

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

January 31, 2024

12:00 p.m. – 2:00 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://us02web.zoom.us/j/82185808194?pwd=bWJhUGRpWmdpeVRXTVRpZ2JoSnJJUT09>

and enter Meeting ID: 821 8580 8194 Passcode: LEG

To join by phone

Dial 1 669 444 917 and enter Meeting ID: 821 8580 8194 Passcode: LEG

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 Memo of January 24, 2024.
- V. DCAB Legislative Positions Relating to 32nd Legislature, 2024 Bills

Parking

- Oppose legislation to revert to "free meter parking" for all permit holders.
- Support legislation to increase the minimum number of parking spaces for persons with disabilities or study the issue.
- Support legislation to improve enforcement, provided that law enforcement is able to implement the provisions.
- Oppose legislation to issue disability parking permits to people solely on the basis of vision loss, pregnancy, age, developmental disability, behavioral, or other non-mobility related condition.
- Oppose legislation to issue disability parking permits to agencies or transportation companies.
- Support legislation to authorize the counties to enforce design requirements for accessible parking.

Non-discrimination Against Persons with Disabilities/Civil Rights

- Support legislation for the provision of reasonable modification of policies, practices and procedures in state government programs and services to provide for equal access for persons with disabilities (this could impact many different programs).
- Oppose legislation for separate identification cards for people with disabilities in addition to a driver's license or a state identification card.

- Provide comments on the provision of state government services to ensure that the needs of persons with disabilities are taken into consideration without supporting or opposing the underlying service.
- Provide comments on the process of voting to ensure that the needs of persons with disabilities are taken into consideration.
- Support legislation that requires the House and Senate to permit remote testimony, via telephone, at public hearings.

Communication Access

- Support legislation to maintain or increase captioning provisions in movie theaters.
- Support efforts to include increased access to on-line state information (to include, but not be limited to website accessibility, social media platforms, and digital information provided through kiosks or other similar means) with funding for implementation.

Service and Other Animals

- Support state legislation to clarify state law to be consistent with federal law, but not to exceed federal law in areas such as certification or licensure.
- Support the interest of individuals with service animals (dogs) when considering legislation to eliminate discriminatory inquiries or practices when entering places of public accommodation.
- Oppose expansion of service animal legislation to assistance animals or other emotional support animals in settings other than housing already required under federal and state law.

Building Code, Design, and Facility Access

- Support legislation to increase building accessibility for persons with disabilities that exceed federal guidelines for entities covered by Titles II and III of the ADA.
- Oppose legislation that would require DCAB to perform tasks that DCAB staff have no expertise.
- 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).

Community Based Services and Employment

- Support legislation to increase reimbursement for hearing aids.
- Support legislation to require the Department of Human Services (DHS) to establish a Medicaid buy-in program for workers with disabilities.

Transportation and Mobility

- Support legislation following the "DCAB Guiding Principles on the Mobility and Safety of Pedestrians with Disabilities" and "DCAB Guiding Principles on Public Transit Fixed Route Bus and Paratransit Services."

Emergency Preparedness

- Support legislation to ensure the inclusion of persons with disabilities in emergency preparedness efforts, including planning, exercises, notifications, emergency sheltering, and mitigation and recovery efforts.

Administration

- Support legislation consistent with facilitating the operation of DCAB as a Board or Commission.
- Oppose legislation that would change the status of the DCAB Special Fund.

Other

- Support legislation to provide a tax credit or deduction or to exempt or reduce general excise tax on the sale of mobility enhancing equipment or durable medical equipment, hearing aids, prosthetic devices, and prescription drugs sold pursuant to a licensed practicing physician's prescription when the basis for the acquisition of the item is due to a person's disability.
- Support legislation that includes a representative from DCAB on a task force if the bill or resolution includes a position above and only if there is adequate staffing to attend and participate in meetings. Oppose the legislation if the criteria above are not met.

VI. Bills and Resolutions

A. Non-Discrimination

[HB 1607](#) – Relating to Algorithmic Discrimination - Prohibits users of algorithmic decision-making from utilizing algorithmic eligibility determinations in a discriminatory manner. Requires users of algorithmic decision-making to send corresponding notices to individuals whose personal information is used. Requires users of algorithmic decision-making to submit annual reports to the Department of the Attorney General. Provides for appropriate means of civil enforcement.

