



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

Legislative Committee Meeting

Location: Disability and Communication Access Board
1010 Richards Street., Room 118

Date: February 14, 2018

Time: 12:00 p.m.

- I. Call or Order
- II. Introductions
- III. Approval of February 7, 2018 Meeting Minutes
- IV. Positions Relating to Bills
 - A. Parking for Persons with Disabilities
 - B. Nondiscrimination Against Persons with Disabilities/Civil Rights
 - SCR 28 – Requesting to the Department of Health and Department of Human Services to Establish a Working Group to Provide Clarification and Oversight of the Role of Service Animals
 - C. Communication Access
 - D. Building Code/Design
 - E. Community Based Services for Persons with Disabilities
 - HB 1895 – Relating to Health Establishes positions and appropriates funds to assist in the review, certification, and recertification of dialysis centers and other health care facilities under the purview of DOH.
 - SB 2590/HB 1915 – Relating to Aging Ensures that state and county planning efforts for the delivery of services to the aged or disabled share budgets, data, insights, strategies, goals, and definitions of success and recommendations. Reforms and improves the timely movement of funding and approvals to ensure that there are no delays in the delivery of services.
 - HR 19 – Urging the Governor and the Director of Human Services to add \$4,000,000 to Fund the Adult Dental Health Services to the Executive Supplemental Budget for the 2019 Fiscal Year
 - SCR 6 – Urging the United States Congress to Require Adult Dental Coverage Under Medicaid and Dental Coverage Under Medicare
 - F. Emergency Preparedness
 - SCR 23/SR 13 – Requesting the Federal Communications Commission to Require All Television Stations that Broadcast in Hawaii to Dedicate Time Slots to Educate the General Public Through Public Service Announcements on How to Prepare for a Natural and Man-Made Disasters

- SCR 26 – Requesting the Federal Communications Commission to Establish Regulations to Require All Cellular Phones to Receive Emergency Alerts Without an Option to Opt Out of Receiving Emergency Alert Messages and Without Any Added Costs to the Plan

G. Administrative

H. Other

- HB 1921 – Relating to Health (similar to SB 2202) Exempts gross receipts from the sale of mobility enhancing equipment, durable medical equipment, prosthetic devices, prescription drugs sold pursuant to a doctor's prescription, diabetic supplies, medical oxygen, and human blood and its derivatives from the general excise tax. Amends the definition of "prosthetic device" to include devices worn on the body. Amends the definition of "prescription drugs."

V. Bill Updates

- HB 1788 – Relating to Identification Cards for Persons with Disabilities Allows identification cards to indicate a person's disability, to allow the person access to certain eligible public services and help identify the disability to public safety personnel in case of an emergency. Effective 1/2/2019.
- HB 1919, HD1 – Relating to Housing Authorizes the incorporation of housing visitability standards in the construction and renovation of publicly funded residential housing.
- HB 2232 – Relating to Motor Vehicle Weight Tax Excludes the weight of lifts and ramps, motors to operate them, and vehicle chassis reinforcements, from the determination of net weight for non-commercial vehicles for purposes of levying the state and county motor vehicle weight tax. Takes effect on 7/1/2019.
- HB 2675 – Relating to Emergency Management Requires each local television station to make emergency information that is provided in the audio portion of its video programming accessible to persons with hearing disabilities by using a method of closed or open captioning.

VI. Open Forum

Public comment on issues not on the agenda, for consideration for Committee's agenda at the next meeting

VII. Next Meeting

Wednesday, February 21, 2018 at 12:00 p.m. at 1010 Richards Street, room 118

VIII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact (808) 586-8121 (voice), 586-8162 (tty), or email dcab@doh.hawaii.gov by February 9, 2018.



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MINUTES

Legislative Committee Meeting

Location: Disability and Communication Access Board
1010 Richards Street., Room 118

Date: February 14, 2018

Time: 12:00 p.m.

PRESENT: Rosanna Daniel-Kanetake, Chairperson (via phone); Monty Anderson-Nitahara (via phone), Board member; Francine Wai, Debbie Jackson, Peggy Liang, Staff

ABSENT: Landa Phelan, Board member

GUEST: Peter Fritz

I. The meeting was called to order by Chairperson Rosanna Daniel-Kanetake at 12:04 p.m.

II. Introductions were done informally.

III. Minutes of the February 7, 2018 meeting were approved as circulated (M/S/P Anderson-Nitahara/Daniel-Kanetake).

IV. Positions Relating to Bills

A. Parking for Persons with Disabilities
No bills discussed in this category.

B. Nondiscrimination Against Persons with Disabilities/Civil Rights

- SCR 28 – Requesting to the Department of Health and Department of Human Services to Establish a Working Group to Provide Clarification and Oversight of the Role of Service Animals

ACTION: SUPPORT INTENT (Comment about possible conflict between state and federal laws.)

