



DISABILITY AND COMMUNICATION ACCESS BOARD

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

NOTICE OF MEETING

Disability and Communication Access Board

General Board Meeting

May 18, 2023

11:00 a.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/95668956804> and enter Meeting ID: 956 6895 6804

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 956 6895 6804

Public Testimony

Testimony or comments presented by members of the public during Board meetings shall be limited to three 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 Board meeting agendas.

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

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 General Board Meeting Minutes of March 16, 2023.
- V. Executive Director's Report
 - Senate Bill 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 6/30/2020. Update.
 - Update on Act 172, SLH 2022 - Hawaii Electronic Information Technology Accessibility Act – Working Group progress on developing the “Hawaii Electronic Information Technology Disability Access Standards.”
 - Board Member Confirmations and Outgoing Board Members.
 - Planner/ADA Coordinator and Communication Access Specialist Positions Recruitment.
 - Implementation of Department of Health Telework Policy
- VI. Committee Reports
 - A. Executive Committee
No meeting held. No report.
 - B. Legislative Committee

- Ratification of Legislative Committee minutes of March 3, 2023, March 10, 2023, and March 17, 2023.
 - 2023 Legislative Highlights
- C. Standing Committee on Communication Access
No meeting held. No report.
- D. Standing Committee on Facility Access
- Report on document reviews and fee schedule.
 - Changes to the Facility Access section of the proposed Plan of Action Fiscal Year 2023-2024.
 - Report on Spring training and 2023 Disability Access Conference.
- E. Standing Committee on Parking
- Statistics on the issuance of disability parking permits.
 - Report on the number of submissions via the webpage to report the misuse of disability parking permits and the webpage to report reserved parking spaces for persons with disabilities that do not comply with the Americans with Disabilities Act and or State design requirements.
 - Update on the creation of a voluntary information sign for places of public accommodation to place at their van accessible parking spaces to notify permittees that the priority for using such spaces is for vehicles with a side mounted lift/ramp.
 - Update on issuing letters to the County Mayors and places of public accommodation regarding voluntarily providing accessible and van accessible parking spaces in excess of the minimum ADA requirements, ensuring spaces are properly located on an accessible route and the spaces and route are maintained, and installation of a voluntary priority sign on van accessible spaces.
 - Statistics on the number of emails sent to permittees regarding a pending disability parking permit expiration.
 - Update on the number of placards returned in response to a letter sent to the estates of deceased permittees.
 - Update on proposed Plan of Action for Fiscal Year 2023-2024.
- F. Special Parent Information Network
- Data and preliminary evaluation from the SPIN Conference held April 22, 2023.
 - Staff support of the Special Education Advisory Council Dispute Resolution Committee in reaching out to the legal community for assistance in securing more legal representation for families of children with disabilities who wish to exercise their due process rights under the Individuals with Disabilities Act (IDEA).

VII. Old Business

- A. ADA Coordination
Review statistics of ADA technical assistance program. Update.
- B. Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events. Review and update the

guidance language on the provision of auxiliary aids/services or accommodations due to a disability at public meetings or events. Update.

- C. Disability and Communication Access Board Programs and Services Manual. Update.
- D. Letter to Governor Green requesting to increase the number of reserved parking spaces for persons with disabilities in state parking facilities beyond the minimum Americans with Disabilities Act requirements. Update.
- E. Amendment to the Board Bylaws to establish a Standing Committee on Transportation to focus on public and private modes of transportation, including bus, paratransit, rail, and air travel.

VIII. New Business

- A. H.R. 1267 Air Carrier Access Amendments Act of 2023. Staff Summary.
- B. Appointment of Members to the Nominating Committee – Officers for Fiscal Year 2023-2024.
- C. Proposed Board Meeting Schedule for Fiscal Year 2023-2024.
- D. Proposal to Hold Hybrid Board Meetings.
- E. Annual Planning Meeting – July 20, 2023.

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

X. Next Meeting

XI. Adjournment

If you need an auxiliary aid/service or other accommodation due to 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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MINUTES

Legislative Committee Meeting

Location: 1010 Richards Street, #118 and via Zoom
Date: March 3, 2023
Time: 12:00 p.m.

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

GUEST: Peter Fritz

- I. Chairperson Dean Georgiev called the meeting to order at 12:01 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.

Guest Peter Fritz commented that he didn't receive a copy of the February 24, 2023 Committee meeting minutes. If the Committee wants to talk about the minutes, it must be part of the board packet. He commented that the February 24 Committee meeting agenda is on DCAB's website, but the February 24 Committee meeting minutes are not.

Chairperson Dean Georgiev responded that the Committee will not approve the February 24, 2023 Committee meeting minutes at this time, and the Committee will approve them at the next meeting.

- IV. Approval of Legislative Committee Meeting Minutes of February 24, 2023

This agenda item was deferred to the next Committee meeting.

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

- A. [House Bill 554 HD2, Relating to Campus Safety.](#) Requires that the University of Hawai'i ensure that any individual who participates in implementing the university's disciplinary process has training or experience in handling sexual misconduct complaints and the university's disciplinary process. Requires that the university provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for students and employees of the university. Prohibits the university from taking disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply. Establishes positions and appropriates funds. Effective 6/30/3000.

Curtis Motoyama shared that the legislature finds that college campuses should be safe from sexual and domestic violence. The purpose of this bill is to expand protections for victims of sexual and domestic violence at the University of Hawaii (UH). This bill would ensure that any individual who participates in the implementation of UH's disciplinary process has training and information regarding how sexual misconduct may impact individuals with disabilities and provide mandatory annual sexual misconduct prevention and awareness guidance to all students enrolled at least part time and employees of the University that addresses the unique experiences and challenges faced by individuals based on race, color, ethnicity, national origin, religion, economic status, disability, and sex.

Guest Peter Fritz commented that the Committee could monitor this bill and change the position if an amendment removes disability from the measure.

MOTION: **SUPPORT** (M/S/P Horvath/Daniel-Kanetake; No: Georgiev)

- B. [House Bill 1408 HD2, Relating to Digital Equity.](#) Establishes the digital equity grant program to award grants to applicants to deploy digital equity projects to covered populations in the State. Appropriates funds. Effective 6/30/3000. (HD2)

Curtis Motoyama shared that digital equity is essential to the well-being and economic vitality of the State's residents, including residents with disabilities. The pandemic revealed that reliable high-speed internet access is not only important for remote learning and remote work, but also critical for telehealth services and commerce. Through the award of grants promoting digital equity, this measure would help to create an environment in which all individuals in the State have the information technology capacity needed for their full participation in society, democracy, and the economy. In 2022, DCAB submitted testimony in support of SB 2076 Relating to Broadband Service Infrastructure.

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

- C. [Senate Bill 1231 SD1, Relating to Digital Equity.](#) Establishes the Digital Equity Grant Program to award grants to applicants to deploy digital equity projects to covered populations in the State. Appropriates funds. (SD1)

The Committee did not discuss this bill, because it would not meet the first decking deadline.

- D. [Senate Bill 1038 SD1, Relating to Telehealth.](#) Clarifies reimbursement for services provided through telehealth via an interactive telecommunications system. Defines "interactive telecommunications system". Effective 12/31/2050. (SD1)

Curtis Motoyama shared that many residents in underserved and low-income communities where cellular data plans and broadband are inaccessible are unable to utilize telehealth services that require internet connectivity. The Centers for Medicare and Medicaid Services authorizes coverage of audio-only services used in the treatment of mental health and substance abuse,

under certain circumstances, allowing federally qualified health centers and rural health clinics to use telehealth to care for patients in patients' homes. This measure authorizes the use of standard telephone contacts for telehealth purposes in certain circumstances to ensure coverage parity across managed care plans and commercial health care plans. In 2022, DCAB submitted testimony in support of SB 2645 Relating to Access to Behavioral Health Services, which would allow for the use and reimbursement of standard telephone contacts for telehealth purposes by mental health professionals.

Committee member Violet Horvath asked if this bill would cover audio-only communication technology. Curtis Motoyama shared that the definition of interactive telecommunication system includes two-way, real-time audio-only communication technology if the distant site physician or practitioner is technically capable to use an interactive telecommunications system as defined in the previous sentence, but the patient is not capable of, or does not consent to, the use of video technology.

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

- E. [Senate Bill 310](#), Relating to Children and Family of Incarcerated Individuals. Appropriates funds to the Department of Human Services and the Department of Public Safety for the pilot visitation and family resource center at Waiawa Correctional Facility on Oahu, including a restroom in compliance with the Americans with Disabilities Act.

The Committee did not discuss this bill, because it would not meet the first decking deadline.

- F. [Senate Bill 753 SD1](#), 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. Exempts retail establishments and employees from civil liability in allowing an eligible customer to use an employee toilet facility in certain circumstances. Establishes fines. Effective 12/31/2050. (SD1)

Curtis Motoyama shared that eligible medical condition includes Crohn's disease, ulcerative colitis, any other inflammatory bowel disease, irritable bowel syndrome, or any other medical condition that requires immediate access to a toilet facility. In 2022, DCAB submitted testimony supporting the intent of SB 2913 SD1, which is a similar bill.

