

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

January 27, 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. Presentation by State Council on Developmental Disabilities
- V. Bills and Resolutions
 - A. Non-Discrimination

[SB59](#) – Relating to Algorithmic Discrimination. Prohibits users of algorithmic decision-making from utilizing algorithmic eligibility determinations in a discriminatory manner. Requires users of algorithmic decision-making to send corresponding notices to individuals whose personal information is used. Requires users of algorithmic decision-making to submit annual reports to the Department of the Attorney General. Provides means of civil enforcement.

[SB116](#) – Relating to Discrimination. Establishes provisions relating to civil remedies for discriminatory reporting to a law enforcement officer. Provides that any person who contacts a law enforcement officer to contact a person on the basis of the person's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, or gender identity with the specific intent to infringe upon the person's certain rights. Requires the Department of Law Enforcement, in consultation with the Hawai'i Civil Rights Commission, to provide guidance to the public on the enactment of this Act.

[SB149](#) – Relating to Accessibility. Establishes that it is an unlawful discriminatory practice for public accommodations 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.

[SB786](#) – Relating to Government Records. Beginning 1/1/2027, requires all government records required to be open to public inspection under the Uniform Information Practices Act to be made available in a disability-accessible format upon request. Requires the Governor, Chief Justice, and Mayor of each county to designate at least one agency within their respective government unit as a converting agency responsible for converting government records into a disability-accessible format. Establishes the process by which government records shall be converted into disability-accessible format upon request. Allows the converting agencies to consult with the Disability Communication Access Board. Requires the Office of Information Practices, Judiciary, and each county to adopt rules, regulations, or ordinances, including a provision that extends the time within which an agency must respond to requests for government records by 5 business days for records in disability-accessible formats, with exceptions for records pertaining to board meetings. Appropriates funds.

[SB870](#) – Relating to Telecommunication. Requires the Comptroller to identify state office buildings that can provide equitable telecommunication access to allow certain residents, including residents with disabilities, to participate remotely in legislative hearings. Requires a report to the Legislature.

[HB601](#) – Relating to Elections. Increases the number of voter service centers in the State. Requiring all voter services centers to operate during the same days and hours statewide. Clarifies that during each day of operation, during all hours of operation, each voter service center is to provide in-person voter registration, receive absentee and election-by-mail ballots, allow voters to vote in person, and provide voting machine services for persons with disabilities. Appropriates moneys to the counties for the administrative costs of voter service centers.

B. Communication Access

[SB435](#) – Relating to Voting. Requires the Office of Elections to include a notice to voters that a digital and print voter information guide is available. Requires the notice to be in thirty-two-point font and enclosed as a separate insert with each ballot. Requires the Office of Elections to maintain a notice on its website providing certain information about the voter information guide. Requires the Office of Elections to make the digital voter information guide available to the public no later than twenty-one days before the primary election and no later than fifty days before the general election.

[SB530](#) – Relating to Braille Literacy. Establishes Braille literacy as a policy of the State. Requires literacy assessments for eligible low vision and blind students to include Braille instruction and the use of Braille. Authorizes the Department of Education to adopt administrative rules. Establishes the Braille Literacy Resource Center. Appropriates funds.

[SB1094](#) – Relating to Vehicles. Requires that any new motor vehicle permitted by law to be equipped with a siren, whether purchased or contracted in the State to be equipped with dual frequency sirens.

C. Service and Other Animals

[SB387](#) – Relating to Service Animals. Requires the Department of Agriculture to be responsible for all neighbor island inspection permit fees for service animals that are located in the State and are being transported for release at Kona, Kahului, or Lihue airports. Appropriates funds.

[SB404](#) – Relating to Service Animals. Requires sellers or providers of emotional support animals or of certificates, identifications, tags, vests, leashes, and harnesses that identify an animal as an emotional support animal to provide certain disclaimers to the buyer or recipient. Establishes penalties.

[SB1025](#) – Relating to Transportation. Allows service and non-service pet animals on mass transit vehicles under certain conditions.

[SB1209](#) – Relating to Transportation. Requires the Civil Rights Commission to receive and investigate complaints related to acts of discrimination committed by transportation network company drivers against riders with service animals and report the results of its investigation to the Department of Transportation, which shall issue penalties to transportation network companies.

D. Building Code, Design, and Facility Access

HB XX (Pending Introduction) – Relating to Parking for Disabled Persons. Requires the number of Accessible Parking Spaces at State Facilities be increased by 50 percent.