- HB 2541 – Relating to Elections Enacts voting by mail uniformly across all counties for all elections commencing in 2020, and allows any election to be conducted by mail prior to the 2020 primary election, in whole or in part, as determined by the chief election officer or county clerk, as appropriate. Establishes a limited number of voter service centers that would remain open from the tenth business day preceding an election through the day of the election to receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services. Allows for additional places of deposit for personal delivery of mail-in ballots. Appropriates funds for the implementation and administration of the election by mail program. Requires the office of

elections to submit a report to the legislature prior to the convening of each regular session from 2019 through 2023, regarding the implementation of a vote by mail system.

ACTION: SUPPORT INTENT (Voting by mail is accessible to people with disabilities that have trouble getting to a polling place. It has an impact on people who are blind who need accessible equipment to vote independently and in private. Okay as long as accessible polling sites are still made available.)

C. Communication Access
No bills discussed in this category.

D. Building Code/Design

- HB 2443, HD1 – Relating to Accessible Playgrounds Pilot Program for Disabled Children Establishes a 3-year accessible playground pilot program under DAGS. Requires a report to the Legislature. Appropriates moneys.

ACTION: SUPPORT INTENT (The equipment has to be accessible and should be state of the art. This is new construction and DCAB will review it for accessibility. Programs should be developed to be exemplary playgrounds to model best practice.)

- SB 3011/HB 2272 – Relating to the State Capitol Directs DAGS to work with PSD and others to plan and implement security improvements at the State Capitol. Requires DAGS to reassign use of certain parking stalls within the State Capitol area. Appropriates funds to DAGS and PSD.

ACTION: OPPOSE (Removal of accessible parking.)

E. Community Based Services for Persons with Disabilities

- HB 1895, HD1 – Relating to Health Establishes positions and appropriates funds to assist in the review, certification, and recertification of dialysis centers and other health care facilities under the purview of DOH.

ACTION: SUPPORT INTENT (Defer to DOH for funding needed.)

- SB 2590/HB 1915 – Relating to Aging Ensures that state and county planning efforts for the delivery of services to the aged or disabled share budgets, data, insights, strategies, goals, and definitions of success and recommendations. Reforms and improves the timely movement of funding and approvals to ensure that there are no delays in the delivery of services.

ACTION: MONITOR

- SB 2388 – Relating to Student Health Allows schools to stock auto-injectable epinephrine. Authorizes designated school personnel to provide epinephrine to student for self-administration. Requires training to designated school personnel in the administration of insulin, glucagon, and auto-injectable epinephrine.

ACTION: MONITOR

- HCR 23/HR 19 – Urging the Governor and the Director of Human Services to add \$4,000,000 to Fund the Adult Dental Health Services to the Executive Supplemental Budget for the 2019 Fiscal Year

ACTION: MONITOR

- SCR 6 – Urging the United States Congress to Require Adult Dental Coverage Under Medicaid and Dental Coverage Under Medicare

ACTION: SUPPORT

F. Emergency Preparedness

- HB 2452, HD1 – Relating to Public Safety Requires the design of all state buildings constructed on or after July 1, 2018, to include a shelter room or area that is capable of protecting individuals against hurricanes or nuclear fallout.

ACTION: NO POSITION-COMMENTS (All designs for new construction of state and county buildings are reviewed by DCAB for accessibility. Safe rooms need to meet accessibility standards.)

- SCR 23/SR 13 – Requesting the Federal Communications Commission to Require All Television Stations that Broadcast in Hawaii to Dedicate Time Slots to Educate the General Public Through Public Service Announcements on How to Prepare for a Natural and Man-Made Disasters

ACTION: SUPPORT INTENT (Needs to be accessible. Possible question of jurisdiction since FCC is a federal agency how would that impact local video production?)

- SCR 26 – Requesting the Federal Communications Commission to Establish Regulations to Require All Cellular Phones to Receive Emergency Alerts Without an Option to Opt Out of Receiving Emergency Alert Messages and Without Any Added Costs to the Plan

ACTION: MONITOR

G. Administrative

No bills discussed in this category.

H. Other

- HB 1921, HD1 – Relating to Health (similar to SB 2202) Exempts gross receipts from the sale of mobility enhancing equipment, durable medical equipment, prosthetic devices, prescription drugs sold pursuant to a doctor's prescription, diabetic supplies, medical oxygen, and human blood and its derivatives from the general excise tax. Amends the definition of "prosthetic device" to include devices worn on the body. Amends the definition of "prescription drugs."

ACTION: SUPPORT INTENT

V. Bill Updates

- HB 1788/SB 2171 – Relating to Identification Cards for Persons with Disabilities Allows identification cards to indicate a person's disability, to allow the person access to certain eligible public services and help identify the disability to public safety personnel in case of an emergency. Effective 1/2/2019.

STATUS: HB 1788 was deferred by the House Committee on Transportation on 2/9/18.

SB 2171 was deferred by the joint Senate Committees on Transportation and Energy and Human Services on 2/6/18.

