

DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 204-2466 VP

NOTICE OF MEETING

Disability and Communication Access Board

Legislative Committee Meeting

February 3, 2025

11:00 a.m.

AGENDA

The Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

Public In-Person Meeting Location

Kamamalu Building
1010 Richards Street, Room 118
Honolulu, HI 96813

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:
<https://us02web.zoom.us/j/81150156760> and enter Meeting ID: 811 5015 6760.

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 811 5015 6760

Public Testimony

Oral testimony - Testimony or comments presented by members of the public during Legislative Committee meetings shall be limited to one minute per agenda item. In compliance with the Americans with Disabilities Act, a reasonable amount of additional time shall be afforded to persons with a communication disability to present testimony or comments, if needed. Any person who needs additional time to present testimony or comments is encouraged to contact the DCAB office in advance of the meeting. This rule shall be placed at the beginning of all Legislative Committee meeting agendas.

Members of the public may present comment or testimony during Legislative Committee meetings on each agenda item. Public comment or testimony, if any, shall be presented on each agenda item before the Legislative Committee deliberates on the item. After all public comment or testimony is presented, the Legislative Committee shall deliberate on the agenda item without further comment or testimony from the

public unless further public comment or testimony is requested by the Legislative Committee.

Written Testimony - To ensure the public as well as Committee members are able to review testimony prior to the meeting, we request written testimony be submitted 48 hours prior to the scheduled meeting date and time.

- By email to: dcab@doh.hawaii.gov
- By U.S. Postal Mail:
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street,
Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

AGENDA

- I. Call to Order
Review Remote Meeting Procedures
 - This meeting is being recorded.
 - A quorum of Committee members is required to be visible on screen.
 - Raise hand to speak unless called upon.
 - Identify yourself before speaking.
- II. Roll Call/Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Bills and Resolutions
 - A. Non-Discrimination

[SB1284](#) – Proposing an Amendment to Article 1, Section 5, of the Hawaii Constitution Relating to Due Process and Equal Protection. Proposes a constitutional amendment to prohibit discrimination against a person because of ethnicity, age, disability, religion, national ancestry, sex, sexual orientation, gender identity, pregnancy and pregnancy outcomes.

[SB1419](#) – Relating to Act 253, Session Laws of Hawaii 2023. Updates the name of the Neighbor Islands Blind and Visually Impaired Service Pilot Program established by Act 253, Session Laws of Hawai'i 2023, by replacing the term "visually impaired" with the term "low vision" and clarifies the pilot program's implementation timeframes. Sunsets 6/30/2029.

[SB1496](#) – Relating to Civil Rights. Establishes that it is an unlawful discriminatory practice for places of public accommodation to deny a

person with a disability full and equal enjoyment of information related to their services, facilities, privileges, advantages, or accommodations using information and communication technology intended for use by the general public as applicants, participants, customers, clients, or visitors. Establishes exceptions.

[HB325](#) – Relating to Medical Cannabis. Prohibits an employer from discriminating against a person in hiring, termination, or any term or condition of employment based on the person's status as a medical cannabis registry card holder, under certain conditions. Authorizes an employer to use a fit-for-duty test for medical cannabis qualifying patients in potentially dangerous occupations. Exempts certain occupations.

[HB867](#) - Relating to Recreational Facilities. Requiring playgrounds located in state parks and on public school grounds to include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2027, including at a minimum a wheelchair accessible swing set. Appropriates funds.

B. Communication Access

[SB1371](#) – Relating to the Universal Service Program. Clarifies that the Public Utilities Commission under the Universal Service Program may provide, and may use funds from the Universal Service Fund to provide, free telecommunications access to certain individuals with a print disability.

[SB1494](#) – Relating to Hearing Aids. Requires health insurance policies and contracts issued on or after 1/1/2026 to provide coverage for the cost of hearing aids at a minimum \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months.

[SB1495](#) – Relating to Hearing Aids. Exempts from the general excise tax, gross receipts received by a hospital, infirmary, medical clinic, health care facility, pharmacy, or a practitioner licensed to administer drugs to an individual, from the sale of hearing aids. Sunsets 1/1/2027.

