AGENDA

Legislative Committee Meeting

Location: Kamamalu Building
1010 Richards Street, Conference Room 111A
Honolulu, HI 96813

Date: February 25, 2020
Time: 12:00 p.m.

I. Call to Order

II. Introductions

III. Approval of February 5, 2020 Meeting Minutes

IV. New Business

A. Parking for Persons with Disabilities
   • HB 2141, HD1 – Relating to Parking for Disabled Persons. Requires the DOH to convene a working group to examine increasing the number of accessible parking stalls based on various cost versus need factors. Requires DOH to report to the legislature prior to the 2021 regular session.

B. Nondiscrimination Against Persons with Disabilities/Civil Rights

C. Communication Access

D. Service Animals for Persons with Disabilities

E. Building Code/Design

F. Community Based Services and Employment for Persons with Disabilities
   • HB 1613, HD1 – Relating to Persons with Disabilities. Requires the department of human services to establish a Medicaid buy-in program for workers with disabilities. Requires DHS to submit a report to the legislature prior to the 2021 regular session on the progress made in evaluating how to implement and the viability of implementing a full Medicaid buy-in program.
   • HB 1633, HD1/SB 2245 – Relating to Auditory Devices. Exempts gross receipts from the sale of auditory devices, such as hearing aids, from the general excise tax. Amends the definition of "prosthetic device" to include hearing aids and devices worn on the body. Exempts gross receipts from the repair of prosthetic devices from the general excise tax.
   • HB 2419, HD1/SB 2247 – Relating to the Employment of Persons with Disabilities. Establishes Employment First as a policy of the State and
counties for persons with disabilities. Requires state and county agencies to implement Employment First in hiring and in all programs and services administered or funded by the State or counties. Applies Employment First principles to Medicaid home- and community-based waiver programs.

- **SB 2468, SD 1 – Relating to Qualified Community Rehabilitation Programs.** Allows community rehabilitation programs for persons with disabilities to be considered qualified under the State's procurement code without requiring federal and state certification that authorizes the payment of subminimum wage to workers in their program.

- **SB 2583 – Relating to Hearing Aids.** Requires health insurance policies and contracts issued after 12/31/2021 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 in their base plans. Exempts mandatory health care coverage from impact assessment report.

G. Transportation and Mobility

- **HB 1676, HD1 – Relating to Highway Safety.** Establishes a three-year photo red light imaging detector system pilot program. Authorizes any affected county to administer the photo red light imaging detector system pilot program. Establishes a photo red light imaging detector systems pilot program account as a special account within the general fund. Requires proceeds of fines expended in the county from which they were collected for operation of the photo red light imaging detector system pilot program. Appropriates funds. Sunsets 6/30/2023.

- **HB 2253, HD1 – Relating to the Traffic Code.** Amends the statewide traffic code to allow for the chairperson of the Board of Land and Natural Resources and county chiefs of police to designate state or county employees or contractors to issue citations for traffic violations.

H. Emergency Preparedness

- **SB 2080, SD1 – Relating to State Buildings.** Establishes a pilot project requiring the department of accounting and general services to purchase and install emergency evacuation chairs in state-owned buildings and facilities that are under the jurisdiction of the department of accounting and general services, under certain circumstances. Requires the department of accounting and general services to report to the legislature. Appropriates funds.

I. Administrative

- **HB 2200, HD1/SB 2075 – Relating to the State Budget.** Adjusts and makes additional appropriations for fiscal biennium 2019-2021 to fund the operations of executive agencies and programs.

J. Other

- **HB 1667 – Relating to Health.** Designates the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion" in recognition of the employment challenges and successes of persons with disabilities in the State.

- **HB 1958, HD1 – Relating to Taxation.** Amends the income tax credit for expenses for household and dependent care services necessary for
gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

- **HB 2421, HD2/SB 2246 – Relating to the Hawaii School for the Deaf and Blind.** Creates a Board of Trustees for the Hawaii School for the Deaf and Blind to establish an independent governance structure for the school.

V.  Open Forum: Public comment on issues not on the agenda, but to be considered for placement on a future Committee meeting agenda.

VI.  Next Meeting

VII.  Adjournment

If you need an auxiliary aid/service or other accommodation due to disability, contact Cindy Omura at (808) 586-8121 or dcab@doh.hawaii.gov as soon as possible, preferably by February 21, 2020. If a response is received after February 21, 2020, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.
MINUTES

Legislative Committee Meeting

Location: Kamamalu Building
1010 Richards Street, Conference Room 111A
Honolulu, HI 96813

Date: February 25, 2020
Time: 12:00 p.m.

PRESENT: Rosanna Daniel-Kanetake, Chairperson; Anthony Akamine, Monty Anderson-Nitahara, Dean Georgiev, Violet Horvath, Board Members; Kirby Shaw, Bryan Mick, Colin Whited, Staff

SIGN LANGUAGE
INTERPRETER: Darlene Baird

I. Call to Order
Chairperson Rosanna Daniel-Kanetake called the meeting to order at 12:01 p.m.

II. Introductions
The attendees introduced themselves.

III. Approval of February 5, 2020 Meeting Minutes
The Committee approved the February 5, 2020 minutes (M/S/P Horvath/Anderson-Nitahara).

NOTE: The minutes were written in the order the items were shown on the agenda, not as they were discussed at the meeting.

IV. New Business
A. Parking for Persons with Disabilities
   • HB 2141, HD1 – Relating to Parking for Disabled Persons. Requires the DOH to convene a working group to examine increasing the number of accessible parking stalls based on various cost versus need factors. Requires DOH to report to the legislature prior to the 2021 regular session.