[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.

[SB718](#) – Relating to Equity. Requires all places of public accommodation and public entity constructions constructed after 7/31/2026, to provide universal changing accommodations that are equally accessible regardless of gender.

E. Community Based Services and Employment

[SB 8](#) - 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.

[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.

[SB189](#) – Relating to Breast Cancer Screening. Expands coverage of breast cancer screening and imaging to include an annual mammogram for a woman of any age having an above-average risk for breast cancer, risk factor screening for women 30 years of age and older, and additional supplemental imaging for any woman, regardless of age, as deemed medically necessary by an applicable American College of Radiology guideline.

[SB451](#) – Relating to Persons with Disabilities. Requires the Department of Human Services to establish a Medicaid buy-in program for workers with disabilities.

[SB479](#) (companion [HB247](#)) – Relating to the Hawaii ABLE Savings Program. Repeals language that gives the Director of Finance discretion to use moneys in the Hawai'i ABLE Savings Program Trust Fund if the Director elects to accept deposits from contributors instead of sending deposits directly to the ABLE Program Manager. Authorizes the Director of Finance to expend moneys in the Hawai'i ABLE Savings Program Trust Fund to provide incentive payments to Hawai'i public school ABLE account owners. Appropriates funds.

[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.

[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.

[SB776](#) (companion: [HB320](#)) – Relating to Supported Decision-Making Agreements. Allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or members of a supportive

community. Specifies the terms of a supported decision-making agreement, including access to personal information and agreement requirements.

[SB788](#) – Relating to Guardianship and Conservatorship Services. Establishes a two-year pilot program in the Probate Court and Family Court of the First Circuit to fund certain guardianship and conservatorship related court resources in situations where the respondent does not have sufficient funds to pay for one or more of the resources and the court has deemed the resource or resources beneficial. Requires the Judiciary to submit reports to the Governor and Legislature. Appropriates funds.

[SB850](#) (companion: [HB819](#)) – Relating to Disability Health Disparity. Requires the State Council on Developmental Disabilities to collect data and submit to the Legislature a report focused on the health disparities experienced by individuals with intellectual or developmental disabilities in the State prior to the convening of the Regular Session of 2027. Appropriates funds.

[SB880](#) (companion [HB705](#)) – Relating to Executive Office on Aging. Establishes a temporary Medi-Medi Project within the Hawai'i State Health Insurance Assistance Program administered by the Executive Office on Aging to assist older adults, Medicare beneficiaries, individuals with disabilities, and other underserved populations who may qualify for various low-income subsidy programs to gain access to their benefits. Requires the Executive Office on Aging to submit reports to the Legislature. Appropriates funds.

[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.

[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.

[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.

F. Transportation and Mobility

[SB 431](#) – Relating to Parking for Disabled Persons. Allows persons entitled to park in disabled parking spaces to report vehicles illegally parked in disabled parking spaces to the Department of Law Enforcement. Upon receipt of a legitimate report, requires the Department to send a notice to the offender informing them of the report and advising them of the law and penalties for illegally parking in a handicapped space.

[SB1008](#) – Relating to Parking. Authorizes the counties to adopt ordinances to enforce the accessible parking space requirements for parking spaces reserved for persons with disabilities and electric vehicles.

[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.

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

[HB469](#) – Relating to Parking for Disabled Persons. Requires the Disability and Communication Access Board to issue a disability travel placard to an applicant who has a valid removeable windshield placard and provides proof of travel. Effective 7/1/2027.

[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.

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.

H. Administration

I. Other

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

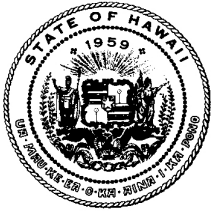
VII. Next Meeting

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/>.



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MINUTES

Disability and Communication Access Board Legislative Committee Meeting

Location: Virtual via Zoom and 1010 Richards Street, Kamamalu Building, Room 118
Date: January 27, 2025
Time: 10:30 a.m.

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

ABSENT: Violet Horvath, Chairperson; Rosanna Daniel-Kanetake, Board Member

PUBLIC

PARTICIPANTS: Peter Fritz, Donald Sakamoto, Che Silvert, Kent Yamamoto

SIGN LANGUAGE

INTERPRETERS: Keri Lee and Regina Sapko

REAL TIME

CAPTIONERS: April Chandler and Kelly DeCamp

I. Acting Chairperson Charlotte Townsend called the meeting to order at 11:02 a.m.

II. Roll was called and Committee members and staff introduced themselves.

III. Statement from Public and Written Testimonies Submitted

Bryan Mick reported that no public testimony was received.