C. Service and Other Animals

D. Building Code, Design, and Facility Access

[SB74](#) – Relating to State Construction Projects. Establishes the Office of the State Architect within the Department of Accounting and General Services to be headed by the State Architect. Authorizes the State Architect to organize, manage, and oversee the design review of all state construction projects and issue design approvals. Establishes the Design Review Special Fund. Requires the State Architect to submit a report to the Governor and Legislature. Authorizes DAGS to provide centralized

design review services for state construction projects and issue design approvals through the State Architect. Exempts state construction projects from county building permit, inspection, and certificate of occupancy requirements, subject to certain conditions. Makes appropriations.

[SB160](#) – Relating to Mental Health. Requires the Department of Health to construct a mental health facility for inmates or detainees with mental health needs in the custody of the Department of Corrections and Rehabilitation. Appropriates moneys.

[SB230](#) – Relating to Electric Vehicle Charging Infrastructure. Requires that if parking is to be included in any new state building construction, the design provide that at least twenty-five per cent of parking stalls be electric vehicle charger-ready. Requires the Hawai'i State Energy Office, in consultation with the Department of Accounting and General Services and the Department of Transportation, to conduct a survey and identify certain high-priority state facilities. Establishes a goal of the State to retrofit state facilities to be electric vehicle charger-ready. Requires a report to the Legislature. Appropriates funds.

[SB415](#) – Relating to Trail Accessibility. Establishes the Accessible Wilderness and State Parks Trails Program within the Division of State Parks of the Department of Land and Natural Resources. Establishes the Accessible Wilderness and State Parks Trails Program Special Fund. Requires reports to the Legislature. Appropriates funds.

[HB346](#) – Relating to Electric Vehicle Charging Infrastructure. Provides rebates for the installation of eligible electric vehicle-ready parking stalls for new construction of affordable housing.

[HB868](#) – Relating to Disabilities. Requires the Department of Land and Natural Resources to evaluate its facilities for compliance with the Americans with Disabilities Act and compile a list of non-compliant facilities. Requires report to the Legislature.

E. Community Based Services and Employment

[SB8](#) - Relating to Jury Duty. Allows an advance practice registered nurse to claim exemption from service as a juror.

[SB32](#) – Relating to the Psychological Interjurisdictional Compact. Adopts the Psychology Interjurisdictional Compact to regulate the practice of telepsychology and temporary in-person, face-to-face practice of psychology by psychologists across state boundaries in the performance of their psychological practice. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

[SB34](#) – Relating to Mental Health. Requires the Department of Education to identify an absence due to the mental health of a student as an excused absence. Defines the term "excused absence". Exempts an absence due to the mental health of a student from the enforcement of penalties relating to compulsory attendance at school. Limits the number of excused absences that may be taken by a student due to mental health reasons.

[SB37](#)- Relating to Mental Health. Beginning with the 2025-2026 school year, requires all public and private schools that serve students in grades 6 through 12 and issue student identification cards to have information on mental health and suicide prevention hotlines printed on the student identification cards. Establishes exceptions and penalties.

[SB46](#) – Relating to Insurance. Requires all health insurers in the state, including Medicaid managed care programs, to cover annual mental health wellness examinations.

[SB49](#) – Relating to Terminal Illness. Authorizes manufacturers of investigational drugs or biological products that are pending approval by the United States Food and Drug Administration to make the drugs or products available to terminally ill patients under certain conditions. Effective 1/1/2026.

[SB64](#) – Relating to Education. Beginning with the 2027-2028 school year, requires each public school in the State, including charter schools, to employ, or retain under contract, at least 1 mental health professional for every 250 students enrolled, subject to certain conditions. Requires the Department of Education to submit a progress report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2026. Appropriates moneys for the Department of Education to contract for mental health professionals and to establish an unspecified number of full-time equivalent mental health professional positions within the Department of Education. Declares that the general fund expenditure ceiling is exceeded.