   ACTION: SUPPORT (In accordance with the DCAB Legislative Position Statements)
• HB 2141 – Parking for Disabled Persons. Requires private businesses selling goods and services to the public, including retail malls and shopping centers, to provide a minimum of 6 per cent of its parking spaces for persons with disabilities. Imposes a penalty for failure to comply.

**ACTION: SUPPORT** (In accordance with the DCAB Legislative Position Statements)

B. Nondiscrimination Against Persons with Disabilities/Civil Rights

C. Communication Access

D. Service Animals for Persons with Disabilities

E. Building Code/Design

F. **Community Based Services and Employment for Persons with Disabilities**
   - HB 1613, HD 1 – Relating to Persons with Disabilities. Requires the department of human services (DHS) to establish a Medicaid buy-in program for workers with disabilities. Requires DHS to submit a report to the legislature prior to the 2021 regular session on the progress made in evaluating how to implement and the viability of implementing a full Medicaid buy-in program.

   **ACTION: SUPPORT** (M/S/P Akamine/Georgiev)

- HB 1633/SB 2245 – Relating to Auditory Devices. Exempts gross receipts from the sale of auditory devices, such as hearing aids, from the general excise tax. Amends the definition of "prosthetic device" to include devices worn on the body. Exempts gross receipts from the repair of prosthetic devices from the general excise tax.

   **ACTION: SUPPORT** (In accordance with the DCAB Legislative Position Statements)

- HB 2419/SB 2247 – Relating to the Employment of Persons with Disabilities. Establishes Employment First as a state policy for persons with disabilities. Requires state and county agencies to implement Employment First in hiring and in all programs and services administered or funded by the State or counties. Applies Employment First principles to Medicaid home- and community-based waiver programs.

   **ACTION: SUPPORT** (M/S/P Akamine/Georgiev)

- SB 2468, SD 1 – Relating to Qualified Community Rehabilitation Programs. Allows community rehabilitation programs for persons with disabilities to be considered qualified under the State's procurement code without requiring federal and state certification that authorizes the payment of subminimum wage to workers in their program.
ACTION: CLARIFY INTENT (The Committee is unanimous in that it opposes practices where individuals with disabilities are paid a subminimum wage. It is unclear whether this bill, by removing the requirement for federal and state certification, intends to curb such practices or make it easier for community rehabilitation programs to pay workers a subminimum wage. Upon obtaining clarification, DCAB will testify in accordance with the Committee's position. DCAB will support the bill if it intends to curb practices allowing for individuals with disabilities to be paid a subminimum wage, but oppose the bill if it intends to make it easier to pay workers a subminimum wage.)

- SB 2583 – Relating to Hearing Aids. Requires health insurance policies and contracts issued after 12/31/2021 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 in their base plans. Exempts mandatory health care coverage from impact assessment report.

ACTION: SUPPORT (In accordance with the DCAB Legislative Position Statements)

G. Transportation and Mobility
- HB 1676, HD1 – Relating to Highway Safety. Establishes a three-year photo red light imaging detector system pilot program. Authorizes any impacted county to administer the photo red light imaging detector system pilot program. Establishes a photo red light imaging detector systems pilot program account as a special account within the general fund. Requires proceeds of fines expended in the county from which they were collected for operation of the photo red light imaging detector system pilot program. Appropriates funds. Sunsets 6/30/2023.

ACTION: SUPPORT (In accordance with the DCAB Legislative Position Statements)

- HB 2253 – Relating to the Traffic Code. Amends the statewide traffic code to allow for the chairperson of the Board of Land and Natural Resources and county chiefs of police to designate state or county employees or contractors to issue citations for traffic violations.

ACTION: SUPPORT (In accordance with the DCAB Legislative Position Statements)

H. Emergency Preparedness
- SB 2080 – Relating to State Buildings. Requires the Department of Accounting and General Services to purchase and install, at minimum, one emergency evacuation chair per floor, excluding the floor of exit discharge, in each state building having two or more floors. Requires the Department of Accounting and General Services to maintain a list of and perform yearly inspection on emergency evacuation chairs in state buildings. Requires the Disability and Communication Access Board to
conduct annual training and produce written informational material regarding the appropriate use of emergency evacuation chairs. Provides a phase-in period for the installation of emergency evacuation chairs. Appropriates funds. Effective 7/1/2020.

**ACTION: OPPOSE** (M/S/P Akamine/Georgiev)

I. **Administrative**
   - **HB 2200/SB 2075 – Relating to the State Budget.** To adjust and request appropriations for Fiscal Biennium 2019-21 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs and to include appropriations from other departmental budget acts deemed necessary for program operations and capital improvements.

**ACTION: MONITOR**

J. **Other**
   - **HB 1667 – Relating to Health.** Designates the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion" in recognition of the employment challenges and successes of persons with disabilities in the State.

**ACTION: SUPPORT** (M/S/P Akamine/Georgiev)

   - **HB 1958, HD1 – Relating to Taxation.** Amends the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

**ACTION: SUPPORT** (M/S/P Akamine/Georgiev)

   - **HB 2421, HD2/SB 2246 – Relating to the Hawaii School for the Deaf and Blind.** Creates a Board of Trustees for the Hawaii School for the Deaf and Blind to establish an independent governance structure for the school.

**ACTION: MONITOR**

V. **Next Meeting**

   To be determined by the Committee.

VI. **Announcements**

   No announcements were made.

VII. **Open Forum**

   No issues discussed.
VIII. Adjournment

The meeting adjourned at 1:02 p.m.

All votes were unanimous unless otherwise noted.

Respectfully submitted,

COLIN M. WHITED