



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813
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NOTICE OF MEETING

Disability and Communication Access Board

Legislative Committee Meeting

February 23, 2024

10:00 a.m.

AGENDA

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

Public In-Person Meeting Location

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

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:

<https://us02web.zoom.us/j/87956508717?pwd=MU5pNWNHT2YyU2VHbXVoRndXdTNnZz09>

and enter Meeting ID: 641 466 8055 Passcode: 375356

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 641 466 8055 Passcode: 375356

Public Testimony

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

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

Written Testimony -To ensure the public as well as its Board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled

meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one of the methods listed below:

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

AGENDA

- I. Call to Order
Review Remote Meeting Procedures
 - This meeting is being recorded.
 - A quorum of Committee members is required to be visible on screen.
 - Raise hand to speak unless called upon.
 - Identify yourself before speaking.
- II. Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of Legislative Committee Minutes of December 19, 2023 and January 31, 2024
- V. Bills and Resolutions
 - A. Non-Discrimination
 - B. Communication Access

[SB 2781 SD1](#) – Related to Disaster Services. Appropriates funds to establish the position of Limited English Proficiency Language Coordinator within the Hawai'i Emergency Management Agency.
 - C. Service and Other Animals
 - D. Building Code, Design, and Facility Access
 - E. Community Based Services and Employment

[HB 2728 HD1](#) / [SB 2876](#) – Relating to Healthcare. Establishes the Hui Hoomana task force to identify actionable priorities and financial resources to offer the State's residents universal access to affordable, high-quality healthcare and health insurance. Requires reports to the Legislature. Dissolves the task force on 7/1/2025.

[HB 2807](#) – Relating to Mental Health Services. Establishes a working group within the Department of Health to comprehensively and systematically map the array of child and adolescent mental health programs and services statewide.

[HB 2539 HD1](#) / [SB 2678](#) / [SB 3254](#) – Relating to Human Services. Appropriates funds to increase the funding for medicaid in-home services, conditioned on the Department of Human Services obtaining the maximum federal matching funds and pursuing all other funding sources.

[HB 2552 HD1](#) / [SB 2930](#) – Relating to Employee Benefits. Extends, under certain conditions, the family leave period for up to eight additional weeks for employees who are unable to perform their employment duties due to the birth of a child who is required to stay in a neonatal intensive care unit. Requires the Civil Rights Commission to amend its rules to include neonatal care as a related medical condition whenever certain phrases are used.

[SB 163 SD 1](#) – 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.

[SB 168](#) – Relating to State Licensed Care Facilities. Requires the Department of Health to post on its website an easily understandable, searchable, and sortable list of all state-licensed care facilities including information on their licenses and inspections. Requires that the list be updated within five days of any change in its information.

[SB 2049](#) – Relating to Psychologists. Creates a multi-phase five year pilot project to allow qualified psychologists to prescribe psychotropic medications for the treatment of mental illness to patients under the psychologists care at a federally qualified health center.

[SB 2059](#) – Relating to Accessibility. Requires a retail establishment 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 a retail establishment and employees from civil liability.

[SB 2091 SD1](#) / [HB 1679](#) – Relating to Public Utilities. Requires all telecommunications service providers to communicate relevant information relating to the deenergization of electrical lines to public safety or emergency response offices for the affected areas. Requires all electric utility companies to operate electrical lines and equipment in a manner that shall minimize the risk of catastrophic wildfire posed by the electrical lines and equipment. Requires each electric utility company to prepare a wildfire mitigation plan and protocols for deenergizing electrical lines.

[SB 2136](#) – Relating to Medical Records. Establishes fees that medical providers may charge for medical records and imposes civil penalties.

[SB 2137](#) – Relating to Driving Under the Influence. Requires defendants convicted of causing the death or disability of a parent or legal guardian of a minor child by the operation of a vehicle while under the influence of an intoxicant to make restitution in the form of financial support to each child of the victim.