[SB87](#) – Relating to Mental Health at the University of Hawaii. Appropriates funds to the University of Hawai'i at Manoa to establish three additional permanent mental health practitioner positions within the Division of Student Success' Counseling and Student Development Center.

[SB531](#) – Relating to Education. Establishes provisions for the storage and maintenance of a stock supply of bronchodilators at schools. Requires the Department of Education to establish a protocol for the storage, usage, and administration of bronchodilators. Establishes provisions regarding the administration of certain medications by a volunteer at Department of Education schools. Clarifies labeling requirements for bronchodilator prescriptions issued to the Department of Education for a stock supply of bronchodilators.

[SB642](#) – Relating to Insurance. For policies, contracts, plans, and agreements issued or renewed after 12/31/2025, requires the insurers, mutual benefit societies, and health maintenance organizations to provide coverage for standard fertility preservation services for persons undergoing medically necessary treatment that may cause iatrogenic infertility.

[SB648](#) – Relating to Department of Health. Requires the Developmental Disabilities Division of the Department of Health to amend its eligibility criteria for the home and community-based services Medicaid waiver to include individuals having an intellectual or a developmental disability and a comorbid mental illness. Appropriates funds.

[SB720](#) – Relating to Workers Compensation. Requires the independent medical examination and permanent impairment rating examination of an injured employee under the Workers' Compensation Law to be conducted by a qualified physician selected by the mutual agreement of the parties and paid for by the employer. In absence of a mutual agreement, requires the Director of Labor and Industrial Relations to appoint a duly qualified impartial physician to be paid by the employer.

[SB1001](#) – Relating to Education. Requires the Department of Education to implement dyslexia sensitive universal screenings and evidence-based interventions, offer professional development on structured literacy and evidenced-based interventions, and support pre-teacher programs in training candidates in structured literacy instruction.

[SB1281](#) – Relating to Telehealth. Updates the State's laws on telehealth services to conform with federal Medicare regulations. Requires the Insurance Commissioner to report to the Legislature on reimbursements claimed in the previous year for certain telehealth services. Repeals the sunset date of Act 107, Session Laws of Hawai'i 2023.

[SB1294](#) – Relating to Recreational Facilities. Requires all playgrounds located in state and county parks and on public school grounds to include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2027, including at a minimum a wheelchair accessible swing set. Establishes the Special Needs Recreational Playground Equipment Special Fund. Appropriates funds.

[SB1322](#) – Relating to Mental Health. Clarifies and expands the circumstances and procedures available for emergency transportation, examination, and hospitalization under chapter 334. Provides limits on liability for state and local governments and professionals during mental health emergency procedures while performing their duties in the course of employment. Expands the notice requirements for an emergency hospitalization to include an individual's health-care surrogate and clarifies

when notice to family members can be waived. Removes the authority of the family court to appoint a legal guardian in a proceeding for involuntary hospitalization. Removes the requirement that psychiatric facilities wait for a response on a notice of intent to discharge an involuntary hospitalization patient prior to discharge. Clarifies the circumstances under which a subject of an order for assisted community treatment can be administered medication over the subject's objection. Provides limits on liability for an assisted community treatment provider. Modifies the administrative authorization of medical treatment over the patient's objection to be reviewed by a single decision-maker who is a psychiatrist.

[SB1389](#) – Relating to Therapy Services. Expands the scopes of practice for occupational therapists, physical therapists, and speech pathologists to allow those professionals working for or contracted by the Department of Education to diagnose medical conditions that can be treated with their respective services.

[SB1392](#) – Relating to Education. Requires the Department of Education to implement dyslexia-sensitive universal screenings, provide evidence-based interventions, and offer professional development on dyslexia and structured literacy.

[SB1432](#) – Relating to Changes to Responsibilities of the Department of Health Concerning Patients, the County of Kalawao, and the Kalaupapa Settlement. Establishes the Kalaupapa State Historical Area. Authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community. Repeals sections of chapter 326, Hawai'i Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation.

