



DISABILITY AND COMMUNICATION ACCESS BOARD

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

NOTICE OF MEETING

Disability and Communication Access Board

Legislative Committee Meeting

February 10, 2023

12:01 p.m. – 1:00 p.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://zoom.us/j/96218376733> and enter Meeting ID: 962 1837 6733

To join by phone

Dial 1 669 444 917 and enter Meeting ID: 962 1837 6733

Public Testimony

Testimony or comments presented by members of the public during Legislative Committee meetings shall be limited to two minutes 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 its Board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one of the methods listed below:

- 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. Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Amendment to DCAB Legislative Position Statements
Support legislation to increase building accessibility for persons with disabilities that exceed federal guidelines for entities covered by the Fair Housing Act (example, require elevators, require a percentage of units be on ground floor).
- V. DCAB Legislative Positions Relating to 32nd Legislature, 2023 Bills
 - A. Communication Access
 - House Bill 1296, Relating to Early Intervention Services. Establishes an early intervention service working group within the Department of Health to study and recommend ways to assist and support deaf and hard of hearing children, including implementation strategies. Requires report to Legislature. Appropriates moneys.
 - Senate Bill 814, Relating to Electronic Information Technology Accessibility for Persons with Limited English Proficiency. Requires the Office of Enterprise Services, in consultation with the Office of Language Access and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities.
 - Senate Bill 813/House Bill 219, Relating to Court Interpreters. Requires the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters. Appropriate funds.

- Senate Bill 812/House Bill 439, Relating to Immigrant Services. Establishes and appropriates moneys for an immigrant services and access unit within the Office of Community Services.
- B. Service and Other Animals
- Senate Bill 1177 – Relating to Dogs. Allows dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met.
- C. Building Code, Design, and Facility Access
- Senate Bill 336 Relating to Housing. Restricts any county from disapproving or imposing certain conditions on a housing development project or an emergency shelter unless the county meets certain requirements.
- D. Community Based Services and Employment
- Senate Bill 102, Relating to General Excise Tax. Exempts services provided by a hospital, infirmary, medical clinic, health care facility, pharmacy, or licensed medical practitioner from the general excise tax.
 - Senate Bill 849, Relating to Social Services. Amends the state supplemental payment ceiling for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both. Amends the monthly needs allowance for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities.
 - Senate Bill 1151, Relating to the Hawaii Community College Promise Program. Exempts students who are enrolled in certificate programs from the requirement to complete the Free Application for Federal Student Aid each academic year to be considered eligible for the Hawai'i Community College Promise Program.
 - House Bill 1042/Senate Bill 1340, Relating to the Practice of Behavior Analysis. Makes permanent the exemption from the behavior analyst licensing requirements for teachers working in collaboration with a licensed behavior analyst or licensed psychologist. Removes the exemption from the behavior analyst licensing requirements for direct support workers and allows a registered behavior technician who is under the direction of a licensed psychologist to implement applied behavior analysis services.
- E. Transportation and Mobility
- House Bill 415, HD1/Senate Bill 101, Making an Appropriation to Implement the Recommendations of the Task Force on Mobility Management, Established Pursuant to Act 214, Session Laws of Hawaii 2013. Makes an appropriation to the Department of Health to implement the recommendations of the statewide mobility management task force, established pursuant to Act 214, Session Laws of Hawai'i 2013. Effective 7/1/3000.
 - Senate Concurrent Resolution 7, Urging the City and County of Honolulu to Improve Access to TheBus in Oahu's Rural Communities.
- F. Administration

- House Bill 300/Senate Bill 354, Relating to the State Budget. Appropriates funds for the operating and capital improvement budget of the Executive Branch for fiscal years 2023-2024 and 2024-2025.
- House Bill 545/Senate Bill 1196, Relating to Boards and Commissions. Clarifies that board and commission holdover members shall not hold office beyond the end of the second regular legislative session following the expiration of the member's term of office regardless of any conflicting statutes.

G. Other

- House Bill 40, Relating to the General Fund. Provides a tax credit to taxpayers and makes deposits to the emergency and budget reserve fund and other post-employment benefits trust fund pursuant to article VII, section 6, of the Hawai'i State Constitution. Appropriates funds.
- House Bill 1440/Senate Bill 1595, Relating to the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. Adopts the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. Repeals the superseded Uniform Guardianship and Protective Proceedings Act.
- Senate Bill 50/House Bill 326, Relating to Plastic Straws. Prohibits the distribution, sale, and provision of plastic straws, except for those who request single-use plastic straws for medical reasons. Establishes a fine for violators. Takes effect 1/1/2024.

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

Legislative Committee Meeting

Location: 1010 Richards Street #118 and via Zoom
Date: February 10, 2023
Time: 12:01 p.m.