[SB 2169](#) / [HB 2627](#) – Relating to the General Excise Tax. Exempts medical and dental services provided by health care providers to patients who receive Medicaid, Medicare, or TRICARE benefits from the general excise tax. Applies to taxable years beginning after 12/31/2024.

[SB 3296 / HB 2507](#) – Relating to Remote Work. Requires the Department of Human Resources Development to: (1) conduct a remote work study; (2) review any recent remote work studies done by the counties; (3) develop and administer a remote work program; and (4) submit the study to the Legislature prior to the convening of the Regular Session of 2025.

[SB 2302](#) – Relating to Long-term Care Facilities. Requires the Director of the Executive Office on Aging to work with health care providers to ensure that there are sufficient long-term care facilities on each island of the State. Makes an appropriation.

[SB 2316 / HB 2194](#) – Relating to Health Insurance. Prohibits a health insurer from requiring an insured diagnosed with stage two through stage five cancer to undergo step therapy prior to covering the insured for certain drugs prescribed by the insured's health care provider, under certain conditions.

[SB 2343 / HB 2224 HD1](#) – Relating to Long-Term Care. Requires the Executive Office on Aging to create a comprehensive long-term care master plan to accomplish long-term care policy goals that, when implemented, ensure the availability of a full continuum of institutional and community-based services.

[SB 2458](#) – Relating to Community Care Foster Homes. Allows the primary caregiver to be absent from the community care foster family home; provided that the substitute caregiver is present during the absence.

[SB 2463](#) – Relating to Mental Health. Authorizes examination of defendants via telehealth. Amends conditions for a defendant's release or examination of fitness to proceed. Authorizes the Department of Health to implement behavioral health crisis centers.

[SB 2464](#) – Relating to Health Care Provider Credentialing. Authorizes health care organizations to accept a health care provider's credentialing that was conducted by certain health care organizations or state agencies. Establishes a Health Care Credentialing Clearinghouse Pilot Program within the Department of Health.

[SB 2468](#) – Relating to Health Insurance. Requires all health insurers in the state, including medicaid managed care programs, to cover annual mental health wellness examinations.

[SB 2489](#) – Relating to Prescriptive Authority for Clinical Psychologists. Authorizes and establishes procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements.

[SB 2551 / HB 2223 HD1](#) – Relating to Insurance. Beginning 1/1/2025, requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for biomarker testing.

[SB 2619](#) – Relating to the Medical Use of Cannabis. Establishes a licensing system for medical cannabis cultivation. Facilitates the transport of medical cannabis. Expands the scope of authorized actions for medical cannabis patients. Provides that qualifying out-of-state patients need not register with the

Department of Health. Protects medical cannabis patients and cultivation licenses from undue discrimination.

[SB 2668](#) – Relating to the Psychology Interjurisdictional Compact. Adopts the Psychology Interjurisdictional Compact. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

[SB 2682 / HB 2156](#) – Relating to Lead Poisoning. Beginning 1/1/2025, requires physicians to perform or order test for lead poisoning in minor patients at certain intervals, and if the physician performs the test, the results to be included in the minor patient's record of immunization.

[SB 2722 / HB 2511](#) – Relating to Cancer. Appropriates funds to the University of Hawai'i Cancer Center to conduct a multiethnic cohort study focusing on the social determinants of health, lifestyles, environmental exposures, and resilience factors of Native Hawai'ians, Pacific Islanders, and Filipinos.

[SB 2807](#) – Relating to Taxation. Establishes an annual tax credit for qualified physicians who actively practice medicine in rural areas of the state.

[SB 2899](#) – Relating to Pharmacists. Requires the auditor to conduct an assessment on the social and financial impacts of mandating health insurance coverage for care provided by a participating registered pharmacist practicing within the scope of the pharmacist's license.

[SB 2959](#) – Relating to Taxation. Establishes an income tax credit for medically-related travel expenses not covered by insurance.