IV. Presentation by State Council on Developmental Disabilities

Che Silvert introduced himself and stated that he handles legislative and policy efforts for the State Council on Developmental Disabilities (DD Council). He shared an overview of the Council's six (6) legislative priorities for this session, briefly summarizing each:

- i. **Pilot Project for Guardianship Proceedings (HB648/SB788)** – Requests \$100,000 to fund a two-year pilot project through Family and Probate Court to provide court-appointed guardians ad litem and capacity evaluations at no cost to individuals in guardianship and conservatorship proceedings. Currently, these supports are not funded by the court and must be paid for by the individual, which is a significant barrier for many with intellectual and developmental disabilities (I/DD).
- ii. **Supported Decision-Making (SDM) (HB649/SB789)** – Establishes supported decision-making in Hawai'i law as a formal alternative to guardianship. This

- model allows an individual to designate a trusted supporter to help with decision-making while maintaining their autonomy. The supporter can access relevant information (e.g., financial or medical) to assist but cannot make decisions on the person's behalf, distinguishing SDM from power of attorney.
- iii. **Health Disparities Study (HB819/SB850)** – Proposes a two-year, statewide study to analyze health disparities among people with disabilities by ZIP code. The Council estimates approximately 23,000 individuals with I/DD live in Hawai'i, but only about 3,000 are currently known to state agencies. The study seeks to better understand disparities and locate underserved individuals. Estimated cost: \$500,000.
 - iv. **ABLE Savings Program Outreach (HB247/SB479)** – Requests funding for a staff position at the DD Council to expand outreach and enrollment in ABLE (Achieving a Better Life Experience) savings accounts. While over 220,000 individuals in Hawai'i may be eligible, only about 150 currently have an ABLE account. These accounts allow people with disabilities to save money without jeopardizing access to Medicaid, SSI, or other benefits.
 - v. **Medicaid Buy-In Program (SB451)** – Though not introduced by the Council, they are supporting this bill, which would allow individuals with disabilities to buy into Medicaid coverage regardless of income. This would help individuals with I/DD without losing access to essential medical care.
 - vi. **Adult Changing Tables (SBXXX)** – The Council is also supporting a bill introduced by Senator Aquino requiring adult-sized, height-adjustable changing tables in state buildings undergoing new construction or renovation. These tables support the dignity and needs of adults with mobility impairments or who use adult diapers by offering accessible bathroom accommodations.

He would be happy to answer questions after his presentation. Acting Chairperson Charlotte Townsend asked why the Kanawai pilot project was proposed as a pilot instead of a permanent program. Che Silvert responded that while the need is evident to the disability community, the pilot program is intended to demonstrate and validate that need to others who may be less familiar with the issue.

A reminder was raised by Peter Fritz regarding agenda descriptions under the Sunshine Law. He advised the DD Council and Committee to ensure sufficient detail is included in future agenda items, especially when presentations may involve discussions or advocacy on specific measures.

V. Bills and Resolutions

A. Non-Discrimination

SB59 – Relating to Algorithmic Discrimination. Prohibits users of algorithmic decision-making from utilizing algorithmic eligibility determinations in a discriminatory manner. Requires users of algorithmic decision-making to send corresponding notices to individuals whose personal information is used. Requires users of algorithmic decision-making to submit annual reports to the Department of the Attorney General. Provides means of civil enforcement.

Bryan Mick-explained that Senate Bill 59 would prohibit the use of algorithmic decision-making tools to make eligibility determinations in a discriminatory manner. He noted that DCAB supported the bill previously due to concerns that algorithms could inadvertently discriminate against individuals with disabilities — for example, by excluding resumes with gaps in employment

that may have resulted from a disability or health-related leave. Acting Chairperson Charlotte Townsend acknowledged the bill's relevance under Title I of the ADA, which addresses employment discrimination. She asked whether the bill applied to state agencies and who introduced it. Elizabeth Pearson responded that the bill was introduced by Senator Rhoads and noted the uncertainty regarding whether it was introduced at the recommendation of the Attorney General. Bryan Mick confirmed the bill did not receive a hearing last year and was unsure of the Attorney General's stance.