Committee member Violet Horvath asked how retail establishments determine that a person has an eligible medical condition. Curtis Motoyama shared that the bill would allow a statement signed by a physician or a specially issued card from a health organization or state health agency as proof of an eligible medical condition.

Guest Peter Fritz commented that some employee toilet facilities may not be accessible to people with disabilities.

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

- G. [House Bill 777 HD1, Relating to Background Checks.](#) Authorizes the department of human services to conduct national criminal background checks for current and prospective employees; volunteers; contractors; and contractors' employees, agents, and volunteers, who are in positions that require close proximity to certain minors, young adults, or vulnerable adults. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that the purpose of this measure is to ensure the safety of vulnerable persons. The Hawaii Civil Rights Commission (HCRC) submitted testimony that they have not yet taken a position on this bill. Their testimony stated, "in the past it has consistently not opposed similar narrowly drawn statutory exceptions sought for positions that involve unsupervised contact with vulnerable persons as patients, clients, customers, or students, while opposing creation of overly broad exceptions and the creation of a "slippery slope" where exceptions would render the rule meaningless. The HCRC also cautions against allowing consideration of records of arrest without conviction, as such arrests are without substantial legal meaning."

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

- H. [House Bill 899 HD1, Relating to Health.](#) Designates the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that this bill would raise awareness about the dangers of alcohol use during pregnancy and the challenges individuals and families can face who are living with FASDs. Fetal Alcohol Spectrum Disorder (FASD) Awareness Month is an opportunity to celebrate the strengths, talents and successes of people who have a FASD.

Committee members asked why this bill only addresses FASD and does not include other disabilities. Curtis Motoyama shared that September appears to be nationally recognized as FASD month.

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

- I. [Senate Bill 318 SD1, Relating to Fetal Alcohol Spectrum Disorders.](#) Requires the Department of Health to establish and administer a five-year pilot program to implement a co-management system of care for the diagnosis and treatment of individuals with fetal alcohol spectrum disorders. Appropriates funds. (SD1)

Curtis Motoyama shared that the Department of Health (DOH) testimony offered comments. Testimony stated, "After many years of proposed task forces and working groups, the department recommends moving forward with a pilot to implement the findings of the 2009 paper." SD1 amendments appear to address the DOH comments by replacing the task force with a pilot program to implement a co-management system of care. In 2022, DCAB submitted testimony supporting SB 2647 SD1, which would create a temporary task force.

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

- J. [House Bill 916 HD1, Relating to Social Services.](#) Increases the monthly needs allowance from \$50 to an unspecified amount. Clarifies that the needs allowance is not intended to replace or affect funds received from the federal supplemental security income program. Requires certain long-term care facility operators to pay for generic toiletries, linens, and meals and snacks. Requires the department of human services to perform an annual review of the needs allowance. Appropriate funds. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill, because it would not meet the first decking deadline.

- K. [House Bill 1356 HD1, Relating to Medicaid Patient Care.](#) Appropriates funds to provide enhanced payments to type I adult residential care homes and developmental disabilities domiciliary homes that are caring for medicaid patients. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that this bill would enhance payments to assist with COVID-related costs and lost revenue. The Department of Human Services (DHS) testimony offered comment that Type I Adult Residential Care Homes do not qualify for Medicaid home and community based payments for their residents.

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

- L. [House Bill 838 HD1, Relating to Long-Term Care.](#) Reestablishes the long-term care commission within the University of Hawai'i college of social sciences social science research institute to identify further needed reforms of Hawai'i's long-term care system. Appropriates funds. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that virtually all of Hawaii's seniors prefer to age in place at home rather than in a care home or institution, and many seniors will require more intensive services and caregiving at the end of their lives. This measure responds to the urgent need to make quality long-term care services as accessible, efficient, and effective as possible. He also shared data from the U.S. Census Bureau Hawaii Disability Characteristics – 2021: ACS 1-Year Estimate Subject Table that shows 31% of the population 65 years and over have a disability.

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

- M. [House Bill 1486 HD1, Relating to the Kupuna Care Program.](#) Appropriates funds to the department of health for the kupuna care program within the executive office on aging. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that kupuna care services include services to support activities of daily living, such as bathing, dressing, toileting, and eating; instrumental activities of daily living, such as medication management; and other services, such as housekeeping, personal care, adult day care, respite care, and caregiver support services. The Executive Office on Aging (EOA) submitted testimony in support of this bill. The EOA testimony stated, "In FY 2021, the Executive Office on Aging's base budget for Kupuna Care

was cut by \$1.8 million. This bill will help make the Kupuna Care Program whole and restore the pre-pandemic funding level.”

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

- N. [Senate Bill 1473 SD1, Relating to Health.](#) Requires the Department of Health and Department of Human Services to develop and adopt rules, policies, and plan amendments necessary to ensure that the state Medicaid program covers medically necessary services, including applied behavior analysis services, for individuals aged twenty one and older with neurodevelopmental disorders, including autism spectrum disorder. Requires the Department of Health and Department of Human Services to apply for any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state medicaid plan to provide reimbursements for medically necessary services, including applied behavior analysis services, for individuals aged twenty one and older with neurodevelopmental disorders, including autism spectrum disorder. Appropriates funds. (SD1)

Curtis Motoyama shared that the DHS testimony offered comments. The DHS testimony stated, “DHS can evaluate our policies, rules, and the State Plan regarding the coverage of any medically necessary services for an adult with any neurodevelopmental condition. However, given the broad parameters of both diagnoses and treatments the measure includes, it will take an extended time to research, analyze, adopt rules if and when necessary, and amend the Medicaid State Plan, if and when needed.” and “The bill requires the development of state plan amendments to be able to reimburse for medically necessary services, including applied behavior analysis, for those over 21 with “neurodevelopmental disorders.” The broad nature of the coverage expansion will likely require a large appropriation.”

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

- O. [Senate Bill 1615 SD1, Relating to the Department Of Health.](#) Requires the Developmental Disabilities Division of the Department of Health to amend the 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. (SD1)

Curtis Motoyama shared that the Committee on Health and Human Services finds that existing eligibility criteria for the Medicaid Intellectual and Developmental Disabilities Home and Community-Based Services Waiver unfairly excludes a number of individuals who would otherwise be eligible for services based on their developmental disabilities. This measure will allow individuals who have an intellectual or a developmental disability and a comorbid mental illness to be eligible for the waiver.

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

- P. [Senate Bill 1594 SD1, Relating to Crisis Intervention.](#) Establishes a Crisis Intervention and Diversion Program within the Department of Health to divert those with mental health issues to appropriate health care services. Defines "crisis center" and "crisis intervention officer". Authorizes a person believed to be imminently dangerous to self or others by a law enforcement officer to be

assisted by a crisis intervention officer and transported to a designated crisis center. Appropriates funds for the Crisis Intervention Team Program and for the Department of Health certify law enforcement officers in mental health first aid, as disseminated by the National Council for Mental Wellbeing, and the crisis intervention team model, as developed by Crisis Intervention Team International. (SD1)

Curtis Motoyama shared that the Committee on Health and Human Services finds that thousands of people in Hawaii are cited or arrested for offenses such as drinking liquor in public, loitering in public parks after hours, and camping on sidewalks, beaches, and other restricted public places each year. Most of these people suffer from issues relating to drugs, alcohol, or mental illness. DOH supports this bill. According to DOH testimony, the goal of this program is to divert individuals in need from the criminal justice system to the health care system.

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

- Q. [House Bill 1053 HD1](#), Relating to Infant and Early Childhood Mental Health. Establishes the infant and early childhood mental health program within the department of health to provide and coordinate mental health services for children from birth to age five. Appropriates funds.

The Committee did not discuss this bill, because it would not meet the first decking deadline.

- R. [Senate Bill 1351 SD1](#), Relating to Infant and Early Childhood Mental Health. Establishes the Infant and Early Childhood Mental Health Program within the Department of Health to provide and coordinate mental health services for children from birth to age five, develop and implement flexible strategies for the delivery of services and workforce training, and promote better understanding of the needs of infants and young children, the importance of positive early relationships, and the benefits of trauma-informed care. Appropriates funds for the establishment of the center, including one permanent full-time equivalent (1.0 FTE) position. (SD1)

Curtis Motoyama shared that the Committee on Health and Human Services finds that approximately 29,000 keiki from birth to age five in Hawaii have mental health needs due to biological or developmental special needs at birth, exposure to intimate partner violence, parental substance abuse, housing insecurity, and poverty. Because these needs are often untreated, these children are more likely to be expelled or suspended from preschool, be ill-prepared for kindergarten, and require special education services. Later in life, some of these children may be involved with the juvenile and adult justice systems and be at higher risk for self-harm and suicide due to depression and anxiety. DOH supports this bill. DOH testimony states, "The last officially published strategic plan from DOH prioritized the need to create and promote systems of care that support infant and early childhood health, in particular 0–5 age range, which is when 90% of a child's brain develops."