[SB1445](#) – Relating to Youth Mental Health. Establishes a two-year digital youth mental health platform pilot project under which the child and adolescent mental health division of the department of health develops and makes publicly available a digital platform providing tools and resources designed to help young people address and manage mental health challenges.

[SB1564](#) – Relating to Medicaid. Appropriates funds to increase the funding of certain Medicaid home and community-based services, including adult day programs and residential services offered in community care foster family homes and expanded adult residential care homes.

[HB11](#) – Relating to Healthcare. Eliminates the certificate of need requirement for all health care facilities and health care services except for nursing homes, hospices, intermediate care facilities for individuals with intellectual disabilities, and ambulance service providers.

[HB13](#) – Relating to Workers Compensation. Establishes notice requirements for employers under Hawai'i's Workers' Compensation Law. Requires employers who deny the compensability of an employee's injury to submit a written report supporting the denial to the Director of Labor and Industrial Relations within a specified period. Requires employers to furnish to the injured employee up to \$10,000 for medical care, services, and supplies for the period immediately following the injury and so long as reasonably needed or until the employer files a written report with the Director denying the compensability of the injury, whichever is earlier. Clarifies that failure to give an employer notice of an employee's injury does not bar a claim for compensation if any person having authority in the interest of the employer had knowledge of the injury.

[HB185](#) – Relating to Care Homes. Prohibits the licensing of an adult residential care home, expanded adult residential care home, or developmental disabilities domiciliary home that is financed, managed, operated, supervised, directed, or owned in whole or in part by a person convicted of a gambling offense.

[HB245](#) – Relating to Student Heat Exposure Study. Requires and appropriates funds for the Department of Education, in collaboration with the Department of Health, to develop statewide guidelines related to managing heat exposure to protect students' health during outdoor activities. Appropriates funds for wet-bulb globe temperature thermometers for all public and charter schools statewide.

[HB302](#) – Relating to Cannabis. Repeals the requirement that a provider-patient relationship be established in person. Allows applicants or primary caregivers to temporarily purchase medical cannabis after the submission of the applicant's certification form.

[HB600](#) – Relating to the Medical Use of Cannabis. Repeals registration requirements relating to qualifying out of state medical cannabis patients who are validly registered in other states, United States territories, or the District of Columbia. Repeals language requiring an initial in person consultation before physicians and advanced practice registered nurses may make medical cannabis treatment recommendations via telehealth. Prohibits the Department of Health from imposing fees for patients' medical cannabis registration certificates.

[HB687](#) – Relating to the Supplemental Nutrition Assistance Program For the Supplemental Nutrition Assistance Program, requires the Department of Human Services to: (1) prorate or exclude certain income from household members who are ineligible for the Program; (2) establish a standardized medical expense deduction option for elderly or disabled household members; (3) establish a pre-release Program application form for individuals who are incarcerated and scheduled for release; and (4)

report to the Legislature. Specifies that, for purposes of the Supplemental Nutrition Assistance Program, the federal restriction of providing Program benefits to certain individuals does not apply in Hawaii.

[HB695](#) – Relating to Paid Family Leave. By 1/1/2027, requires the Department of Labor and Industrial Relations to establish a family and medical leave insurance program and begin collecting payroll contributions to finance payment of benefits. By 1/1/2028, requires the Department to start receiving claims and paying benefits under the program. Specifies eligibility requirements and employee protections under the program.

[HB701](#) – Relating to Taxation. Establishes a refundable Family Caregiver Tax Credit for nonpaid family caregivers. Requires the Department of Taxation to report to the Legislature before the convening of each Regular Session.

[HB725](#) – Relating to Medicaid. Appropriates funds to increase the funding of certain Medicaid home and community-based services, including adult day programs and residential services offered in community care foster family homes and expanded adult residential care homes.

[HB115](#) – Relating to Driving Under the Influence. Requires defendants convicted of causing the death or disability of a parent or legal guardian of a minor child by the operation of a vehicle while under the influence of an intoxicant to make restitution in the form of financial support to each child of the victim.

[HB551](#)- Related to Care Homes. Increases the state supplemental payment ceilings for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and type II adult residential care homes.

