorded format with a written summary, on their web site or an appropriate state or county web site within forty days after the meeting.

STAFF RECOMMENDATION:

No action is needed, as this is a final law. To give boards and the posting bodies time to learn and implement the new requirements, the bill will take effect on July 1, 2018. The major impact to DCAB will be the posting of minutes online, which we have not done before. The major impact to state agencies in general will be to ensure that minutes are posted and are accessible and not posted in a non-accessible PDF format.



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### Disability and Communication Access Board General Meeting July 20, 2017

#### Legislative Wrap Up

The 2017 Legislative session has concluded and DCAB monitored and testifying on many bills that had an impact on the disability community. There was a total of 2,918 bills introduced this session and DCAB took position on 74 measures. The deadline for the Governor to sign or veto bills was July 11, 2017. The following is a list of some of the key bills and issues DCAB took positions on this session.

DCAB sponsored bills that were introduced as part of the Governor's Package but did not survive the 2017 session included:

HB 1106/SB 972 – Relating to Licensing of American Sign Language Interpreters. Requires an American Sign Language interpreter to be licensed to work in Hawaii. Appropriates funds to implement the American Sign Language English Interpreter Licensing Program. Both bills were deferred after their respective subject matter committees.

HB 1107/SB 973 – Relating to the Regulation of American Sign Language Interpreter Referral Agencies. Regulates Interpreter Referral Agencies by requiring registration with the State of Hawaii. Includes sections about agency responsibilities, consumer rights, protections for those harmed by using an interpreter referral agency to obtain an interpreter. Deferred after their respective subject matter committees.

HB 1108, HD1/SB 974, SD2 – Relating to Parking for Disabled Persons. Limits the exemption from parking meter fees to drivers with a disability who are unable to operate a parking meter because of the driver's disability and who display a distinguishing parking permit or decal that so indicates. Clarifies time limits applicable to the exemption. HB 1108, HD1 was not scheduled for hearing in the House Committee on Transportation. SB 974, SD2 crossed over to the House and was not scheduled for hearings in the subject matter committees. Both can be resurrected during the 2018 Legislative session.

HB 1109, HD1/SB 975, SD1, HD1 – Relating to Parking for Disabled Persons. Clarifies the authority of law enforcement officers or commissioned volunteer enforcement officers to confiscate disability parking permits that are used unlawfully. Specifies that the sale or purchase of a disability parking permit is a misdemeanor. HB 1109, HD1 was not scheduled for hearing in the House Committee on Judiciary. SB 975, SD1, HD1 was not scheduled for hearing in the House Committee on Judiciary. Both can be resurrected during the 2018 Legislative session.

The following bills are from the Deaf and Blind Task Force and the Kupuna Caucus:

HB 475, HD1, SD2, CD1/SB 1156 – Relating to Movie Theaters. Removes the sunset date of Act 39, Session Laws of Hawaii 2015, thereby making permanent the requirements for a public accommodation that owns, leases, leases to, or operates a motion picture theater in more than two locations in the State to provide open movie captioning during at least two showings per week of each motion picture that is produced and offered with open movie captioning and audio descriptions upon request for all motion pictures for which such accommodations are available and provide public notice if such accommodations are not available for certain movies.

HB 475, HD1, SD2, CD1 reduces the number of open captioned movie showings from 2 to 1 per week OR allows the theater to make lightweight eyewear available for movies, extends the sunset date to January 1, 2020 and asks the Department of Business, Economic Development, and Tourism to conduct a survey of theaters to determine the operational and fiscal impact of open captioning on theaters. HB 475, CD1 was enrolled to the Governor for signature. This bill was not on the Governor's list of bills to be vetoed, so if he does not sign it by July 11, 2017, it will become law without his signature.

SB 1156 crossed over to the House and was deferred in the House Committee on Economic Development and Business.

HB 613/SB 535, SD2 – Relating to Hearing Aids. Requires health insurance policies and contracts issued after 12/31/18 to provide coverage for the cost of hearing aids at a minimum of \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months.

HB 613 was introduced and referred to two committees in the House. No hearings were scheduled.

SB 535, SD2 crossed over to the House and was referred to the joint House Committees on Health and Consumer Protection and Commerce, and then to the House Committee on Finance. No hearings were scheduled in the House.

