

DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

NOTICE OF MEETING

Disability and Communication Access Board

Legislative Committee Meeting

May 15, 2023

12:00 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/93462952159> and enter Meeting ID: 934 6295 2159

To join by phone

Dial 1 669 444 9171 and enter Meeting ID: 934 6295 2159

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. Approval of Legislative Committee Meeting Minutes of March 17, 2023
- V. Highlights of Board Supported Measures That Passed or Failed to Pass the 2023 Legislative Session
- VI. Review of the Process and Recommendations for the 2024 Legislative Session
- VII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact Scott Castor at (808) 586-8121 or email, dcab@doh.hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

The agenda and meeting materials for this meeting are 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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DRAFT MINUTES **Legislative Committee Meeting**

Location: 1010 Richards Street, #118 and via Zoom
Date: March 17, 2023
Time: 12:00 p.m.

PRESENT: Dean Georgiev, Chairperson; Anthony Akamine, Summer Kozai, Committee Members; Kirby Shaw, Bryan Mick, Curtis Motoyama, Staff

ABSENT: Violet Horvath, Rosanna Daniel-Kanetake, Committee Members

I. Chairperson Dean Georgiev called the meeting to order at 12:15 p.m.

II. The attendees introduced themselves.

III. Statement from Public and Written Testimonies Submitted

Curtis Motoyama reported that staff did not receive written testimonies.

IV. Approval of Legislative Committee Meeting Minutes of March 10, 2023

The March 10, 2023 Legislative Committee meeting minutes were approved as circulated (M/S/P Akamine/Kozai).

V. DCAB Legislative Positions Relating to 32nd Legislature, 2023 Bills

A. [Senate Resolution 26](#), Requesting the Department of Health's Office of Language Access to Establish an American Sign Language Interpreter Workforce Working Group to Increase the Number of American Sign Language Interpreters in the State.

Curtis Motoyama shared that in addition to promoting the increase of American Sign Language (ASL) interpreters, the working group would recommend training and incentives to increase the number of ASL interpreters. The resolution would establish a working group that requires a representative from the Office of Language Access (OLA) to serve as the chairperson. Staff coordinated with OLA to discuss who should serve as the chairperson and agreed that a representative from DCAB should service as the chairperson.

MOTION: SUPPORT WITH COMMENT TO REPLACE THE DEPARTMENT OF HEALTH OFFICE OF LANGUAGE ACCESS WITH DCAB TO SERVE AS CHAIRPERSON OF THE WORKING GROUP (M/S/P Akamine/Kozai)

- B. [Senate Concurrent Resolution 32](#), Requesting the Department of Health's Office of Language Access to Establish an American Sign Language Interpreter Workforce Working Group to Increase the Number of American Sign Language Interpreters in the State.

MOTION: SUPPORT WITH COMMENT TO REPLACE THE DEPARTMENT OF HEALTH OFFICE OF LANGUAGE ACCESS WITH DCAB TO SERVE AS CHAIRPERSON OF THE WORKING GROUP (M/S/P Akamine/Kozai)

- C. [Senate Concurrent Resolution 44](#), Urging the Hawaii Emergency Management Agency to Include in All Live and Recorded Emergency Alert System Video Broadcasts, an On-Screen Interpreter Disseminating the Emergency Information in American Sign Language at All Times, Including During Graphic Presentations.

Curtis Motoyama shared that in addition to urging the Hawaii Emergency Management Agency (HI-EMA) to include an ASL interpreter in all live and recorded Emergency Alert System (EAS) video broadcasts, this resolution urges HI-EMA to provide training for ASL interpreters by including them in all training provided to EAS broadcasters. Also, this resolution urges HI-EMA to have all video broadcasts have one camera showing the ASL interpreter at all times.

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

- D. [House Concurrent Resolution 56](#), Requesting the Hawaii Broadband and Digital Equity Office to Increase Access to Wi-Fi in Public Parks Throughout the State.

Curtis Motoyama shared that last year DCAB submitted testimony in support of similar resolutions (SCR12 and SR6) that urged the Hawaii Broadband and Digital Equity Office to prioritize access to broadband services in rural areas throughout the state. Testimony stated, "Broadband access provides persons with disabilities access to programs and services. Please ensure that this bill will protect the public, including people with disabilities, from unreasonable or increased costs. Broadband access for all should be affordable, especially for underserved communities to foster their economic development, increase job opportunities, enhance health care, and broaden educational opportunities. Digital equity will not only ensure that people with disabilities have access to broadband, but it will promote a better quality of life for them as well."

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

- E. [House Resolution 58](#), Requesting the Hawaii Broadband and Digital Equity Office to Increase Access to Wi-Fi in Public Parks Throughout the State.

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

- F. [Senate Concurrent Resolution 60](#), Recognizing October 2 Through October 6, 2023, and October 7 Through October 11, 2024, as Digital Inclusion Week in the State of Hawaii.