[HB 1773](#) / [SB 2552](#) / [SB 2567](#) – Relating to Dementia. Requires the law enforcement standards board to develop training materials related to the recognition and signs of Alzheimer's disease and related types of dementia. Requires law enforcement officers to review training materials for at least 1 hour per year.

[HB 1812](#) / [SB 2452](#) – Relating to Corrections. Restricts the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions. Prohibits the use of solitary confinement and requires the use of appropriate alternatives for committed persons who are members of a vulnerable population.

[HB 1941](#) / [SB 2250](#) / [SB2467](#) – Making and Emergency Appropriation to the Department of Health to Implement Quality Improvement Recommendations for the Hawai'i State Hospital. Makes an emergency appropriation to provide funds for the Department of Health to implement quality improvement recommendations at the Hawai'i State Hospital.

[HB 2250](#) – Relating to Crisis Intervention. Requires the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers. Authorizes crisis intervention officers to order persons determined to be imminently dangerous to themselves or others to be transported to a designated behavioral health crisis center.

[SB 2003](#) / [SB 2345](#) – Relating to Law Enforcement. Requires police commissions to ensure that all full-time police officers receive crisis intervention training relating to interaction with persons with mental disabilities.

[SB 2005](#) – Relating to Mental Health. Requires the Department of Corrections and Rehabilitation to construct a mental health facility for inmates and detainees in their custody who exhibit signs of mental illness, pose a danger of physical harm to themselves or others, or request treatment and meet certain admittance criteria.

[SB 2013](#) – Relating to Health Care Fees of Detainees and Committed Persons. Prohibits the assessment of fees upon inmates for medical, dental, or mental health services or treatment that is provided within a public correctional institution in the State.

[HB 2078](#) / [SB 2883](#) – Relating to Education. Beginning with the 2025-2026 school year, requires the Department of Education to ensure that inclusive curricula are available to all students at public schools. Makes it a discriminatory practice to refuse to approve, remove, or prohibit the use or access of inclusive or diverse materials in schools and public libraries on the basis of materials featuring or written by LGBTQ+ individuals. Staff note, this also prohibits discrimination based on disability.

B. Communication Access

[HB 1977](#) / [SB 2750](#) - Relating to Braille Literacy. Establishes state policy to promote braille literacy for blind students. Requires the individualized education programs of blind students to include the instruction of Braille and provision of Braille instructional materials under certain circumstances. Requires the Department of Education to establish a Braille Literacy Resource Center.

[HB 2391](#) / [SB 3080](#) – Relating to Telecommunications Access for Individuals with Print Disabilities. Clarifies that the Public Utilities Commission under the Universal Service Program may provide and may use funds from the Universal Service Fund to provide, free telecommunications access to certain individuals with a print disability. *Committee already voted to support intent, staff would also like to request some of the fund be directed to the DCAB Communication Access program in order to increase the statewide numbers of ASL interpreters.

[SB 317 SD1](#) – Relating to Audiology and Speech-Language Pathology Interstate Compact. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

[SB 2688](#) – Relating to Information Accessibility. Establishes the Access Hawai'i Advisory Committee to advise the Access Hawai'i Committee on how to improve accessibility to government information for people with diminished access to

government information arising from disabilities. *DCAB Executive Director is a member.

[SCR 4 / SR 4](#) – Requesting the Hawai'i State Public Library System to Establish a Hawai'i Deaf Culture Digital Library for the Deaf and Hard of Hearing Community.

[SCR 5 / SR 5](#) - Urging the Prompt Implementation of the Hawai'i Electronic Information Technology Act on or before December 31, 2024.

C. Service and Other Animals

[HB 1580](#) – Relating to Animal Cruelty. Amends the penalty for causing injury or death to a service animal from a felony Class C to a Class B, and for intentional interference with the use of a service animal from a misdemeanor to a felony Class C.

D. Building Code, Design, and Facility Access

[HB 1631](#) – Relating to Housing. Requires the school facilities authority to work with the Department of Education to prioritize projects for the construction of educator workforce housing that will house teachers and other staff of the Department.

[HB 1632](#) – Relating to Housing. Requires the counties to adopt an ordinance allowing licensed architects and professional engineers to self-certify that plans accompanying a building permit application are in compliance with all applicable state and county building codes.

[HB 1702 / HB 1762 / SB 2063](#) – Relating to Housing. Requires any government agency that exercises its authority to develop low- or moderate-income housing projects to process any low- or moderate-income housing project that meets the development requirements of chapter 201H, Hawai'i Revised Statutes, and applicable administrative rules.