[HB903](#) – Relating to Student Health. Authorizes a school to maintain a stock supply of bronchodilators to be administered under certain conditions. Authorizes certain employees of a school and department personnel to administer certain medication in emergency situations, under certain conditions. Amends prescription drug labeling requirements to include certain information related to a school, if applicable.

[HB1131](#) – Relating to an Intensive Mobile Team Pilot Program for Houseless Individuals Suffering from Serious Brain Disorders. Establish a pilot program in the Department of Health to provide intensive mobile treatment-type services, e.g., "street psychiatry," to chronically houseless people suffering from serious brain disorders like schizophrenia and schizoaffective disorder.

F. Transportation and Mobility

[SB1009](#) – Relating to Parking. Establishes a state accessible parking space enforcement fine for parking in parking spaces reserved for persons with disabilities or electric vehicles. Increases the fines for any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles. Requires the fine to be deposited into the state general fund.

[SB1492](#) – Relating to Mobility Management. Appropriates funds to the Department of Transportation to implement the recommendations of the Task Force on Mobility Management, established pursuant to Act 214, SLH 2013, in consultation with the Aging and Disability Resource Center of the Executive Office on Aging and other stakeholder groups.

[HB59](#) – Relating to Disabled Veterans. Exempts qualifying disabled veterans from county vehicle registration fees, highway beautification fees, and vehicle weight taxes.

[HB517](#) – Relating to Restoring Respect and Dignity to America's only Royal Palace in the Nation. Prohibits parking of motor vehicles on the grounds of Iolani Palace. Requires DAGS to remove the blacktop, parking area, and paid parking adjacent to Iolani Palace. Requires DLNR to develop and maintain a pedestrian area adjacent to Iolani Palace. Requires DAGS and DLNR to report on cost analysis.

[HB657](#) – Relating to Disabled Veterans. Exempts disabled veterans from the State's vehicle weight tax and repeals the exemption for disabled veterans from the State's annual vehicle registration fee.

[HB1471](#) – Relating to Transportation. Traffic Actuated Signal; Leading Pedestrian Interval; Accessible Pedestrian Signal and Detector; Motor Vehicle; Certificate of Registration; Additional Fee; Safe Routes to School Program Special Fund.

G. Emergency Management

[SB 239](#) – Relating to Disaster Preparedness. Requires all public buildings, including public school buildings, constructed after January 1, 2026, to be designed to withstand category five hurricanes and be used as shelters in the event of an emergency.

[HB358](#) – Relating to Disaster Preparedness. Requires all public buildings, including public school buildings, constructed after January 1, 2026, to be designed to withstand category five hurricanes and be used as shelters in the event of an emergency.

H. Administration

[SB1253](#) – Relating to Boards and Commissions. Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.

[SB1422](#) – Relating to Non-General Funds of the Department of Health. Repeals the birth defects special fund and deposits a portion of fees for certified copies and marriage licenses into the vital statistics improvement special fund.

[SB1651](#) - Relating to Public Meetings. Requires board packets to be posted two or more full business days before a public meeting.

I. Other

V. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

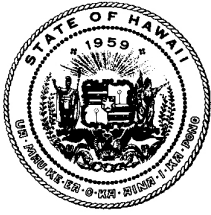
VI. Next Meeting

VIII. Adjournment

If you have a disability and require an auxiliary aid or service or other accommodation to participate in the meeting, please contact Scott Castor at (808) 586-8121 or email, dcab@doh.hawaii.gov. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate formats.