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

[SB116](#) – Relating to Discrimination. Establishes provisions relating to civil remedies for discriminatory reporting to a law enforcement officer. Provides that any person who contacts a law enforcement officer to contact a person on the basis of the person's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, or gender identity with the specific intent to infringe upon the person's certain rights. Requires the Department of Law Enforcement, in consultation with the Hawai'i Civil Rights Commission, to provide guidance to the public on the enactment of this Act.

Elizabeth Pearson-explained the bill seeks to address civil rights violations stemming from biased or unfounded calls to law enforcement — such as contacting police based solely on a person's appearance without legitimate cause. Bryan Mick affirmed that while disability may not have been the primary impetus for the bill, it is included due to its coverage under civil rights protections. Elizabeth Pearson added that the bill had already passed its first hearing. She also referenced a prior version of the bill that received support from the Hawai'i Civil Rights Commission (HCRC), which had expressed concerns about unintended consequences, such as discouraging people from reporting suspicious behavior or holding them liable for good faith mistakes. Despite those concerns, DCAB supported the intent of the previous version. Acting Chairperson Charlotte Townsend expressed discomfort with the bill, stating she could not support it due to broader societal concerns around surveillance and over-reporting.

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

[SB149](#) – Relating to Accessibility. Establishes that it is an unlawful discriminatory practice for public accommodations 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.

Elizabeth Pearson explained that the bill seeks to amend the public accommodation law for the State of Hawaii to ensure that online services are subject to the same anti-discrimination requirements as brick-and-mortar establishments. Bryan Mick explained that this bill involves a legal split regarding whether the ADA applies to online businesses. Peter Fritz added that the bill aims to clarify that businesses providing services through websites must comply with anti-discrimination laws, regardless of whether they have physical locations. Elizabeth Pearson referenced DCAB's position,

which supports extending ADA protections to online services. Acting Chairperson Charlotte Townsend voiced her agreement with the bill's intent but expressed concern about the overall weakness of Hawaii's public discrimination law. She recommended supporting the bill despite these concerns. Kirby Shaw-reminded the Committee of the upcoming ADA regulations that will require state and county websites and mobile apps to be accessible to people with disabilities, further aligning with the bill's goals.

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

[SB786](#) – Relating to Government Records. Beginning 1/1/2027, requires all government records required to be open to public inspection under the Uniform Information Practices Act to be made available in a disability-accessible format upon request. Requires the Governor, Chief Justice, and Mayor of each county to designate at least one agency within their respective government unit as a converting agency responsible for converting government records into a disability-accessible format. Establishes the process by which government records shall be converted into disability-accessible format upon request. Allows the converting agencies to consult with the Disability Communications Access Board. Requires the Office of Information Practices, Judiciary, and each county to adopt rules, regulations, or ordinances, including a provision that extends the time within which an agency must respond to requests for government records by 5 business days for records in disability-accessible formats, with exceptions for records pertaining to board meetings. Appropriates funds.

Elizabeth Pearson explained the bill seeks to ensure that any public record is provided in an accessible format upon request, complementing existing requirements for board meetings under the Office of Information Practices (OIP). She clarified that while the bill doesn't define "disability-related accessible format," the issue revolves around making public records more accessible to people with disabilities. Peter Fritz added that the bill doesn't specify accessibility standards but raised concerns about delays in providing documents in accessible formats. He emphasized that agencies already have the tools to quickly convert PDFs to accessible formats, and the request should not result in extended delays for individuals with disabilities. Donald Sakamoto expressed concern about the feasibility of converting long documents to Braille and the potential for delays, but Acting Chairperson Charlotte Townsend assured him that agencies such as DCAB and the Department of Accounting and General Services (DAGS) have embossers. Elizabeth Pearson further discussed DCAB's position, noting the importance of ensuring timely access to accessible documents for individuals with disabilities. Peter Fritz advocated for the bill's broader intent to make all documents accessible from the outset, noting that the current process still involves too much delay. Kirby Shaw agreed with this approach but acknowledged the challenges of assigning responsibility within each agency. Bryan Mick highlighted that the bill addresses the importance of making public records accessible in formats that individuals with disabilities can use.

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

[SB870](#) – Relating to Telecommunication. Requires the Comptroller to identify state office buildings that can provide equitable telecommunication access to

allow certain residents, including residents with disabilities, to participate remotely in legislative hearings. Requires a report to the Legislature.