[SB 2992 / HB 2800](#) – Relating to Mental Health. Beginning 7/1/2025, and occurring every ten years thereafter, requires the Department of Health to convene an Advisory Committee on Mental Health Code Review.

[SB 3251](#) – Relating to Persons with Disabilities. Requires the Department of Human Services to establish a Medicaid buy-in program for workers with disabilities.

F. Transportation and Mobility

[HB 1790 / SB 3245](#) – Relating to Disabled Veterans. Exempts qualified disabled veterans from various annual motor vehicle fees and taxes, including vehicle weight taxes and beautification fees.

[HB 2082 HD1 / SB 2303](#) – Relating to School Bus Services. Establishes comprehensive standards for the department of education related to school bus services to ensure reasonable accommodation, equitable access, timely communication, and accountability. The standards shall include providing reasonable accommodation for students who may be disproportionately affected by bus service changes due to disabilities, special needs, or other unique circumstances; provided that such accommodation may include alternative transportation arrangements and support services.

[HB 2151](#)- Relating to Airport Visitors. Requires the Department of Transportation to establish and implement at Daniel K. Inouye International Airport a non-traveler visitor pass program.

[HB 2171](#) – Relating to Sidewalks. Establishes the petty misdemeanor offense of sitting or lying on a public sidewalk. Contains exceptions, including for expressive activities that are protected by the First Amendment, and for medical emergencies.

[HB 2679](#) – Relating to Restoring Respect and Dignity to America’s Only Royal Palace in the Nation. Prohibits parking of motor vehicles on the grounds of Iolani Palace. Requires DAGS to remove the blacktop, parking area, and paid parking adjacent to Iolani Palace. Requires DLNR to develop and maintain a pedestrian area adjacent to Iolani Palace. Requires DAGS and DLNR to report on cost analysis.

[SB 2519](#) – Relating to Highway Safety. Requires persons under the age of seventeen to wear a helmet while riding a skateboard.

[SB 2738](#) – Relating to Transportation. Establishes a three-year pilot program within the Department of Transportation, in collaboration with the counties, to examine signalized intersections that are programmed to all crosswalk and pedestrian movement signs to commence four seconds before the green light is given to motor vehicle traffic when the walk button has been pressed. Staff note - this can be a disadvantage to pedestrians who are blind or visually impaired who rely on the surge of traffic to recognize when the signal is green. If these pedestrians begin crossing with the surge of parallel traffic where a leading pedestrian interval is used, they will have less time to cross than was designed. Also, when pedestrians do not initiate their crossing at the onset of the WALK interval, drivers may interpret this to mean that the pedestrians are not intending to cross. Pedestrians who are blind or visually impaired do not know about the leading pedestrian interval at unfamiliar intersections unless there is an APS installed.

[SB 2744](#) – Relating to Vehicles. Prohibits any person from parking a vehicle or constructing or installing any parking stall abutting the curb or edge of vehicle travel way near a marked crosswalk on a public right of way along a road or highway.

[SB 2769](#) – Relating to Climate Change. Requires all state, county, and private bus operators to upgrade to zero emission buses by 2045.

G. Emergency Management

[HB 1665](#) – Relating to Warning Sirens. Requires the Hawai‘i emergency management agency to prepare and develop a plan to upgrade all-hazard warning sirens to be capable of transmitting voice instructions and directions and capable of voice activation.

[HB 1837 HD1](#) – Relating to School Safety. Requires the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses. Requires each Department school to have a comprehensive school evacuation communication

plan for use during emergencies. Requires the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature.

[HB 2789](#) – Relating to Education. Requires the department of education equip all classroom doors with interior locks, maintain a public address system, feature an emergency access route, employ a student resource officer, and maintain fire alarms. Mandates the establishment of school emergency management plans. Requires schools conduct regular testing and emergency preparedness drills.