Curtis Motoyama shared that this resolution would raise awareness of the need for digital equity and promote digital inclusion.

Chairperson Dean Georgiev asked why the recognition is limited to 2023 and 2024. Curtis Motoyama responded that Digital Inclusion Week appears to be a national event that is annually held in October.

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

- G. [Senate Concurrent Resolution 37](#), Urging the Department of Health to Perform a Feasibility Study of the Benefits of Authorizing Reimbursement for Services Provided Through Telehealth by Way of Audio-Only Telephonic Communication.

Curtis Motoyama shared that this resolution does not specifically address people with disabilities who would benefit from reimbursement for services provided through telehealth. People with disabilities may prefer audio-only telephonic telehealth because they are not capable of or do not consent to the use of video technology.

MOTION: SUPPORT WITH COMMENT THAT THE FEASIBILITY STUDY SHOULD SPECIFICALLY ADDRESS PEOPLE WITH DISABILITIES
(M/S/P Akamine/Kozai)

- H. [House Concurrent Resolution 49](#), Requesting the Establishment of a Telehealth Working Group to Examine the Impact of Widespread Telehealth Adoption During the Covid-19 Pandemic and Identify Public Policy Initiatives at the Federal and State Level to Optimize Telehealth Utilization as the State Transitions Out of the Covid-19 Pandemic.

Curtis Motoyama shared that the legislature appears to be interested in the following:

- Video visits on personal devices and audio-only telephone visits may improve short term access to and timeliness of health care, but there may be adverse long-term consequences if patients are not seen in-person for physical examination, lab work, vital signs, and other in-clinic testing.
- There is some data to support the safety, efficacy, timeliness, access, and cost effectiveness of telehealth, but the impact of widespread telehealth adoption in the State is largely unknown.

This resolution does not specifically address the impact of telehealth on people with disabilities. During the pandemic, everyone utilized telehealth due to social restrictions, including people with disabilities. As the state transitions out of the COVID-19 pandemic, people with disabilities may continue to utilize telehealth to access health care services.

MOTION: SUPPORT WITH COMMENT THAT THE WORKING GROUP SHOULD EXAMINE THE IMPACT OF TELEHEALTH ON PEOPLE WITH DISABILITIES (M/S/P Akamine/Kozai)

- I. [Senate Concurrent Resolution 49](#), Urging the University of Hawaii to Study the Feasibility of Redeveloping Certain University Lands Adjacent to the University of Hawaii at Manoa Campus into Workforce Housing.

Curtis Motoyama shared that the University of Hawaii has initiated the early stages of planning to redevelop the parcel of land where the College of Education is currently located. This resolution requests the University of Hawaii to study the development of workforce housing, which would help address the housing needs of the community. This resolution does not specifically address disability, but DCAB has a position statement about exceeding minimum scoping requirements for accessible dwelling units.

MOTION: COMMENT TO EXCEED MINIMUM SCOPING REQUIREMENTS FOR ACCESSIBLE DWELLING UNITS (M/S/P Kozai/Akamine)

- J. [House Concurrent Resolution 32](#), Requesting the Department of Health to Convene an Oral Health Task Force to Review Information on the Status of Oral Health in the State and Make Recommendations to Improve Oral Health Infrastructure in Hawaii.

Curtis Motoyama shared that the Committee took a position to support a similar bill (HB 617 HD1) that would establish an oral health task force to review the status of oral health in the State and make recommendations to improve oral health infrastructure.

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

- K. [House Resolution 33](#), Requesting the Department of Health to Convene an Oral Health Task Force to Review Information on the Status of Oral Health in the State and Make Recommendations to Improve Oral Health Infrastructure in Hawaii.

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

- L. [Senate Concurrent Resolution 7](#), Urging the City and County of Honolulu to Improve Access of TheBus in Oahu's Rural Communities.

Curtis Motoyama shared that on February 17, 2023 the Committee discussed this resolution and took a position of support. On March 3, 2023 the Committee discussed companion resolution SR 5 and took the position to support with comment to urge all counties to improve transportation services in rural communities.

MOTION: AMEND DCAB'S POSITION TO SUPPORT WITH COMMENT TO URGE ALL COUNTIES TO IMPROVE TRANSPORTATION SERVICES IN RURAL COMMUNITIES (M/S/P Akamine/Kozai)

- VI. [Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.](#)

No public comments.

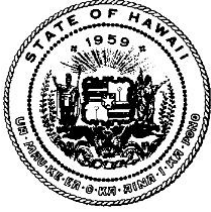
- VII. The next Committee meeting is scheduled for March 31, 2023 from 12:00 p.m. to 1:00pm.