- HB 1919, HD1/SB 2594 – Relating to Housing Authorizes the incorporation of housing visitability standards in the construction and renovation of publicly funded residential housing.

STATUS: HB 1919, HD1 was heard in the House Committee on Finance and amended. Amendments clarified that housing visitability standards may apply to all new construction rather than renovation of publicly funded housing projects, and specifying the IBC's Residential Building Code Type C may be the applicable housing visitability standards. Referred to House Committee on Finance.

SB 2594 was heard in the joint Senate Committees on Housing and Public Safety, Intergovernmental and Military Affairs and was amended. Amendments were to allow, rather than require the HPHA to comply with the visitability standards for the construction or renovation of the Authority's housing projects, and adds language clarifying that application of the visitability standards is not to be construed to place a financial or administrative burden on the operations or renovations of the housing project, exceed the requirements of the federal ADA, result in the decrease of vacant units within the housing project, or provide for preferential treatment to tenants with approved reasonable accommodations when a unit becomes available.

- HB 2152 – Relating to Human Services Appropriates funds to DHS to restore basic adult dental benefits to Medicaid enrollees. Requires DHS to obtain the maximum federal matching funds available for this expenditure.

STATUS: Was heard in the House Committee on Human Services and amended. The amendment was to change the effective date to July 1, 3000 to facilitate further discussion. Referred to the House Committee on Finance.

- HB 2232/SB 2714 – Relating to Motor Vehicle Weight Tax Excludes the weight of lifts and ramps, motors to operate them, and vehicle chassis reinforcements, from the determination of net weight for non-commercial vehicles for purposes of levying the state and county motor vehicle weight tax. Takes effect on 7/1/2019.

STATUS: HB 2232 was heard in the House Committee on Transportation and amended. Amendments added a definition of "noncommercial motor vehicle" that mirrors the definition used for commercial driver's license; changed the effective date to July 1, 2050; and made other technical, non-substantive amendments.

SB 2714 was heard in the Senate Committee on Transportation and Energy and passed unamended. Referred to the Senate Committee on Ways and Means.

- HB 2675, HD1 – Relating to Emergency Management Requires each local television station to make emergency information that is provided in the audio portion of its video programming accessible to persons with hearing disabilities by using a method of closed or open captioning.

STATUS: Heard and amended in the House Committee on Consumer Protection and Commerce. Amendments included removing mandate for local television station to provide closed or open captioning for emergency information broadcasted over its station; removed the procedures for enforcing compliance and associated penalties for failure to comply; mandating HI-EMA to amend the State Emergency Alert System and the State Emergency Management Plans, as necessary to conform all federal laws and regulations that ensure the accessibility of video programming that provides emergency information; and changed the effective date to July 1, 2050 to promote further discussion. Referred to the House Committee on Finance.

- SB 3006/HB 2467 – Relating to Building Codes Requires state projects to be designed and constructed using an alternative code that is most cost effective to a project, subject to certain conditions, including health and safety.

STATUS: SB 3006 was heard and amended in the joint Senate Committees on Public Safety, Intergovernmental and Military Affairs and Government Operations. Amendments included making use of the most cost effective alternative building codes for state projects permissive rather than mandatory; required the use of the prescriptive design of an alternative code; clarified that an alternative code may be used if it has been adopted, in addition to having been approved by the State Building Code Council; prohibits any county from denying a permit for state projects using an alternative code; established that the same standard of care existing for services procured for state facilities shall apply to any project using an alternative code; and made technical, non-substantive amendments for clarity. Referred to the Senate Committee on Ways and Means.

HB 2467 was heard and amended in the House Committee on Labor. Amendments included requiring a study by the Legislative Reference Bureau (LRB) to research factors that contribute to the cost of construction projects in the state and submit the study to the Legislature; appropriate funds to the LRB to conduct the study; and change the effective date to January 1, 2050 for further discussion.

- HB 2231 – Relating to Income Tax Credits Provides an income tax credit to a taxpayer who purchases or modifies a personal vehicle for use by a person with a disability. Applies to taxable years beginning after December 31, 2018.

STATUS: Heard and amended in the House Committee on Health and Human Services. Amendments included clarifying the operation of the tax credit to avoid confusion; changing the tax credit from a refundable tax credit to a non-refundable tax credit; changing the calculation of the tax credit to a percentage of the taxpayer's expenses in purchasing or modifying a vehicle for use by a person with a disability;

changing the effective date to July 1, 3000 for further discussion; and making technical, non-substantive changes for clarity.

NOTE: All positions on bills were ratified and passed (M/S/P Anderson-Nitahara/Daniel-Kanetake).

VI. Open Forum

No comments presented during this portion of the agenda.

VII. Next Meeting

Wednesday, February 28, 2018 at 12:00 p.m. at 1010 Richards Street in room 118.

VIII. The meeting adjourned at 12:49 p.m.

Respectfully submitted,



DEBBRA L. JACKSON