[SB 2771](#) – Relating to Emergency Management. Requires the Hawai'i Emergency Management Agency, in collaboration with the county emergency management agencies, to conduct a study researching the effectiveness of using distinct sounds or tones emitted by outdoor warning sirens to warn the public of different types of emergencies and indicate whether evacuation is necessary.

H. Administration

[HB 1598](#) / [HB 1858](#) / [SB 2198](#) – Relating to the Sunshine Law. Requires board meeting packets to be available 2 business days before the meeting instead of 48 hours before. Note, HB 1858 and SB 2198, bill title different relating to Public Agency Meetings.

[HB 1599](#) / [SB 2636](#) - Relating to the Sunshine Law. Requires public meeting notices to inform members of the public how to provide remote oral testimony in a manner that allows the testifier, upon request, to be visible to board members and other meeting participants. Affirms the right of a board to remove or block someone who willfully disrupts or compromises the conduct of a meeting. (SB 2636 bill title different relating to Remote Meetings.)

[SB 2116](#) – Relating to Board Meetings. Requires all meetings utilize interactive conference technology.

[SB 2172](#) – Relating to Boards and Commissions. Establishes the priority of who may assume the authority and duties of a chairperson of a board or commission in the chairperson's and all co-chairperson's absence at a hearing or meeting of a board or commission. Prohibits staff members from assuming the authority and duties of the chairperson of a board or commission.

[SB 2180](#) – Relating to Chore Services. Requires the Department of Human Services' program requirements for chore services to include an assessment of whether the applicant has a family member who is available and capable of providing necessary chore services for the applicant. Requires income eligibility standards for chore services to include an assessment of whether the individual has the ability to pay a portion of the cost of the chore services they receive. Requires the Department of Human Services to improve access for disabled persons seeking chore services by taking certain actions and submitting a report to the Legislature.

[SB 2198](#) / [HB 1858](#) – Relating to Public Agency Meetings. Provides that supplemental information received within 48 hours of a meeting of a board subject to state opening meetings law may be added to the board packet;

provided that the public is promptly provided access to the supplemental information.

I. Other

[HB 326 / SB 50](#) – Relating to Plastic Straws. Prohibits the distribution, sale, and provision of plastic straws, except for those who request single-use plastic straws for medical reasons.

[HB 1053 HD1 / SB 1351 SD2 HD2](#) – 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 up to age five. Appropriates funds for the establishment of the program, including for an unspecified number of permanent full-time equivalent (FTE) positions.

[HB 1524 / SB 2099](#) – Relating to School Zones. Prohibits loitering at schools and public property within 200 feet of a school. Prohibits obstructing a building, walkway, public passage, road, highway, sidewalk, or structure of a school or a public property within 200 feet of a school. Includes an exemption for any person having a medical emergency or any person who, as a result of a disability, is utilizing a wheelchair or other, similar wheeled chair device to move about within two hundred feet from a school.

[SB 108](#) – Relating to Instructional Materials. Adopts the National Instructional Materials Accessibility Standard for use by the Department of Education in preparation of instructional materials for eligible students. Defines "eligible student" in accordance with the Individuals with Disabilities Education Act and the Copyright Act. Requires the Department of Education to obtain instructional materials in accessible formats whenever available from the publisher or the National Instructional Materials Access Center when materials are not available from the publisher in the appropriate, accessible format needed by an eligible student. Requires instructional materials to be sufficient for grade level progress by eligible students. Requires the Department of Education to provide assistive technology devices and services for eligible students. Repeals requirements for publishers to provide computer diskettes conforming to American Standard Code for Information Interchange.

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

VII. Next Meeting

VIII. Adjournment

If you 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 also available for inspection at DCAB's office located at 1010 Richards Street, Room 118, Honolulu, Hawai'i 96813 and on DCAB's website at: <https://health.Hawaii.gov/dcab/dcab-agendas-and-minutes/>.