PRESENT: Dean Georgiev, Chairperson; Anthony Akamine, Rosanna Daniel-Kanetake, Violet Horvath, Committee Members; Kirby Shaw, Bryan Mick, Curtis Motoyama, Staff

GUESTS: Peter Fritz, Donald Sakamoto

I. Chairperson Dean Georgiev called the meeting to order at 12:12 p.m.

II. The attendees introduced themselves.

III. There were no public testimonies submitted prior to the meeting.

IV. Amendment to DCAB Legislative Position Statements

Staff requested adding a legislative position statement to address the Board's discussion about the Governor's new housing initiatives and concern that the minimum scoping requirements will not provide enough accessible residential dwelling units for people with disabilities. Guest Peter Fritz commented that the statement does not clearly explain whether this applies to new construction or alteration.

The Committee voted to amend the DCAB Legislative Position Statements by adding the following position statement:

"Support legislation to increase building accessibility for persons with disabilities that exceed federal guidelines for entities covered by the Fair Housing Act (example, require elevators, require a percentage of units be on ground floor)." (M/S/P Akamine/Horvath).

V. The Committee voted on the following bills:

A. Communication Access

- House Bill 1296, Relating to Early Intervention Services. Establishes an early intervention service working group within the Department of Health to study and recommend ways to assist and support deaf and hard of hearing children, including implementation strategies. Requires report to Legislature. Appropriates moneys.

MOTION: **MONITOR** (M/S/P Horvath/Akamine)

- Senate Bill 814, Relating to Electronic Information Technology Accessibility for Persons with Limited English Proficiency. Requires the Office of Enterprise Services, in consultation with the Office of Language Access and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities.

Guest Peter Fritz commented that Senate Bill 814 should address American Sign Language if it becomes an issue.

MOTION: **MONITOR WITH COMMENT** (M/S/P Horvath/Akamine)

- Senate Bill 813/House Bill 219, Relating to Court Interpreters. Requires the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters. Appropriate funds.

Kirby Shaw shared that the Judiciary informed staff that the compensation rate for court interpreters does not apply to sign language interpreters.

MOTION: **MONITOR** (M/S/P Akamine/Horvath)

- Senate Bill 812/House Bill 439, Relating to Immigrant Services. Establishes and appropriates moneys for an immigrant services and access unit within the Office of Community Services.

MOTION: **MONITOR** (M/S/P Horvath/Akamine)

B. Service and Other Animals

- Senate Bill 1177 – Relating to Dogs. Allows dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met.

Guest Peter Fritz commented that DCAB submitted testimony in opposition to similar bills that were introduced in previous legislative sessions.

Chairperson Dean Georgiev commented that other animals in the same environment with service animals could be an issue and may not be safe for service animals.

Kirby Shaw commented that non-service animals may interfere with service animals that are performing tasks.

MOTION: **OPPOSE WITH COMMENTS** (M/S/P Horvath/Akamine)

C. Building Code, Design, and Facility Access

- Senate Bill 336, Relating to Housing. Restricts any county from disapproving or imposing certain conditions on a housing development project or an emergency shelter unless the county meets certain requirements.

MOTION: **MONITOR** (M/S/P Horvath/Daniel-Kanetake)

D. Community Based Services and Employment

- Senate Bill 102, Relating to General Excise Tax. Exempts services provided by a hospital, infirmary, medical clinic, health care facility, pharmacy, or licensed medical practitioner from the general excise tax.

MOTION: **MONITOR** (M/S/P Horvath/Akamine)

- Senate Bill 849, Relating to Social Services. Amends the state supplemental payment ceiling for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both. Amends the monthly needs allowance for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities.

MOTION: **MONITOR** (M/S/P Horvath/Akamine)

- Senate Bill 1151, Relating to the Hawaii Community College Promise Program. Exempts students who are enrolled in certificate programs from the requirement to complete the Free Application for Federal Student Aid each academic year to be considered eligible for the Hawai'i Community College Promise Program.

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

- House Bill 1042/Senate Bill 1340, Relating to the Practice of Behavior Analysis. Makes permanent the exemption from the behavior analyst licensing requirements for teachers working in collaboration with a licensed behavior analyst or licensed psychologist. Removes the exemption from the behavior analyst licensing requirements for direct support workers and allows a registered behavior technician who is under the direction of a licensed psychologist to implement applied behavior analysis services.

MOTION: **MONITOR** (M/S/P Horvath/Daniel-Kanetake)

- VI. Chairperson Dean Georgiev recessed the meeting at 1:06 p.m. Meeting to reconvene February 17, 2023 at 12:01 p. m. The Zoom link will be posted on the DCAB website.

VII. Chairperson Dean Georgiev reconvened the meeting February 17, 2023 at 12:18 p.m.

VIII. The meeting adjourned at 12:19 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan K. Mick". The signature is written in a cursive, flowing style.

BRYAN K. MICK