MOTION: **SUPPORT** (M/S/P Daniel-Kanetake/Kozai)

- S. [Senate Bill 313](#), Relating to the State Rehabilitation Council. Reduces the number of members on the State Rehabilitation Council from twenty-one to fifteen. Authorizes the State Rehabilitation Council to establish a quorum and conduct business without regard to vacancies.

Curtis Motoyama shared that the State Rehabilitation Council continues to experience challenges with meeting quorum requirements for a variety of reasons, including numerous vacancies and member absences. This measure reduces the number of members to comply with federal requirements, which requires consumers, advocates, and other representatives of individuals with disabilities to participate in the administration and oversight of the State's Vocational Rehabilitation Program. Presently, the State Rehabilitation Council fulfills this mandate and is required for vocational rehabilitation programs to be eligible for and maintain federal vocational rehabilitation funding.

MOTION: **SUPPORT** (M/S/P Akamine/Daniel-Kanetake)

- T. [House Bill 1487 HD1](#), Relating to the Senior Medicare Patrol Program. Appropriates funds for three program specialist positions within the Executive Office on Aging for the State's Senior Medicare Patrol Program. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill, because it would not meet the first decking deadline.

- U. [Senate Bill 1592 SD1](#), Relating to the Senior Medicare Patrol Program. Appropriates funds for three program specialist positions within the Executive Office on Aging for the State's Senior Medicare Patrol Program. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- V. [Senate Bill 900 SD1](#), Relating to the Hawaii State Health Insurance Assistance Program. Appropriates funds for three Program Specialist positions within the Executive Office on Aging for Hawai'i's State Health Insurance Assistance Program. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- W. [Senate Bill 853 SD1](#), Relating to the Hawaii Healthy Aging Partnership. Appropriates funds to the Executive Office on Aging for the Hawai'i Healthy Aging Partnership. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- X. [House Bill 278 HD1](#), Relating to Health. Establishes and appropriates funds for a working group to plan and implement a public health campaign for Alzheimer's awareness. Appropriates funds for the executive office on aging to create an Alzheimer's disease and related dementias public health campaign.

The Committee did not discuss this bill due to meeting time limit.

- Y. [Senate Bill 163 SD1](#), Relating to Health. Appropriates funds to be expended by the Executive Office on Aging for an Alzheimer's Disease and Related Dementias Public Health Campaign. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- Z. [Senate Resolution 5](#), Urging the City and County of Honolulu to Improve Access of TheBus in Oahu's Rural Communities.

The Committee did not discuss this bill due to meeting time limit.

- AA. [House Bill 544 HD1](#), Relating to Regulation of Importation. Requires the State of Hawai'i Plant and Animal Declaration Form to be distributed, completed, and transmitted electronically prior to the debarkation of passengers or baggage. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- BB. [House Bill 572 HD1](#), Relating to Administrative Rulemaking. Requires that prior to the adoption, amendment, or repeal of an administrative rule, electronic notice of the proposed rulemaking be provided to all persons who have made a timely written request to, and provided a valid working email address to, the adopting agency for advance notice of its rulemaking proceedings. Requires that alterations to administrative rules be displayed in Ramseyer format and the full text of rules be made available in a digitally accessible and searchable format. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- CC. [Senate Bill 306 SD1](#), Relating to Public Information. Requires all state agencies adopting, amending, or repealing a rule to make the full text of the rules of the agency available on the Office of the Lieutenant Governor's internet website in a digitally accessible and searchable format. Requires a report to the Legislature. Appropriates funds. Effective 7/1/2112. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- DD. [House Bill 660 HD1](#), Relating to the Issuance of Special Purpose Revenue Bonds for Not-For-Profit Corporations that Provide Health Care Facilities to the General Public. Authorizes the issuance of special purpose revenue bonds to assist Hawai'i Pacific Health. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- EE. [Senate Bill 601 SD1](#), Relating to the Issuance of Special Purpose Revenue Bonds for Not-For-Profit Corporations that Provide Health Care Facilities to the General Public. Authorizes the issuance of special purpose revenue bonds to assist Hawai'i Pacific Health. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- FF. [House Bill 680 HD1](#), Relating to the Hawaii Public Housing Authority. Appropriates funds to the Hawai'i public housing authority for the repair, renovation, improvements, and maintenance of dwelling units at federal and state low-income public housing projects. Requires the Hawai'i public housing authority to submit reports regarding completed and pending projects. Effective 7/1/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- GG. [Senate Bill 340 SD1](#), Relating to Housing. Appropriates funds to the Hawai'i Public Housing Authority for the rehabilitation, remodeling, renovation, and repair of housing units.

The Committee did not discuss this bill due to meeting time limit.

- HH. [Senate Bill 865 SD1](#), Relating to Housing. Establishes the ALOHA Homes Program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by the Hawai'i Public Housing Authority to qualified residents. Exempts certain land from the definition of public lands. Provides for the disposition of lands acquired by the Hawai'i Public Housing Authority but no longer needed for the ALOHA Homes Program. Appropriates funds. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- II. [House Bill 642 HD1](#), Relating to Consumer Protection. Requires check cashers to report suspected financial exploitation of elders and vulnerable adults in relation to check cashing. Provides immunity for good faith reporting. Authorizes a check casher to refuse to cash a check in situations of suspected financial exploitation. Clarifies that all entities that are within the definition of "check casher" are subject to the requirements for reporting financial exploitation.

The Committee did not discuss this bill due to meeting time limit.

- JJ. [House Bill 610 HD1](#), Relating to Taxation. Establishes the farm workforce retention tax credit for farm employers or owners of farm employers who employ eligible farm employees.

The Committee did not discuss this bill due to meeting time limit.

- KK. [Senate Bill 55 SD1](#), Relating to Tax Credits. For taxable years beginning after December 31, 2022, increases the adjusted gross income eligibility cap and the amount of the income tax credit for low-income household renters using tax brackets for individuals and different categories of households. Requires the Director of Taxation to annually recompute the adjusted gross income bracket thresholds and the amount of the income tax credit for low-income household renters by using the percentage change in the Urban Hawai'i Consumer Price Index for all items, as published by the United States Department of Labor, from July of the previous calendar year to July of the current calendar year. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- LL. [House Bill 824 HD2, Relating to Medical Release.](#) Creates a medical release program within the department of public safety for certain ill or impaired inmates who pose a low risk to public safety. Effective 6/30/3000. (HD2)

The Committee did not discuss this bill due to meeting time limit.

- MM. [Senate Bill 1166 SD1, Relating to the Renewal of Driver's Licenses.](#) Allows for the renewal of driver's licenses by mail or online. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- NN. [House Bill 107, Relating to Renewal of Driver's Licenses.](#) Authorizes the renewal of driver's licenses online or by electronic or digital means.

The Committee did not discuss this bill due to meeting time limit.

- OO. [House Bill 914 HD1, Relating to Health.](#) Requires the department of health to prioritize complaint allegations based on severity for inspections of state-licensed or state-certified care facilities. Clarifies who is prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility. Repeals the landlord exclusion. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- PP. [House Bill 1047, Relating to Education.](#) Changes the Department of Education's quarterly report on autism spectrum disorder to an annual report.

The Committee did not discuss this bill due to meeting time limit.

- QQ. [Senate Bill 105, Relating to Education.](#) Changes the Department of Education's quarterly report requirement on autism spectrum disorder to an annual report.

The Committee did not discuss this bill due to meeting time limit.

- RR. [House Bill 1440, 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.

The Committee did not discuss this bill due to meeting time limit.