Bryan Mick noted that DCAB had previously supported a similar bill and emphasized that SB870 could be particularly valuable for areas outside of Oahu.

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

[HB601](#) – Relating to Elections. Increases the number of voter service centers in the State. Requiring all voter services centers to operate during the same days and hours statewide. Clarifies that during each day of operation, during all hours of operation, each voter service center is to provide in-person voter registration, receive absentee and election-by-mail ballots, allow voters to vote in person, and provide voting machine services for persons with disabilities. Appropriates moneys to the counties for the administrative costs of voter service centers.

Acting Chairperson Charlotte Townsend asked for clarification about voting service centers and whether they were the same as the old voting precincts. Committee member Anthony Akamine explained that voter service centers are established locations by the county where people can vote in person, replacing local voting precincts. Peter Fritz clarified that when the state transitioned to voting by mail, local voting precincts were eliminated and replaced with voting service centers. He expressed his support for the bill, stating that any increase in the number of voting service centers would make it easier for individuals, especially those with disabilities, to vote in person. Donald Sakamoto representing the Honolulu County Elections Accessibility Needs Committee emphasized the need for more voting service centers on the neighbor islands like Maui, which currently only has one center for the entire island.

MOTION: SUPPORT (M/S/P Townsend/Kozai; Abstain: Akamine)

B. Communication Access

[SB435](#) – Relating to Voting. Requires the Office of Elections to include a notice to voters that a digital and print voter information guide is available. Requires the notice to be in thirty-two-point font and enclosed as a separate insert with each ballot. Requires the Office of Elections to maintain a notice on its website providing certain information about the voter information guide. Requires the Office of Elections to make the digital voter information guide available to the public no later than twenty-one days before the primary election and no later than fifty days before the general election.

Bryan Mick noted the use of thirty two (32) point font would help prevent people from needing to ask for a large print version. He also raised concerns about the cost of mailing documents in such a large font. Acting Chairperson Charlotte Townsend clarified that the bill proposes sending a notice about availability rather than mailing the documents in that size. She acknowledged that, while supportive of the bill, the Committee needs to monitor it for amendments as it moves forward. She recommended supporting the bill's intent.

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

[SB530](#) – Relating to Braille Literacy. Establishes Braille literacy as a policy of the State. Requires literacy assessments for eligible low vision and blind students to include Braille instruction and the use of Braille. Authorizes the Department of Education to adopt administrative rules. Establishes the Braille Literacy Resource Center. Appropriates funds.

Bryan Mick highlighted concerns about the Department of Education (DOE) not supporting braille instruction despite requests from families and students, which can be problematic for those whose vision worsens over time. Acting Chairperson Charlotte Townsend questioned why braille instruction isn't managed by the Department of Human Services Ho'opono Division, which provides lifelong braille education. Bryan Mick explained the bill was introduced due to a family's advocacy for a blind student denied braille in her individualized education plan (IEP). Peter Fritz noted that the bill targets the DOE due to its relation to Individuals with Disabilities Education Act (IDEA) plans, aiming to address DOE's obstruction of braille education. Donald Sakamoto voiced support for the bill, emphasizing the importance of braille as vision declines.

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

[SB1094](#) – Relating to Vehicles. Requires that any new motor vehicle permitted by law to be equipped with a siren, whether purchased or contracted in the State to be equipped with dual frequency sirens.

Elizabeth Pearson clarified that the bill applies to any vehicle permitted by law to have a siren, though emergency vehicles are the primary focus. Acting Chairperson Charlotte Townsend expressed interest in the bill's potential impact on individuals with hearing loss, particularly as Hawaii's aging population may face hearing challenges. Committee members emphasized that this is a proactive step to support individuals with hearing loss. Kirby Shaw-emphasized that the bill would improve accessibility for people with hearing impairments and the elderly.

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

C. Service and Other Animals

[SB387](#) – Relating to Service Animals. Requires the Department of Agriculture to be responsible for all neighbor island inspection permit fees for service animals that are located in the State and are being transported for release at Kona, Kahului, or Lihue airports. Appropriates funds.