The agenda and meeting materials for this meeting are also available for inspection at DCAB's office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on DCAB's website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



DISABILITY AND COMMUNICATION ACCESS BOARD

Ka 'Oihana Ho'oma'alahi Ka'a'ike no ka Po'e me nā Kino Kīnā

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 204-2466 (VP)

MINUTES

Disability and Communication Access Board Legislative Committee Meeting

Location: Virtual via Zoom and 1010 Richards Street
Kamamalu Building, Room 118
Date: February 3, 2025
Time: 11:00 a.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Charlotte Townsend, Board Members; Kirby Shaw, Bryan Mick, Kristine Pagano, Elizabeth Pearson, Staff

ABSENT: Rosanna Daniel-Kanetake, Summer Kozai, Board Members

PUBLIC PARTICIPANT: Peter Fritz

SIGN LANGUAGE

INTERPRETERS: Keri Lee and Regina Sapko

REAL TIME

CAPTIONERS: April Chandler and Kelly DeCamp

I. Chairperson Violet Horvath called the meeting to order at 11:13 a.m.

II. Committee members introduced themselves.

III. Bills and Resolutions

- A. [SB1284](#) – Constitutional Amendment; Due Process; Equal Protection; Discrimination. Proposes a constitutional amendment to prohibit discrimination against a person because of ethnicity, age, disability, religion, national ancestry, sex, sexual orientation, gender identity, pregnancy and pregnancy outcomes.

MOTION: SUPPORT (M/S/P Townsend/Akamine)

- B. [SB1419](#) – Relating to Act 253, Session Laws of Hawaii 2023. Updates the name of the Neighbor Islands Blind and Visually Impaired Service Pilot Program established by Act 253, Session Laws of Hawaii'i 2023, by replacing the term "visually impaired" with the term "low vision" and clarifies the pilot program's implementation timeframes. Sunsets 6/30/2029.

Staff clarified that this measure will not change any content of Act 253.

MOTION: SUPPORT (M/S/P Horvath/Townsend)

- C. [HB867](#) - Relating to Recreational Facilities. Requiring playgrounds located in state parks and on public school grounds to include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2027, including at a minimum a wheelchair accessible swing set.

The Committee discussed clarifying that the bill should apply to the county, and not state parks, especially those near elementary schools. Staff recommended applying requirements to new or in-progress playgrounds, while encouraging updates to existing ones.

MOTION: SUPPORT INTENT (M/S/P Horvath/Akamine)

- D. [SB1494](#) – Relating to Hearing Aids. Requires health insurance policies and contracts issued on or after 1/1/2026 to provide coverage for the cost of hearing aids at a minimum \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months.

Staff noted past support for similar bills. Peter Fritz highlighted differences between hearing aid types and shared that prescription aids are most effective in reducing dementia, and shared that a sunshine analysis was conducted on this measure in 2014. The Committee questioned if \$1,500 is sufficient given higher average costs. The Committee recommended covering prescription hearing aids only.

MOTION: SUPPORT (M/S/P Horvath/Townsend)

- E. [SB1495](#) – Relating to Hearing Aids. Exempts from the general excise tax, gross receipts received by a hospital, infirmary, medical clinic, health care facility, pharmacy, or a practitioner licensed to administer drugs to an individual, from the sale of hearing aids. Sunsets 1/1/2027.

Peter Fritz noted the definition of hearing aids does not specify “prescription only.” The Committee recommended adding that clarification to the definitions section.

MOTION: SUPPORT (M/S/P Townsend/Akamine)

- F. [SB1493](#) – Relating to Service Animals. Requires sellers or providers of emotional support animals to provide written notice to the buyers or recipients that the animal does not have the special training required to qualify as a service animal; the animal is not entitled to the rights and privileges accorded by law to a service animal; and knowingly misrepresenting as a service animal any animal that does not meet the statutory requirements of a service animal is a violation of law. Requires sellers or providers of certificates or identification tags for emotional support animals to provide written notice to the buyers or recipients that the item does not entitle an emotional support animal to the rights and privileges accorded by law to a service animal and knowingly misrepresenting as a service animal any animal that does not meet the statutory requirements of a service animal is a violation of law. Establishes penalties.

The Committee already voted to support a functionally similar bill, so there is not need for a vote.

- G. [SB 74](#) – Relating to State Construction Projects. Establishes the Office of the State Architect within the Department of Accounting and General Services to be headed by the State Architect. Authorizes the State Architect to organize, manage, and oversee the design review of all state construction projects and issue design approvals. Establishes the Design Review Special Fund. Requires the State Architect to submit a report to the Governor and Legislature. Authorizes DAGS to provide centralized design review services for state construction projects and issue design approvals through the State Architect. Exempts state construction projects from county building permit, inspection, and certificate of occupancy requirements, subject to certain conditions. Makes appropriations.