Both bills may be resurrected during the 2018 Legislature.

SCR 32, SD1, HD1/HCR 43 – Requesting the Auditor to Conduct a Study Regarding Professional Licensure of American Sign Language Interpreters and Regulation of Interpreter Referral Agencies. This measure asks the Legislative Auditor to conduct a sunrise review to determine whether or not licensure of American Sign Language (ASL) interpreters and/or regulation of ASL interpreter referral agencies is necessary in Hawaii.

HCR 43 was introduced and referred to two committees in the House. No hearings were scheduled. Resolutions are alive only during the session in which it was introduced. This resolution is dead and no further action can be taken on it.



The title of SCR 32, SD1, HD1 changed to "Requesting the Department of Health, Office of Language Access and the Disability and Communication Access Board to Jointly Convene a Working Group of Stakeholders to Examine the Need for Possible Regulation and Oversight of American Sign Language Interpreters and American Sign Language Interpreter Referral Agencies in Hawaii." The resolution named 11 agencies that will be represented on the working group and listed 4 factors to be considered in the conducting of the review. Findings and recommendations from the working group are to be reported to the Legislature twenty days prior to the beginning of the 2018 Legislative session. The working group will cease to exist on June 30, 2018.

Copies of SCR 32, SD1, HD1 adopted by the Legislature and certified by the Assistant Senate Chief Clerk were sent to all agencies listed in the resolution.

Another bill of interest that was introduced and heard this session was HB 646, HD1 Relating to Disabled Parking. The purpose of the bill was to allow individuals who are blind or visually impaired to be eligible to receive a parking for persons with disabilities parking permit. The bill crossed over to the Senate and was deferred. Senator Josh Green, Chair of the Senate Committee on Human Services, sent a letter to DCAB asking for a study on the issue to determine the possibility of including people who are blind or visually impaired in the eligibility criteria for a disability parking permit. DCAB responded that we are willing to convene a group of stakeholders and conduct an informational briefing for the Legislature on the topic.

The above is not an exhaustive list of bills that impacted persons with disabilities. DCAB tracked a total of 128 measures on various topics impacting access or equality for persons with disabilities. The bills listed here are the ones that DCAB was most actively involved with in providing testimony. DCAB staff attends regular meetings of the Kupuna Caucus, Deaf and Blind Task Force, and the Keiki Caucus.

For information about DCAB's position or the content of any bill, contact Debbie Jackson at 586-8121 or by e-mail to [debbbra.jackson@doh.hawaii.gov](mailto:debbbra.jackson@doh.hawaii.gov).

## **SPIN Report for July 2017**

### **2018 SPIN Conference**

SPIN Advisory Committee members came together for their annual planning dinner on June 13<sup>th</sup> and selected a date and theme for next year's conference. The conference will be held at the UH Campus Center on April 21<sup>st</sup> around the theme of popular games. All members agreed to serve another year with the exception of Lynn Murakami-Akatsuka and Nicole Bell whose Project Laulima is in its last few months of funding. The first committee meeting of the new school year is scheduled for August 17<sup>th</sup> where members will be welcoming our new DCAB representative, Dr. Phyllis Meighen.

### **SEAC Annual Report**

SPIN staff drafted the annual report of SEAC activities and recommendations for SY 2016-17 and forwarded it to Interim Superintendent Keith Hayashi and incoming Superintendent Christina Kishimoto. The report was expanded to include additional statistics regarding the current special education population and nineteen individual recommendations. DCAB Board members who wish to access the report in PDF and Word formats are invited to go to: <http://seac-hawaii.org/reports/>.

### **Education Leadership Institute**

SPIN staff Amanda Kaahanui was invited to facilitate a workshop entitled "Breaking Boundaries, Strengthening Partnerships Through Community Forums" at the Department of Education Leadership Institution that was held at the Convention Center on July 13<sup>th</sup>. The workshop was organized by DOE's Family Engagement Office.

### **Upcoming Training**

Amanda will also be presenting a workshop on family-professional partnerships to Bayada Clinical Supervisors later this month. Bayada provides behavioral health services to public school students with disabilities whose behavior needs are complex and intensive.