Bryan Mick recommended support for the bill, noting that while service animal inspections are provided free of charge at the Daniel K. Inouye International Airport, travelers flying directly to the neighbor islands must pay for a private veterinarian to conduct the inspection at their own expense. He explained that DCAB supported a similar measure in the past, but it did not pass due to concerns from the Department of Agriculture (DOA) regarding cost. This year's version includes an appropriation, though it does not specify an

amount. Acting Chairperson Charlotte Townsend recalled that DOA previously cited a lack of staff on the neighbor islands, which necessitated private contracts with veterinarians. She expressed support for the bill, citing the disparity and financial burden for people with disabilities traveling with service animals. Peter Fritz stated his understanding that if a dog arriving on a neighbor island is non-compliant, the animal must be transported at the owner's expense to Oahu for quarantine. He believed the bill was intended to eliminate this cost for individuals with service animals.

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

[SB404](#) – Relating to Service Animals. Requires sellers or providers of emotional support animals or of certificates, identifications, tags, vests, leashes, and harnesses that identify an animal as an emotional support animal to provide certain disclaimers to the buyer or recipient. Establishes penalties.

Bryan Mick-suggested that the bill should require individuals to disclose when purchasing an animal for emotional support, as they currently do not need to provide this information to pet sellers. He emphasized the importance of making it clear that emotional support animals are not service animals. He recommended that pet sellers inform buyers that items like vests, leashes, and harnesses do not provide legal standing for the animal, particularly in situations where people believe the gear grants their animal access to public places like restaurants. Peter Fritz provided background on a similar law passed in California, which aims to protect consumers from misrepresenting emotional support animals or service animals. Acting Chairperson Charlotte Townsend, expressed concern about enforcement, especially with online sales of these items, but agreed with supporting the bill's intent and making necessary amendments.

Yes

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

[SB1025](#) – Relating to Transportation. Allows service and non-service pet animals on mass transit vehicles under certain conditions.

Elizabeth Pearson suggested monitoring the bill's progress and indicated that the intent was generally aligned with DCAB's perspective, but further evaluation would be necessary as the bill develops. Bryan Mick added that this was the first bill of its kind related to mass transit. He noted that a similar bill concerning service animals in restaurants had previously been opposed due to concerns about untrained animals interfering with trained service animals, an issue they anticipated could arise with SB1025. Acting Chairperson Charlotte Townsend noted that local transportation services were already exploring changes to their rules to accommodate new forms of inclusion, and she suggested allowing some flexibility, such as permitting large animals to be muzzled. Peter Fritz raised concerns about the bill's preamble, which misrepresents Washington, D.C.'s policies, which only allows animals in crates on public transportation, whereas SB1025 would allow uncrated large animals, which could cause safety risks. He recommended allowing dogs in crates or on laps, as opposed to large, uncrated animals. Donald Sakamoto, shared a personal experience of being

struck in the face by a dog's tail on a bus and fully supported the bill as long as it addressed safety concerns.

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

[SB1209](#) – Relating to Transportation. Requires the Civil Rights Commission to receive and investigate complaints related to acts of discrimination committed by transportation network company drivers against riders with service animals and report the results of its investigation to the Department of Transportation, which shall issue penalties to transportation network companies.

Elizabeth Pearson noted that SB1209 has a companion HB468 focused on ensuring compliance from rideshare companies like Uber and Lyft regarding service animal access. Acting Chairperson-Charlotte Townsend recalled that the issue of Uber and Lyft discriminating against individuals with service animals had been discussed in prior board meetings. Donald Sakamoto voiced strong support for the bill and emphasized the importance of requiring rideshare companies to comply with access laws for individuals with service animals.

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

D. Building Code, Design, and Facility Access

HB XX (Pending Introduction) – Relating to Parking for Disabled Persons. Requires the number of Accessible Parking Spaces at State Facilities be Increased by 50 percent.

Bryan Mick clarified that this bill has now been introduced as HB1270. Bryan Mick recommended the Committee support the intent of the bill but substitute DCAB's previously proposed revised chart to determine appropriate stall counts. He explained that the revised chart would better address issues found in larger parking lots, where access barriers are more commonly reported.

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

[SB718](#) – Relating to Equity. Requires all places of public accommodation and public entity constructions constructed after 7/31/2026, to provide universal changing accommodations that are equally accessible regardless of gender.

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

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.

Bryan Mick-recommended support due to previous efforts that added Advance Practice Registered Nurses (APRN) to the list of medical professionals authorized to certify parking permit applications, suggesting parity with other professions. He also noted the current strain on the

healthcare system and the potential impact of jury duty may have on medical care access. Acting Chairperson Charlotte Townsend questioned whether a special exemption for nurses was necessary, given that individuals can already apply for excusal from jury duty on a case-by-case basis.