The Committee noted that requiring the State Architect to review accessibility standards would duplicate the Facility Access Units existing review. The Committee voted to recommend reinstating the exemption from Hawaii Revised Statute 103-50, clarifying that DCAB's review should suffice. The Committee also expressed concern about misleading bill language and plans to submit comments addressing it.

MOTION: SUPPORT INTENT (M/S/P Townsend/Akamine)

- H. [SB1281](#) – Relating to Telehealth. Updates the State's laws on telehealth services to conform with federal Medicare regulations. Requires the Insurance Commissioner to report to the Legislature on reimbursements claimed in the previous year for certain telehealth services. Repeals the sunset date of Act 107, Session Laws of Hawai'i 2023.

Staff confirmed that federal Medicare telehealth standards are sufficient. Peter Fritz noted that aligning with federal law may be necessary for funding. The standards include audio-only options, accommodating varying levels of technology access.

MOTION: SUPPORT (M/S/P Townsend/Akamine)

- I. [SB1322](#) – Relating to Mental Health. Clarifies and expands the circumstances and procedures available for emergency transportation, examination, and hospitalization under chapter 334. Provides limits on liability for state and local governments and professionals during mental health emergency procedures while performing their duties in the course of employment. Expands the notice requirements for an emergency hospitalization to include an individual's health-care surrogate and clarifies when notice to family members can be waived. Removes the authority of the family court to appoint a legal guardian in a proceeding for involuntary hospitalization. Removes the requirement that psychiatric facilities wait for a response on a notice of intent to discharge an involuntary hospitalization patient prior to discharge. Clarifies the circumstances under which a subject of an order for assisted community treatment can be administered medication over the subject's objection. Provides limits on liability for an assisted community treatment provider. Modifies the administrative authorization of medical

treatment over the patient's objection to be reviewed by a single decision-maker who is a psychiatrist.

Staff noted the bill may offer protections for individuals with psychiatric disabilities and that similar bills have been supported previously. The Committee expressed concern that the bill may be outside their expertise. The Committee also noted the bill contains many complex elements.

MOTION: MONITOR (M/S/P Townsend/Horvath)

- J. [SB1432](#) – Relating to Changes to Responsibilities of the Department of Health Concerning Patients, the County of Kalawao, and the Kalaupapa Settlement. Establishes the Kalaupapa State Historical Area. Authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community. Repeals sections of chapter 326, Hawai'i Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation.

MOTION: SUPPORT (M/S/P Townsend/Horvath)

- K. [SB1564](#) – Relating to Medicaid. Appropriates funds to increase the funding of certain Medicaid home and community-based services, including adult day programs and residential services offered in community care foster family homes and expanded adult residential care homes.

MOTION: SUPPORT (M/S/P Townsend/Horvath)

- L. [HB701](#) – Relating to Taxation. Establishes a refundable Family Caregiver Tax Credit for nonpaid family caregivers. Requires the Department of Taxation to report to the Legislature before the convening of each Regular Session.

MOTION: SUPPORT (M/S/P Horvath/Townsend)

- M. [SB1651](#) - Relating to Public Meetings. Requires board packets to be posted two or more full business days before a public meeting.

Staff noted the bill does not define “full business day” and suggested using “three days” instead of “two.” Peter Fritz shared the requirement was previously 48 hours, then two business days, and raised concern about the lack of a timeframe for community member notification. The Committee recommended using the language “more than two business days.”

MOTION: SUPPORT INTENT (M/S/P Akamine/Townsend)

- IV. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

There were no comments.

- V. The next Committee meeting is scheduled for Wednesday, February 19, 2025, 11:00 a.m. - 12:30 p.m.
- VI. Chairperson Violet Horvath adjourned the meeting at 12:22 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

ELIZABETH PEARSON