- SS. [House Bill 1154 HD1, Relating to Guardianship.](#) Part I: Amends the uniform probate code to allow courts to appoint emergency guardians for respondents who reside in psychiatric facilities, hospitals, and homeless shelters. Extends the appointment period. Clarifies that guardians may consent to care, treatment, or service over the objection of wards. Sunsets 1/1/2028. Part II: Requires certain patients subject to emergency hospitalization to be assessed to determine whether a surrogate or guardian is needed to make appropriate health care decisions for the patient. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- TT. [House Bill 1156 HD1, Relating to Health.](#) Part I: Authorizes the provision of long-acting psychotropic medication to patients who are subject to emergency examination or hospitalization. Authorizes a psychiatric facility or hospital where a patient is held to request the director of health to file a petition for an order for treatment over the patient's objection. Requires the director of health to review the request expeditiously and pursue a petition or convene an administrative panel. Expands who may join in such petition under certain circumstances. Expands the administration of treatment over a patient's objection to include persons in the custody of the director of health at any hospital, or subject to a court order regarding fitness to proceed, an application for involuntary hospitalization, or an emergency examination. Sunsets 7/1/2026. Part II: Authorizes psychiatrists or advanced practice registered nurses, after examination of a person for ACT indication, to request the director of health to file an ACT petition and interested parties to request the director to file an ACT petition on behalf of the interested party. Requires the family court to file final orders on ACT petitions within thirty days. Authorizes the family court to use online hearings for ACT petitions. Authorizes the subject of a petition to stipulate to the proposed order and the family court to enter the stipulated order without an evidentiary hearing. Requires DOH to report to the legislature. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- UU. [House Bill 1245 HD1, Relating to Ambulances.](#) Appropriate funds to the department of health for the purchase of one advanced life support ambulance and related equipment to be based in central Maui, and to fund pay-related personnel costs for state-certified emergency medical services personnel. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- VV. [Senate Bill 791 SD1, Relating to Ambulances.](#) Appropriates funds to the Department of Health to purchase one advanced life support ambulance to be based on the island of Molokai, and related equipment, and pay related personnel costs for state-certified emergency medical services personnel. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- WW. [House Bill 1300 HD1, Relating to Mental Health.](#) Beginning 7/1/2024: Establishes provisional or associate-level licensure requirements for marriage and family therapists, mental health counselors, and psychologists and authorizes insurance reimbursements in certain circumstances; allows psychologist license applicants to sit for the licensing examination before completing supervised experience requirements; allows the board of psychology to grant licensure waivers in certain circumstances for psychologists; and authorizes insurance reimbursements for services provided by a supervised social work intern in certain circumstances. Appropriates funds. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- XX. [House Bill 1340 HD1, Relating to Mental Health.](#) Permanently establishes the beneficial treatments advisory council to review mental health treatment information and advise the department of health. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- YY. [Senate Bill 1531 SD1, Relating to Mental Health.](#) Establishes the Beneficial Treatments Advisory Council to review mental health treatment information and advise the Department of Health. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- ZZ. [Senate Bill 1492 SD1, Relating to Mental Health.](#) Requires the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments. Requires the Department of Health to respond to reports about persons having severe mental illness and in need of assistance and to assess whether those persons may fulfill the criteria for assisted community treatment. Establishes that a court's denial of a petition for involuntary commitment shall serve as notification to the Department of Health that the person should be evaluated for assisted community treatment. Appropriates funds to the Department of Health for software and data collection and publication. Takes effect 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- AAA. [Senate Bill 1454 SD1, Relating to Psilocybin.](#) Establishes the Therapeutic Psilocybin Working Group within the Department of Health. Requires the working group to examine the medicinal and therapeutic effects of psilocybin or psilocybin-based products vis-à-vis mental health, report to the Legislature before the Regular Session of 2024, and dissolve on June 30, 2025. Appropriates funds. Effective 12/31/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- BBB. [Senate Bill 483, Relating to the Uniform Probate Code.](#) Updates articles I through IV of the Uniform Probate Code to adjust for inflation, provide additional clarity, resolve issues that have arisen in probate practice, and address societal changes in familial relations.

The Committee did not discuss this bill due to meeting time limit.

- CCC. [House Bill 383 HD1, Relating to the Uniform Probate Code.](#) Updates articles I through IV of the Uniform Probate Code to adjust for inflation, provide additional clarity, resolve issues that have arisen in probate practice, and address societal changes in familial relations. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- DDD. [House Bill 302 HD1, Relating to Workforce Development.](#) Establishes the state YouthBuild program to assist non-profit and public entities in applying and qualifying for federal YouthBuild program grants. Authorizes the

department of labor and industrial relations to award grants to eligible non-profit or public entities to meet the matching funds requirement for federal YouthBuild grant awards. Appropriates funds.

The Committee did not discuss this bill due to meeting time limit.

- EEE. [House Bill 1014 HD1, Relating to Employees' Retirement System Disability Retirement.](#) Clarifies the employees' retirement system's eligibility requirement definitions for service-connected disability and accidental death benefits. Effective 6/30/3000. (HD1)

The Committee did not discuss this bill due to meeting time limit.

- FFF. [Senate Bill 1312 SD1, Relating to Employees' Retirement System Disability Retirement.](#) Clarifies the Employees' Retirement System's eligibility requirement definitions for service-connected disability and accidental death benefits. Effective 1/1/2050. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- GGG. [Senate Bill 64 SD1, Relating to Medicare Supplement Insurance.](#) Requires issuers of Medigap insurance in the State to accept an eligible individual's application for coverage at any time throughout the year and prohibits issuers from denying the applicant a Medigap policy or certificate or make any premium rate distinctions because of health status. Requires the Insurance Commissioner to amend or adopt rules accordingly.

The Committee did not discuss this bill due to meeting time limit.

- HHH. [Senate Concurrent Resolution 5, Requesting the Department of Health to Convene a Medicinal Psilocybin and Psilocin Working Group to Examine the Medicinal and Therapeutic Effects of Psilocybin and Psilocin and Develop a Long-Term Strategic Plan to Ensure the Availability of Medicinal Psilocybin and Psilocin or Psilocybin-Based and Psilocin-Based Products that are Safe, Accessible, and Affordable for Eligible Adult Patients.](#)

The Committee did not discuss this bill due to meeting time limit.

- III. [Senate Resolution 3, Requesting the Department of Health to Convene a Medicinal Psilocybin and Psilocin Working Group to Examine the Medicinal and Therapeutic Effects of Psilocybin and Psilocin and Develop a Long-Term Strategic Plan to Ensure the Availability of Medicinal Psilocybin and Psilocin or Psilocybin-Based and Psilocin-Based Products that are Safe, Accessible, and Affordable for Eligible Adult Patients.](#)

The Committee did not discuss this bill due to meeting time limit.

- JJJ. [Senate Bill 349 SD1, Relating to Boards and Commissions.](#) Specifies that the nominated members of certain boards and commission are subject to the advice and consent of the Senate Standing Committee on Government Operations. Effective 7/1/2112. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- KKK. [Senate Bill 1196 SD1](#), 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.

The Committee did not discuss this bill due to meeting time limit.

- LLL. [House Bill 1158](#), Relating to Government Records. Specifies that certain deliberative and pre-decisional government inter-agency or intra-agency records concerning an agency decision about a government action are not subject to disclosure until a decision on the action has been made or abandoned. Creates a rebuttable presumption that a matter has been abandoned three years after a prior request for such records. Allows an agency post-decision to continue to withhold directly identifying information for officials or employees lacking discretionary authority in specified circumstances. From 7/1/2023 through 6/30/2027, requires agencies to report their use of the exception to the office of information practices. Requires the office of information practices to convene a working group to examine agency use of the exception and report to the legislature by the 2029 regular session.

The Committee did not discuss this bill due to meeting time limit.

- MMM. [Senate Bill 720 SD1](#), Relating to Government Records. Adds an exception to mandatory disclosure of government records for deliberative and pre-decisional government inter-agency or intra-agency records concerning an agency decision about a government action. From July 1, 2023, through June 30, 2027, requires agencies to report their use of the exception to the Office of Information Practices. Effective 7/1/2112. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- NNN. [House Bill 1467](#), Relating to the Office of Information Practices. Allows the Office of Information Practices to resolve open meeting and open record complaints through either a legal determination on whether a violation occurred or written guidance on the relevant legal requirements.

The Committee did not discuss this bill due to meeting time limit.

- OOO. [Senate Bill 1253 SD1](#), Relating to the Office of Information Practices. Defines "guidance", "opinion", and "ruling". Requires the Director of the Office of Information Practices to provide either a ruling or guidance in writing on open records responses and open meetings complaints. Effective 7/1/2112. (SD1)

The Committee did not discuss this bill due to meeting time limit.

- PPP. [Senate Bill 1513](#), Relating to Public Agency Meetings. Requires a Public Agency Board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting, but giving the Board discretion to maintain confidentiality.

The Committee did not discuss this bill due to meeting time limit.

QQQ. [House Bill 300](#), 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.

The Committee did not discuss this bill due to meeting time limit.

RRR. [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.

The Committee did not discuss this bill due to meeting time limit.

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

Guest Peter Fritz commented that Act 264 relates to board packets. Act 264 requires that people have the opportunity to see all the information that's before the board. DCAB needs to pay more attention to having the information available. The minutes for February 24, not the agenda, have not been posted on DCAB's website. DCAB should have a separate board packet that people can download.

Committee member Violet Horvath responded that DCAB needs to remedy the issue and make sure information is available. DCAB will take the comment about a separate board packet into consideration.

VII. The next Committee meeting is scheduled for March 10, 2023 at 12:00 p.m.

VIII. Committee member Violet Horvath adjourned the meeting at 1:01 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

CURTIS S. MOTOYAMA



DISABILITY AND COMMUNICATION ACCESS BOARD

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MINUTES

Legislative Committee Meeting

Location: 1010 Richards Street, #118 and via Zoom
Date: March 10, 2023
Time: 12:00 p.m.

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

ABSENT: Summer Kozai, Committee Member

GUEST: Peter Fritz, Donald Sakamoto

I. Chairperson Dean Georgiev called the meeting to order at 12:05 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.

Guest Peter Fritz commented that this Committee and DCAB received communication from the Office of Information Practices (OIP) regarding Board packets. Someone should review the communication and report on it at the general Board meeting.

Committee member Violet Horvath responded that she received the communication and met with Kirby Shaw and Curtis Motoyama to discuss the issue and she responded to OIP. Guest Peter Fritz formally requested a copy of the response to OIP.