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

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

Elizabeth Pearson noted that mental health conditions are covered under the Americans with Disabilities Act (ADA), and this bill could help ensure that annual mental health wellness examinations are covered, allowing individuals with mental health disabilities to receive necessary services and care. Acting Chairperson Charlotte Townsend acknowledged the significance of the mandate and recommended monitoring the bill. She noted that many mental health-related bills are expected this session and expressed concern about diluting DCAB's impact by supporting all of them without prioritization.

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

[SB189](#) – Relating to Breast Cancer Screening. Expands coverage of breast cancer screening and imaging to include an annual mammogram for a woman of any age having an above-average risk for breast cancer, risk factor screening for women 30 years of age and older, and additional supplemental imaging for any woman, regardless of age, as deemed medically necessary by an applicable American College of Radiology guideline.

Elizabeth Pearson noted that, since cancer patients are protected under the ADA, supporting early screening efforts — especially for high-risk individuals — may be relevant to DCAB's role as the State ADA Coordinator. Bryan Mick added that the Committee supported similar bills last year aimed at expanding screening access for specific populations.

MOTION: MONITOR (M/S/P Akamine/Kozai)

[SB451](#) – Relating to Persons with Disabilities. Requires the Department of Human Services to establish a Medicaid buy-in program for workers with disabilities.

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

[SB479](#) (companion [HB247](#)) – Relating to the Hawaii ABLE Savings Program. Repeals language that gives the Director of Finance discretion to use moneys in the Hawai'i ABLE Savings Program Trust Fund if the Director elects to accept deposits from contributors instead of sending deposits directly to the ABLE Program Manager. Authorizes the Director of Finance to expend moneys in the Hawai'i ABLE Savings Program Trust Fund to provide incentive payments to Hawai'i public school ABLE account owners. Appropriates funds.

Committee member Anthony Akamine commented that this would benefit individuals with a wide variety of disabilities.

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

[SB776](#) (companion: [HB320](#)) – Relating to Supported Decision – Making Agreements. Allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or members of a supportive community. Specifies the terms of a supported decision-making agreement, including access to personal information and agreement requirements.

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

[SB788](#) – Relating to Guardianship and Conservatorship Services. Establishes a two-year pilot program in the Probate Court and Family Court of the First Circuit to fund certain guardianship and conservatorship related court resources in situations where the respondent does not have sufficient funds to pay for one or more of the resources and the court has deemed the resource or resources beneficial. Requires the Judiciary to submit reports to the Governor and Legislature. Appropriates funds.

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

[SB850](#) (companion: [HB819](#)) – Relating to Disability Health Disparity. Requires the State Council on Developmental Disabilities to collect data and submit to the Legislature a report focused on the health disparities experienced by individuals with intellectual or developmental disabilities in the State prior to the convening of the Regular Session of 2027. Appropriates funds.

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

F. Transportation and Mobility

[SB 431](#) – Relating to Parking for Disabled Persons. Allows persons entitled to park in disabled parking spaces to report vehicles illegally parked in disabled parking spaces to the Department of Law Enforcement. Upon receipt of a legitimate report, requires the Department to send a notice to the offender informing them of the report and advising them of the law and penalties for illegally parking in a handicapped space.

Bryan Mick clarified that the measure does not propose penalties, citations, or fines. Based on discussions with relevant parties, the bill would allow for the issuance of warning letters — similar to DCAB's existing process — when a report is received alleging misuse of an accessible parking stall. Such letters would simply notify the individual that a violation may have occurred and remind them that misuse could result in a \$500 citation. Peter Fritz raised concerns about the lack of due process for those who receive such letters, including the absence of a formal opportunity to contest the accusation and a lack of clarity regarding record retention and evidentiary use in the future. While acknowledging that these concerns might not need to be addressed in the bill itself, he recommended continued discussion. Acting Chairperson

Charlotte Townsend acknowledged these points and recommended that staff monitor the bill and consider amendments if necessary.

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

- VI. 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.

- VII. Next Meeting

The next Committee meeting is scheduled for February 3, 2025 at 10:30 a.m.

- VIII. Adjournment

The meeting was adjourned at 12:43 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/
ELIZABETH PEARSON