- VIII. Chairperson Dean Georgiev adjourned the meeting at 12:43 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

CURTIS S. MOTOYAMA



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2023 LEGISLATIVE HIGHLIGHTS METRICS

Monitor: 13 Bills
Comments: 8 Bills
Support Intent: 6 Bills/7 Resolutions
Support or support with comment: 40 Bills/15 Resolutions
Total measures: 89
Total testimonies: 104

NOTABLE MEASURES PASSED 2023 LEGISLATIVE SESSION

HB 218 HD2 SD2 CD1 Relating to Prescription Drugs - Requires certain pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels. Requires the board of pharmacy to adopt certain rules by 12/31/2025.

HB 388 HD1 SD2 CD1 Relating to Education - Adopts the National Instructional Materials Accessibility Standard. Requires the department of education to obtain instructional materials in accessible formats for eligible students.

HB 794 HD1 SD1 Relating to Disability Awareness - Designates the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion" in recognition of the employment challenges and successes of persons with disabilities in the State.

HB 834 HD1 SD1 Relating to American Sign Language - Recognizes American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

HB 870 HD2 SD1 CD2 Relating to Neighbor Islands Blind and Visually Impaired Service Pilot Program - Requires the department of human services to establish a neighbor islands blind and visually impaired service pilot program that provides training and other services to blind or visually impaired individuals residing on the neighbor islands. Requires the department of human services to establish a working group and submit an implementation plan to the legislature before the regular session of 2024. Requires the department to report to the legislature prior to the regular session of 2027. Appropriates funds.

HB 907 HD2 SD2 Relating to Telehealth - Temporarily allows for the reimbursement of services provided through telehealth via an interactive telecommunications system and two-way, real-time audio-only communications in certain circumstances. Defines "interactive telecommunications system". Repeals 12/31/2025.

HB 933 HD2 SD1 CD1 Relating to Telecommunications Access for Individuals with Print Disabilities - Appropriates funds to the Public Utilities Commission to provide free telecommunications access to certain information for individuals with a print disability.

SB 214 SD1 HD1 CD1 Relating to Public Transit - Establishes the offense of interference with the operation of a public transit vehicle. Makes clarifying and conforming amendments to the offense of interference with the operator of a public transit vehicle.

SB 1076 SD2 HD2 CD1 Relating to Elections - Requires the Office of Elections to prepare a digital voter information guide; post the guide on its website in compliance with certain accessibility standards; and mail each ballot with a notice that states a voter information guide may be found on its website. Requires the Attorney General and county corporation counsels to draft explanations of proposed constitutional or charter amendment ballot questions and translate them into certain languages for purposes of the digital voter information guide. Appropriates funds.

HR 191 HD1/SR 26 SD1 – Requesting the Disability and Communication Access Board to Convene an American Sign Language Interpreter Workforce Working Group for the Purpose of Promoting the Increase of American Sign Language Interpreters in the State.

HR 192/SCR 44 SD1 - Urging the Hawaii Emergency Management Agency to Include in All Live and Recorded Emergency Alert System Video Broadcasts, an On-Screen Interpreter Disseminating the Emergency Information in American Sign Language at All Times, including During Graphic Presentations.

NOTABLE MEASURES TO CARRYOVER TO 2024 LEGISLATIVE SESSION
(Excluding Resolutions)

SB 384 SD1 HD2 Relating to Access for Disabled Persons - Authorizes each county to adopt ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinance. Authorizes officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances. Effective 6/30/3000.

SB 606 SD2 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

SB 609 SD1 Relating to Hearing Aids - Requires health insurance policies and contracts issued on or after 01/01/2024 to provide coverage for the cost of hearing aids at a minimum of an unspecified amount per hearing aid for each hearing-impaired ear every thirty-six months. Effective 12/31/2050

SB 612 SD1 HD1 Relating to Service Animals - Requires that a written disclaimer be provided by sellers or providers of emotional support animals or certificates or identification tags for emotional support animals that the animal is not a service animal or the item does not qualify as an item for a service animal and that knowingly

misrepresenting an emotional support animal may be a violation. Establishes penalties. Effective 6/30/3000.

SB 753 SD2 HD1 Relating to Accessibility - Requires retail establishments with an employee toilet facility to allow a customer suffering from an eligible medical condition to use that restroom during normal business hours under certain conditions. Establishes fines. Effective 12/32/2050.

HB 415 HD2 SD2 Making an Appropriation to Implement the Recommendations of the Task Force on Mobility Management, Established Pursuant to Act 214, Session Laws of Hawaii 2013 - 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.

HB 1145 HD1 SD1/SB 389 SD1 HD2 Relating to Equity - Requires all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations in public restrooms.

HCR 49 – Requesting the Establishment of a Telehealth Working Group to Examine the Impact of Widespread Telehealth Adoption During the Covid-19 Pandemic and Identify Public Policy Initiatives at the Federal and State Level to Optimize Telehealth Utilization as the State Transitions Out of the Covid-19 Pandemic