IV. Approval of Legislative Committee Meeting Minutes of February 24, 2023

The February 24, 2023 Legislative Committee meeting minutes were approved as circulated (M/S/P Horvath/Akamine).

V. Approval of Legislative Committee Meeting Minutes of March 3, 2023

Guest Peter Fritz commented that the minutes don't reflect his comments regarding the February 24, 2023 minutes that were not posted on DCAB's website. The minutes don't record the action that the Committee took at that particular time. The issue involved was the fact that some of the information that needed to be published on DCAB's website didn't satisfy Act 264.

Committee member Violet Horvath changed the motion to approve the March 3, 2023 Legislative Committee meeting minutes as amended. Committee member Anthony Akamine seconded the motion.

Guest Peter Fritz suggested amending the minutes reflecting the conversations that took place regarding the February 24, 2023 minutes which are part of the transcripts and not to approve and then amend the minutes later.

The March 3, 2023 Legislative Committee meeting minutes were approved as amended (M/S/P Horvath/Akamine).

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

- A. [Senate Bill 1327 SD1](#), Relating to the Use of Electronic Filing by the Public Utilities Commission. Authorizes the Public Utilities Commission to use electronic filing processes, including electronic service of documents, to conform to the provisions of chapters 269, 271, and 271G, Hawai'i Revised Statutes, and current practices. Effective 7/1/2050. (SD1)

Curtis Motoyama shared that according to the Committee on Commerce and Consumer Protection, hard copy filings to the Public Utilities Commission (PUC) are often very lengthy, sometimes exceeding ten thousand pages and filling ten to fifteen boxes. In response to the Coronavirus disease 2019 pandemic, temporary emergency orders were issued to allow for all electronic filings to the PUC. As a result, the PUC's filing process became dramatically streamlined and efficient, enhanced the regulatory process, and created better outcomes for the PUC and its staff, as well as stakeholders, regulated utilities, and the general public. Accordingly, this measure makes those operational improvements permanent. The Department of Commerce and Consumer Affairs and the PUC testimony supports this bill. In 2021, DCAB submitted testimony offering comments for a similar bill, which allows the PUC to use electronic filing processes and similar practices. This bill is part of the Governor's package.

Guest Peter Fritz commented that this bill's disability issue is the fact that they are going to convert certain things over to electronic filing. People who don't have internet will have an electronic service problem. The courts and other agencies doing hearings have developed procedures to handle electronic services when somebody is not present. The second issue amounts to the fact that the filings need to be accessible. There is nothing in this bill that requires the filings to be accessible under State law. Comments should address the issue regarding people who need the service have to have internet access.

MOTION: COMMENT THAT ELECTRONIC DOCUMENTS MUST BE ACCESSIBLE TO PEOPLE WITH DISABILITIES (M/S/P Horvath/Daniel-Kanetake)

- B. [Senate Bill 752 SD1](#), 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. Effective 1/1/2050. (SD1)

Curtis Motoyama reported that this is an update to a bill that the Committee reviewed and took a position of support with comments. DCAB testimony included comments to ensure identified buildings and programs are equally accessible to the full spectrum of persons with disabilities and to ensure all individuals have equal opportunity to participate in processes of their government. This bill was amended to replace the working group with the Comptroller based on testimony from OIP and the Department of Accounting and General Services (DAGS). The DCAB Chairperson would have been a member of the working group.

- C. [Senate Bill 1592 SD1](#), Relating to the Senior Medicare Patrol Program. Appropriates funds for three program specialist positions within the Executive Office on Aging for the State's Senior Medicare Patrol Program. Effective 12/31/2050. (SD1)

Curtis Motoyama shared that the State's Senior Medicare Patrol (SMP) Program educates, assists, and protects Hawaii's most vulnerable population by providing one-to-one counseling, conducting community outreach, and working with other service providers to build a help net to assist kupuna, including kupuna with disabilities. While the State's SMP Program was established to protect kupuna from Medicare fraud, it has since expanded and established a network of partnerships across the finance, technology, legal, and retail industries to help kupuna triage non-health related fraud cases. Despite significant increases in scam incidences, the program continues to employ just two temporary full-time staff positions and relies upon volunteers to provide services. To meet the increased demand for services, this measure expands the capacity of the State's SMP Program. EOA supports this bill.

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

- D. [Senate Bill 900 SD1](#), Relating to the Hawaii State Health Insurance Assistance Program. Appropriates funds for three Program Specialist positions within the Executive Office on Aging for Hawai'i's State Health Insurance Assistance Program. Effective 12/31/2050. (SD1)

Curtis Motoyama shared that the Committee on Health and Human Services finds that the rules and procedures for Medicare eligibility and enrollment are complex and difficult to navigate, especially for kupuna. Hawaii's State Health Insurance Assistance Program provides free, local, unbiased, and confidential one-to-one counseling and education to help newly eligible individuals and existing enrollees understand and access Medicare benefits. Despite the State's Medicare population more than doubling since the inception of Hawaii's State Health Insurance Assistance Program in 1992, the program has continued to employ just two staff members and relies upon more than eighty volunteers to provide services. To meet the increased demand for services, this measure expands the capacity of Hawaii's State Health Insurance Assistance Program by appropriating funds for three additional Program Specialist positions. EOA testimony supports this bill. This bill is part of the Kupuna Caucus package.

MOTION: **SUPPORT** (M/S/P Akamine/Daniel-Kanetake)

- E. [Senate Bill 853 SD1](#), Relating to the Hawaii Healthy Aging Partnership. Appropriates funds to the Executive Office on Aging for the Hawai'i Healthy Aging Partnership. Effective 12/31/2050. (SD1)

Curtis Motoyama shared that the Committee on Health and Human Services finds that its two evidence-based intervention programs, Better Choices Better Health and EnhanceFitness, provide a myriad of benefits to participants, including reduced pain and emergency room visits and greater independence and quality of life. Despite the partnership's positive impact on participants' lives, the partnership has not received state funding since fiscal year 2019-2020. Without additional funding, the partnership will be forced to reduce its programming. To avoid a reduction in programming, this measure appropriates funds for the Hawaii Healthy Aging Partnership. EOA supports this bill.

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

- F. [House Bill 278 HD1](#), Relating to Health. Establishes and appropriates funds for a working group to plan and implement a public health campaign for Alzheimer's awareness. Appropriates funds for the executive office on aging to create an Alzheimer's disease and related dementias public health campaign. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that the Committee on Health & Homelessness finds that public health campaigns raise awareness of important health issues and stimulate groups or individuals to seek information and services. Increasing public awareness of early diagnosis may also lead to changing the course of this disease and promote behaviors that improve public health. EOA testimony supports the intent and offers comments. EOA testimony states, "While the Executive Office on Aging supports the intent of this measure, EOA has already established workgroups, with funding from the Center for Disease Control and Prevention (CDC), to currently update and develop a new state plan on Alzheimer's Disease and Related Dementias. The Alzheimer's Association and AARP are already represented in our state plan working group. Therefore, the proposed working group in this measure is not needed."

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

- G. [Senate Bill 163 SD1](#), Relating to Health. Appropriates funds to be expended by the Executive Office on Aging for an Alzheimer's Disease and Related Dementias Public Health Campaign. Effective 12/31/2050. (SD1)

Curtis Motoyama shared that according to the Committee on Health and Human Services report, a number of new therapies approved by the Food and Drug Administration may allow more people to participate in daily activities, remain independent, and decide on the future of their health. These therapies are beneficial at the early onset of the disease, and therefore, early detection and diagnosis are critical. This measure will allow the Executive Office on Aging (EOA) to organize and carry out a campaign to educate the public on early signs of cognitive impairment, the value of early detection and diagnosis, and the benefits of discussing changes in memory

and thinking with health care professionals. EOA testimony offers comments. EOA testimony states, "While the Executive Office on Aging supports the intent of this measure, the Executive Office on Aging, with funding from a Center for Disease Control and Prevention (CDC) planning grant, already established workgroups that are currently updating and developing a new state plan on Alzheimer's Disease and Related Dementias." Testimony also mentions that EOA can incorporate the bill's campaign elements into the public awareness goal in the state plan.

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

- H. [Senate Resolution 5](#), Urging the City and County of Honolulu to Improve Access of TheBus in Oahu's Rural Communities.

Curtis Motoyama reported that the Committee took a position to support Senate Concurrent Resolution 7, which is very similar to this resolution.

MOTION: **SUPPORT WITH COMMENT TO URGE ALL COUNTIES TO IMPROVE TRANSPORTATION SERVICES IN RURAL COMMUNITIES** (M/S/P Akamine/Horvath)

- I. [House Bill 572 HD1](#), Relating to Administrative Rulemaking. Requires that prior to the adoption, amendment, or repeal of an administrative rule, electronic notice of the proposed rulemaking be provided to all persons who have made a timely written request to, and provided a valid working email address to, the adopting agency for advance notice of its rulemaking proceedings. Requires that alterations to administrative rules be displayed in Ramseyer format and the full text of rules be made available in a digitally accessible and searchable format. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that this measure would increase the accessibility of proposed rulemaking actions for the public and provide greater transparency in the process.

