



# DISABILITY AND COMMUNICATION ACCESS BOARD

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

## NOTICE OF MEETING

### Disability and Communication Access Board

#### Legislative Committee Meeting

March 10, 2023

12:00 p.m. – 1:00 p.m.

#### AGENDA

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

#### **Public In-Person Meeting Location**

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

#### **Participate Virtually via Zoom**

Click on the link below or copy and paste it into your browser window:  
<https://zoom.us/j/98541352914> and enter Meeting ID: 985 4135 2914

#### **To join by phone**

Dial 1 669 444 9171 and enter Meeting ID: 985 4135 2914

#### **Public Testimony**

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

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

**Written Testimony** -To ensure the public as well as its Board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one of the methods listed below:

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

### **AGENDA**

- I. Call to Order  
Review Remote Meeting Procedures
  - This meeting is being recorded.
  - A quorum of Committee members is required to be visible on screen.
  - Raise hand to speak unless called upon.
  - Identify yourself before speaking.
- II. Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of Legislative Committee Meeting Minutes of February 24, 2023
- V. Approval of Legislative Committee Meeting Minutes of March 3, 2023
- VI. DCAB Legislative Positions Relating to 32<sup>nd</sup> 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)
  - 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)
  - 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)

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

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

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

Upon request, this notice is available in alternate formats.

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



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### MINUTES

#### **Legislative Committee Meeting**

Location: 1010 Richards Street, #118 and via Zoom  
Date: 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 32<sup>nd</sup> 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 Hawaii'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,



CURTIS S. MOTOYAMA