Guest Peter Fritz commented that the bill already includes accessibility.

Committee member Violet Horvath stated that the comment should include internet for everyone.

MOTION: **COMMENT THAT ELECTRONIC DOCUMENTS MUST BE ACCESSIBLE TO PEOPLE WITH DISABILITIES** (M/S/P Akamine/Horvath)

- J. [Senate Bill 306 SD1](#), Relating to Public Information. Requires all state agencies adopting, amending, or repealing a rule to make the full text of the rules of the agency available on the Office of the Lieutenant Governor's internet website in a digitally accessible and searchable format. Requires a report to the Legislature. Appropriates funds. Effective 7/1/2112. (SD1)

Curtis Motoyama shared that the Committee on Government Operations finds that an attempt to locate Hawaii Administrative Rules can be cumbersome. The Committee on Government Operations further finds that a centralized location with digitally accessible files will provide ease of access for

stakeholders and make the files compatible with the assistive technology required to access the documents for individuals with disabilities.

MOTION: COMMENT THAT ELECTRONIC DOCUMENTS MUST BE ACCESSIBLE TO PEOPLE WITH DISABILITIES (M/S/P Horvath/Daniel-Kanetake)

- K. [House Bill 660 HD1](#), Relating to the Issuance of Special Purpose Revenue Bonds for Not-For-Profit Corporations that Provide Health Care Facilities to the General Public. Authorizes the issuance of special purpose revenue bonds to assist Hawai'i Pacific Health. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that the Committee on Consumer Protection & Commerce finds that authorizing the issuance of special purpose revenue bonds to assist Hawaii Pacific Health with financing for construction of and improvements to its facilities is in the best interest of public health. Phase 1 involves construction of a new parking facility to triple the number of parking stalls, which will ease congestion and improve accessibility to Straub; renovations also include a conference and meeting center and an employee wellness center to promote employee wellness, as well as the acquisition of equipment, including solar panels to create a more environmentally-friendly medical facility. Planning and design related to Phase 2 involves a new sixteen-story hospital tower and low-rise structure with a second rooftop garden. The new tower will include an expanded emergency department, larger patient rooms, and more space to provide exceptional quality of care. Based on a survey of people with a disability parking placard, it is difficult to find an accessible parking space in large parking facilities. In an effort to improve access, DCAB is asking owners and/or operators of large parking facilities to voluntarily exceed the minimum design and construction requirements and provide additional accessible parking spaces for people with disabilities.

Guest Peter Fritz commented that the building needs to comply with the ADA. This bill is not related to disabilities issues and nothing in this bill talks about exceeding minimum requirements.

Committee member Violet Horvath responded that the Standing Committee on Parking discussed this parking issue and wanted to address the number of accessible parking spaces at hospitals.

MOTION: COMMENT THAT THE NUMBER OF ACCESSIBLE PARKING SHOULD EXCEED MINIMUM REQUIREMENTS (M/S/P Horvath/Akamine)

- L. [Senate Bill 340 SD1](#), Relating to Housing. Appropriates funds to the Hawai'i Public Housing Authority for the rehabilitation, remodeling, renovation, and repair of housing units without regard to civil service law. (SD1)

Curtis Motoyama shared that the Hawaii Public Housing Authority (HPHA) has a current capital improvement backlog upwards of \$800,000,000 and additional funding is needed to keep public housing units safe, decent, and sanitary for habitation. HPHA is seeking to repair and upgrade two hundred fifty-five public housing units statewide. Improvements will include compliance with the ADA and other federally mandated improvements.

DCAB position statement about accessible housing states, "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)."

MOTION: COMMENT THAT THE NUMBER OF ACCESSIBLE DWELLING UNITS SHOULD EXCEED MINIMUM REQUIREMENTS (M/S/P Horvath/Akamine)

- M. [Senate Bill 865 SD1](#), Relating to Housing. Establishes the ALOHA Homes Program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by the Hawai'i Public Housing Authority to qualified residents. Exempts certain land from the definition of public lands. Provides for the disposition of lands acquired by the Hawai'i Public Housing Authority but no longer needed for the ALOHA Homes Program. Appropriates funds. (SD1)

Curtis Motoyama reported that this bill would establish the ALOHA Homes Program to develop low-cost, high density, owner-occupant homes on state-owned and county-owned land in urban redevelopment sites near public transit stations. The homes would be sold in leasehold by the Hawaii Public Housing Authority (HPHA) to qualified Hawaii residents.

Guest Peter Fritz commented that disability is not included in this bill.

Committee member Violet Horvath responded that DCAB wants agencies to exceed minimum ADA requirements for accessible housing. Agencies are not obligated to exceed minimum ADA requirements.

MOTION: COMMENT THAT THE NUMBER OF ACCESSIBLE DWELLING UNITS SHOULD EXCEED MINIMUM REQUIREMENTS (M/S/P Horvath/Akamine)

- N. [House Bill 642 HD1](#), Relating to Consumer Protection. Requires check cashers to report suspected financial exploitation of elders and vulnerable adults in relation to check cashing. Provides immunity for good faith reporting. Authorizes a check casher to refuse to cash a check in situations of suspected financial exploitation. Clarifies that all entities that are within the definition of "check casher" are subject to the requirements for reporting financial exploitation. Effective 6/30/3000. (HD1)

Curtis Motoyama shared that the Committee on Consumer Protection & Commerce finds that abuses that target elders and vulnerable adults are occurring more frequently. The Committee on Consumer Protection & Commerce further finds that elders and vulnerable adults may be financially exploited in check cashing and money order schemes. This measure addresses such exploitation by requiring check cashers to report any suspected financial exploitation.

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

- O. [House Bill 824 HD2](#), Relating to Medical Release. Creates a medical release program within the department of public safety for certain ill or impaired inmates who pose a low risk to public safety. Effective 6/30/3000. (HD2)

Curtis Motoyama shared that the Committee on Judiciary & Hawaiian Affairs finds that long sentences and an aging prison population can lead to a growing number of elderly inmates, some of whom have serious illnesses or impairments and require a significant amount of medical care. Medical release has been used in other jurisdictions to allow certain inmates who pose a low risk to public safety to be released, and the Committee on Judiciary & Hawaiian Affairs finds medical release to be a compassionate alternative that would allow these individuals to live out their remaining days outside of a correctional facility. The Department of Public Safety supports this bill. The Hawaii Correctional System Oversight Commission supports the intent of this bill. They testified that amendments added to House Draft 1 (creating House Draft 2) adds an immense number of barriers for those who would have initially been eligible for medical release and they have grave concerns about the amendments added as it severely limits the pool of eligible ill, disabled, or impaired inmates.

Guest Peter Fritz commented that this bill provides compassionate release. No testimony was submitted by the disability community.

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

- P. [Senate Bill 1196 SD1](#), 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. Effective 7/1/2112. (SD1)

Curtis Motoyama shared that the Committee on Government Operations finds that the existing law allows a member of a state board or commission to continue as a holdover member until a successor is nominated and appointed. It is imperative that members of boards and commissions are appropriately and timely nominated and appointed to enable boards and commissions to meet and conduct business. However, no holdover member should serve beyond the end of the second regular session following the member's term of office without the advice and consent of the Senate. The Committee on Government Operations further finds that this measure would clarify the law regarding holdover members of boards and commissions.

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

- Q. [Senate Bill 1513](#), Relating to Public Agency Meetings. Requires a Public Agency Board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting, but giving the Board discretion to maintain confidentiality.

Curtis Motoyama shared that the Committee on Government Operations finds that the Sunshine Law provides limited exceptions for government boards to hold closed executive sessions, but the minutes of an executive session can

only be withheld to the extent necessary to protect the purpose of the executive session. This measure requires information to be reported as a summary of a public agency's executive session while maintaining some level of confidentiality. The Committee on Government Operations also finds that this measure will not undermine a board's ability to use executive sessions as authorized in the Sunshine Law and serves to increase the public's access to discussions, deliberations, decisions, and actions of government. Further, the Committee on Government Operations finds that this measure, as interpreted, does not diminish any of the existing responsibilities of the board, but rather adds to the board's responsibilities. The Office of Information Practices (OIP) testimony supports this bill.

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

- R. [House Bill 300](#), 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.

Curtis Motoyama reported that the appropriation for DCAB appears to be correct.

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

- S. [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.

Curtis Motoyama reported that the appropriation for DCAB appears to be correct.

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

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

Guest Peter Fritz commented that DCAB should coordinate with the National Federation of the Blind (NFB) to get their list of bills.

Guest Donald Sakamoto commented that he provided DCAB the NFB's list of priority bills.

- VIII. The next Committee meeting is scheduled for March 17, 2023 at 12:00 p.m.

- IX. Chairperson Dean Georgiev adjourned the meeting at 1:05 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

CURTIS S. MOTOYAMA



DISABILITY AND COMMUNICATION ACCESS BOARD

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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,

/s/ KIRBY SHAW

for

CURTIS S. MOTOYAMA



DISABILITY AND COMMUNICATION ACCESS BOARD

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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

Proposed Amendment to the Bylaws
of the
Disability and Communication Access Board

The Bylaws of the Disability and Communication Access Board are amended by adding a new section to Article V to read as follows:

Section 8 Transportation Committee (Standing Committee)

- A. The Transportation Committee shall be responsible for providing recommendations on public policy, legislation and rulemaking relating to public and private modes of transportation, including but not limited to, bus, paratransit, rail, air travel, and alternative modes of transportation, that impact the availability, accessibility, and or the safety of those modes of transportation for persons with disabilities.
- B. The Transportation Committee shall be responsible for providing recommendations on public policy, legislation and rulemaking relating to the built environment, including but not limited to, public rights of way, sidewalks, and crosswalks, that impact accessibility and safety for persons with disabilities.
- C. The actions of the Transportation Committee shall be ratified by the full Board.



DISABILITY AND COMMUNICATION ACCESS BOARD

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SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING May 18, 2023

TOPIC: Proposed Amendments to the U.S. Air Carrier Access Act (ACAA)

SUMMARY:

In 1986, President Ronald Reagan signed the Air Carrier Access Act of 1986 ([49 U.S.C. 41705](#)) (ACAA) to prohibit disability-based discrimination in air transportation. Despite the effort, individuals, including veterans, with disabilities continue to experience significant barriers to and with traveling by air, such as damaged assistive devices; inaccessible aircraft, lavatories, and communication media; delayed assistance; inappropriate treatment of service animals; inadequate disability awareness and sensitivity training; and a lack of suitable seating accommodations.

ANALYSIS:

The Air Carrier Access Amendments Act of 2023 ([S. 545](#) and [H.R. 1267](#)) addresses the long standing air travel barriers for persons with disabilities. Among other provisions, the bill seeks to —

- Require the Secretary of Transportation, not later than two years after the date of the enactment of this Act, to consult with the U.S. Access Board to promulgate regulations setting forth minimum standards for new aircraft, including —
 - boarding and deplaning equipment, including ensuring that there is a route accessible for individuals to board and deplane the aircraft from their personal assistive devices, including wheelchairs;
 - seating accommodations, which shall include in-cabin wheelchair restraints (if deemed technologically feasible);
 - lavatories;
 - captioning and audio description of in-flight entertainment and captioning of any other aural communication;
 - individual video displays;
 - visually and tactilely accessible announcements;
 - adequate in-cabin stowage for assistive devices; and
 - proper stowage of assistive devices in the cargo hold to prevent damage, which includes ensuring that cargo doors and the cargo holds allow such devices to be enplaned and stowed upright.
- Require the standards to apply to existing aircraft operated by domestic air carriers or foreign air carriers on the date that is five years after the regulations become effective.
- Require removal of access barriers on existing airplanes to the extent that it is readily achievable.
- Require the Secretary of Transportation to assess civil penalties for Air Carrier Access Act violations and refer patterns of discrimination to the Department of Justice.

- Improve enforcement by bringing standards prohibiting discrimination based on disability in line with those of the Americans with Disabilities Act.
- Allow for a private right of the action in federal district court. A court may award to the plaintiff equitable and legal relief, including compensatory and punitive damages, and in addition to any such relief, award reasonable attorney's fees, reasonable expert fees, and costs of the action to the plaintiff.
- Require all covered gates, counters, ticketing areas, and customer services desks to be accessible to individuals with disabilities, including accessible public service announcements.

Hawaii Congresswoman Jill Tokuda is a cosponsor of H.R. 1267.

STAFF RECOMMENDATION:

Staff recommends that DCAB send letters to Hawaii's U.S. Senators Brian Schatz and Mazie Hirono and Hawaii Congressman Ed Case to request that they cosponsor S. 545 and H.R. 1267 respectively. In addition, staff recommends sending letters to request hearings for the bills to Senator Maria Cantwell, Chair of the Senate Committee on Commerce, Science, and Transportation; and to Congressman Garret Graves, Chair of the House Transportation and Infrastructure Subcommittee on Aviation.

**PROPOSED
DCAB Board Meetings
Schedule for FY 2023-2024
(Third Thursday of every other month)
11:00 a.m. – 1:00 p.m.**

**July 20, 2023
(Annual Planning and General Meetings
9:00 a.m. - 1:00 p.m.)**

September 21, 2023

November 16, 2023

January 18, 2024

March 21, 2024

May 16, 2024

**July 18, 2024
(Annual Planning and General Meetings
9:00 a.m. - 1:00 p.m.)**

PLEASE MARK YOUR CALENDARS!!



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MINUTES

Disability and Communication Access Board General Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118
Date: May 18, 2023
Time: 11:00 a.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Pauline Aughe, Ron Awa, Dean Georgiev, Nikki Kepo'o, Marie Kimmey, Michael Nojima, Gerald Ohta, Teri Spinola-Campbell, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Duane Buote, Bryan Mick, Susan Rocco, Sue Radcliffe, Scott Castor, Staff

ABSENT: Rosanna Daniel-Kanetake, Scott Fleming, Gerald Isobe, Summer Kozai, Justin Tokioka, Board Members

GUESTS: Peter Fritz, Donald Sakamoto, Citizens for a Fair ADA Ride, Annette Tashiro, State Rehabilitation Council

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Laura Safranski

REAL TIME

CAPTIONERS: April Chandler and Kelly Decamp

I. Chairperson Violet Horvath called the meeting to order at 11:04 a.m. She provided information about testimony or comments presented by members of the public during Board meetings.

II. Roll was called and Board members, staff, and guests introduced themselves.

III. Statement from Public and Written Testimonies Submitted

Kirby Shaw reported that staff did not receive any public or written testimonies.

IV. Approval of General Board Meeting Minutes of March 16, 2023

Minutes of the March 16, 2023 General meeting were approved as circulated (M/S/P Townsend/Akamine).

V. Executive Director's Report

Kirby Shaw reported that Senate Bill 384 SD1 HD2 – Relating to Access for Disabled Persons (DCAB bill), that would authorize 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, and authorize officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances, did not pass this legislative session. The bill will be carried over to the 2024 legislative session. Staff will request a meeting with the House Finance Committee to determine their concerns with the bill, if any. Staff will meet with County agencies and other advocacy groups to seek their support for this bill.

He provided an update on Act 172, SLH 2022 - Hawaii Electronic Information Technology Accessibility Act – Working Group progress on developing the “Hawaii Electronic Information Technology Disability Access Standards.” Staff continues to meet every two weeks with the Office of Enterprise Technology Services and the State Procurement Office. ETS will prepare draft Standards that will be distributed to a working group for review and comment.

Chairperson Violet Horvath acknowledged two Board members who will be completing their service on the Board, Pauline Aughe and Justin Tokioka. She read a thank you letter to Pauline Aughe and expressed her appreciation to Ms. Aughe for bringing important issues before the Standing Committee on Parking and her accomplishments while serving on the Board.

Kirby Shaw said that DCAB is awaiting word from the Governor’s Office on the status of three current Board members and an interested applicant to serve on the Board.

Kirby Shaw reported that the job announcements for the Planner/ADA Coordinator and Communication Access Specialist positions have been posted and recruitment is ongoing. Board member Nikki Kepo’o suggested that staff contact the University of Hawaii and community colleges regarding the Communication Access Specialist position.

He reported on the Department of Health’s (DOH) telework policy; eligibility of employee participation, evaluation after six months, and how telework may affect a program’s operations. Board member Charlotte Townsend commented on parameters as it relates to staff position responsibilities.

VI. Committee Reports

A. Executive Committee

There was no meeting held, and no report was provided.

B. Legislative Committee

Committee Chairperson Dean Georgiev reported that the Committee met on March 3, 2023, March 10, 2023, and March 17, 2023, and asked for a motion to ratify the minutes of those meetings (M/S/P Akamine/Horvath).

He reported that the 2023 Legislative Highlights were sent to members. He also provided an update on the metrics of the number of bills and resolutions reviewed by the Committee. A revised 2023 Legislative Highlights with the corrected metrics will be forwarded to members. The Committee met recently to complete its work for this year and looked at ways to be more efficient in their legislation review process in the future.

Guest Peter Fritz suggested that a list of legislative ideas should be prepared for the planning meeting for inclusion in next year's Plan of Action.

Guest Donald Sakamoto thanked DCAB for its support for bills that were related to persons who are blind and or have low vision; five bills were introduced and four passed.

C. Standing Committee on Communication Access

There was no meeting held and no report was provided.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that the Committee met on May 9, 2023. She reported that the Facility Access Unit (FAU) reviewed one thousand one hundred fifty projects from June 1, 2022 to May 8, 2023 of which five hundred seventy seven were new submittals. The FAU collected \$853,986 in fees during that same period.

She reported that the Committee voted to approve the proposed changes to the 2023-2024 Facility Access section of the Plan of Action to delete two action steps:

- 2.1.7 Evaluate the review fee rates charged for the review of plans under Section 103-50, Hawaii Revised Statutes, to determine whether the rates are adequate to sustain future budget requirements. **(Priority 1)**
- 2.1.8 Propose legislation to amend Section 103-50, Hawaii Revised Statutes, to increase the plan review fee rates to sustain future budget requirements. **(Priority 1)**

She also reported that the FAU Spring training on the Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG) was completed on April 25, 2023. The 2023 Disability Access Conference is scheduled for June 29 and June 30, 2023 from 8:00 a.m. – 11:30 a.m. each day. The sessions will focus on the Fair Housing Act requirements and will feature Rex Pace from the Department of Housing and Urban Development, Bill Hecker from Hecker Design, LLC – Accessibility Consulting, and John Torkelson from theACCESSpartnership, l.p.

E. Standing Committee on Parking

Committee member Pauline Aughe reported that the Committee met on May 11, 2023. She reported that during the third quarter of fiscal year 2023, approximately seven thousand two hundred placards and three hundred twenty special license plates were reauthorized or issued. Of the placards, about one thousand nine hundred were temporary, five thousand three hundred were long term; and twenty six were Disabled Paid Parking Exemption Permits. Of the long term placards, DCAB issued two thousand three hundred renewals. The renewal rate was fifty nine percent.

She reported that staff sent six hundred ninety-two reminder emails to permittees of a pending permit expiration during the first two months of the third quarter. A crosscheck with the DOH's Vital Records flagged four thousand three hundred forty-four deceased permittees with active parking permits. Letters were sent to the estates of the deceased permittees, and forty one percent of the placards were returned, eight percent were reported as lost, and fourteen percent of the letters were returned as undeliverable.

She reported that staff is preparing to send letters to businesses that have parking lots with one hundred or more spaces to request that they consider increasing the number of accessible and or van accessible spaces, ensuring the spaces are connected to a properly maintained accessible route, and posting DCAB's priority sign for vehicles with a side mounted lift or ramp at van accessible spaces.

She reported that six submissions were received via the DCAB webpage to report parking placard misuse; one submission reported a parking space that did not comply with design requirements. Staff continues to procure year and month decals.

Bryan Mick reported that the Committee will recommend adding three objectives to the Plan of Action; one would be implementation of a travel parking placard for permittees who do not want disabled license plates as a second permit; introduction of legislation to suspend the driver's license of a person who illegally uses the parking permit of a deceased permittee; and introduction of legislation that would deposit a percentage of each fine collected for a violation of Chapter 291 Hawaii Revised Statutes into the respective accounts of the parking enforcement agencies that issue the citations.

F. Special Parent Information Network

Board member Anthony Akamine reported that SPIN had its first in-person conference in four years. The Conference was held on April 22, 2023 at the University of Hawaii Manoa Campus Center. The Conference drew a mixed audience of three hundred fifty two individuals; of that number, twenty four attended virtually, and fifty seven manned agency tables but did not attend workshops. Parent and professional attendees were evenly split, and fifteen college students from the Occupational Therapy Assistant Program at Kapiolani Community College attended workshops. The majority of attendees were from Oahu with sixty seven attending from the neighbor islands. Individuals who completed the conference evaluation rated it a positive learning experience. Fifty seven percent were attending the conference for the first time and ninety six percent of responders visited the resource area and were pleased with the number and diversity of the resources represented.

SPIN acknowledged six individuals at the awards luncheon, with Nikki Kepo'o awarded the SPIN Parent of the Year for her outstanding advocacy and service to children with disabilities and their families.

The Special Education Advisory Council formed an ad-hoc Committee on Dispute Resolution this school year. To address the current critical shortage of plaintiff attorneys for special education due process hearing requests, the Committee drafted a letter to the legal community for assistance in securing more legal representation for families of children with disabilities who wish to exercise their due process rights under the Individuals with Disabilities Education Act.

VII. Old Business

A. ADA Coordination

Kirby Shaw reported that DCAB held a State ADA Coordinators meeting on April 11, 2023, and a County ADA Coordinators meeting on April 13, 2023. At both meetings, DCAB provided an update on the Program and Services Manual, the Hawaii Electronic Information Technology Accessibility Act, and the revised guidance on the provision of auxiliary aids and services due to a disability at public meetings and events. He reported that staff responded to one hundred seventy technical assistance requests that included service animal questions, grievance procedures, accommodation notice requirements, parking inquiries, re-voicer, adult changing tables, public restrooms, automatic doors, sign language interpreters, wheelchair lifts at Iolani Palace, access to store entrances, and access to sidewalks.

B. Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events. Review and update the guidance language on the provision of auxiliary aids/services or accommodations due to a disability at public meetings or events. Update.

Kirby Shaw reported that DCAB distributed the Guidance to the Office of Information Practices which published it on their website and distributed the same to recipients of its "What's New" newsletter. The Guidance was also distributed to State and County ADA Coordinators.

Guest Peter Fritz suggested that DCAB follow up with the ADA Coordinators to reinforce the language on the Guidance.

C. Disability and Communication Access Board Programs and Services Manual. Update.

Kirby Shaw reported that the Programs and Services Manual is nearing completion, and the Manual could be sent to Board members to review. Board member Charlotte Townsend commented that staff should create a training program for employees on the Manual. Kirby Shaw said it could be incorporated as an action step in the Plan of Action.

Guest Donald Sakamoto commented regarding problems he encountered with certain meeting information accessibility. Guest Peter Fritz reiterated his concern about language to request an accommodation and DOH's grievance procedures.

- D. Letter to Governor Green requesting to increase the number of reserved parking spaces for persons with disabilities in state parking facilities beyond the minimum Americans with Disabilities Act requirements. Update.

Kirby Shaw reported that staff has not received a response to the letter to increase the number of reserved parking spaces for persons with disabilities in state parking facilities from the Governor's Office. He said staff will follow up with the process.

- E. Amendment to the Board Bylaws to establish a Standing Committee on Transportation to focus on public and private modes of transportation, including bus, paratransit, rail, and air travel.

Kirby Shaw reported that the proposal to establish a Standing Committee on Transportation was sent to Board members. The amendment to the bylaws was approved (M/S/P Townsend/Kepo'o).

VIII. New Business

- A. H.R. 1267 Air Carrier Access Amendments Act of 2023. Staff Summary.

Kirby Shaw reported staff is recommending that DCAB send a letter to Hawaii's Congressional delegation to request co-sponsorship of this bill, and to also send letters to the Chairs of the respective Senate and House Committees (M/S/P Horvath/Spinola-Campbell).

- B. Appointment of Members to the Nominating Committee – Officers for Fiscal Year 2023-2024

Chairperson Violet Horvath asked for volunteers to serve on the Nominating Committee. Board members Nikki Kepo'o, Marie Kimmey, and Gerald Ohta volunteered to serve on the Committee. The Committee will present the proposed slate of officers at the July 20, 2023 General meeting.

- C. Proposed Board Meeting Schedule for Fiscal Year 2023-2024

There was no discussion on the proposed Board meeting schedule for next fiscal year. Board meetings will be held on the third Thursday, every other month at 11:00 a.m. to 1:00 p.m. Meetings will be held on July 20, 2023; September 21, 2023; November 16, 2023; January 18, 2024; March 21, 2024, and May 16, 2024.

- D. Proposal to Hold Hybrid Board Meetings

Chairperson Violet Horvath said that the federal Public Health emergency for COVID-19 ended on May 11, 2023. Board members unanimously agreed to continue holding hybrid meetings.

On a separate note, Board member Charlotte Townsend asked staff about the status of the loading zone in front of the Kamamalu Building. Kirby Shaw said that he will follow up with the City and County of Honolulu regarding the loading zone.

E. Annual Planning Meeting – July 20, 2023

Chairperson Violet Horvath reminded members that the Annual Planning meeting is scheduled for July 20, 2023 beginning at 9:00 a.m. followed by the General meeting at 11:00 a.m.

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

Guest Peter Fritz reported that the Deaf Blind Task Force has a list of bills that passed this legislative session, and a public bill signing is being arranged.

Guest Donald Sakamoto reported on the Honolulu Rate Commission meeting on bus and paratransit fare increases and to discuss what the plans are for the bus, paratransit, and rail systems.

Board member Anthony Akamine in response to a question from guest Donald Sakamoto informed members about a Statewide Elections Accessibility Needs Advisory Committee meeting scheduled for May 23, 2023 at 1:30 p.m.

Guest Annette Tashiro informed the Board that the State Rehabilitation Council may hold a strategic planning day on August 4, 2023.

X. Chairperson Violet Horvath reminded Board members that the next General meeting will be held on July 20, 2023 following the Annual Planning meeting. The General meeting is scheduled to begin at 11:00 a.m.

XI. The meeting adjourned at 1:02 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



CINDY OMURA



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2023 LEGISLATIVE HIGHLIGHTS METRICS

Monitor: 22 Bills
Comments: 8 Bills
Support Intent: 18 Bills/7 Resolutions
Support or support with comment: 50 Bills/15 Resolutions
Oppose: 1
Total measures: 121
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