[HB 1808 / SB 2337](#) – Relating to Housing. Expands the counties' authorization to exercise the same powers as the Hawai'i housing finance and development corporation for purposes of developing, constructing, financing, refinancing, or providing mixed-income projects and mixed-use developments.

[HB 1986](#) – Relating to County Building Codes. Requires each county to allow a developer undertaking an adaptive reuse office conversion project to comply with the International Building Code with respect to provisions concerning ventilation and lighting.

[HB 1988 / SB 2062](#) – Relating to County Housing Powers. Expands the housing powers of the counties to include the planning, development, construction, financing, and providing of housing projects, including low- and moderate-income housing and mixed-use developments.

[HB 2039](#) – Relating to the State Capitol. Requires DAGS and DPS, in consultation with the legislature and other entities, to plan and implement security

improvements at the state capitol. Requires DAGS to remove all parking meters from the capitol parking facility and reallocate parking in the capitol district.

[HB 2040](#) – Relating to Permitting. Establishes the building permit expeditious improvement force to eliminate inefficiencies in the permitting process. Staff note- no one with accessibility background is on task force.

[HB 2089](#) / [SB 2994](#) – Relating to the State Building Code. Requires that the adoption, amendment, or update of a building code or standard by the State Building Code Council be within two years of every other official publication date of a code or standard.

[HB 2212](#) / [SB 3227](#) – Relating to Affordable Housing. Allows religious, educational, and medical institutions to build residential units on lands zoned for residential or commercial use within the urban state land use district, under certain conditions.

[HB 2214](#) / [SB 2840](#) – Relating to Housing. Provides a new source of interim financing for affordable housing projects using housing programs under chapter 201H, Hawai'i Revised Statutes.

[HB 2287](#) / [HB 2324](#) / [SB 2583](#) / [SB 2584](#) – Relating to Housing. Appropriates funds for prefabricated, modular, or kauhale-type housing for individuals impacted by the Lahaina wildfire (HB 2287 and SB 2583) or homeless/low income (HB 2324 and SB 2584).

[HB 2304](#) / [SB 881 SD1](#) / [SB 2344](#) – Relating to Homelessness. Authorizes the issuance of general obligation bonds to the Hawai'i Public Housing Authority for the development and construction of permanent supportive housing for certain vulnerable individuals.

[HB 2327](#) - Relating to Affordable Housing. Authorizes the Hawai'i Public Housing Authority to partner with the property owner of 1021 Smith Street in Honolulu, Oahu, to create 60 units of affordable rental housing at that site.

[HB 2328](#) - Relating to Affordable Housing. Appropriates moneys to the Hawai'i Public Housing Authority to acquire and renovate parcels and buildings located between Bethel Street, Pauahi Street, Fort Street, and Chaplain Lane for affordable housing purposes.

[HB 2330](#) / [SB 2306](#) – Relating to Automated External Defibrillators. No later than January 1, 2025, requires the Department of Accounting and General Services to install and maintain automated external defibrillators in all state buildings. Requires the Department of Accounting and General Services to provide trainings on the use of automated external defibrillators for certain state employees and security staff.

[HB 2364](#) / [SB 3053](#)- Relating to the Conveyance Tax. Allocates ten percent of conveyance tax collections to the Dwelling Unit Revolving Fund for the purpose of funding infrastructure programs in transit-oriented development areas.

[HB 2549](#) / [SB 2836](#) – Relating to Maui's Permanent Housing Recovery. Establishes within the Department of Business, Economic Development, and

Tourism the Interagency Council for Maui Housing Recovery to coordinate and facilitate Maui's permanent housing recovery and facilitate consultation and collaboration between state and county agencies on housing recovery initiatives for the island of Maui.

[HB 2571](#) / [SB 3201](#) – Relating to Accessible Housing. Establishes the multifamily housing accessibility modifications grant program to facilitate the installation of accessibility modifications in certain properties. Staff note, DCAB mentioned in bill.

[SB 140 SD1](#) – Relating to the Housing Shortage. Requires the Office of Planning and Sustainable Development to identify and analyze existing and projected housing needs and identify adequate sites for housing sufficient to meet housing demands for all income levels each year.

[SB 336 SD1](#) / [SB 2027](#) – Relating to Housing. Restricts any county from disapproving or imposing certain conditions on a housing development project or an emergency shelter unless the county meets certain requirements.

[SB 2015](#) – Relating to Housing. Designates projects that are owned by the State, any county, or any organization obliged to use all financial surplus generated by the project to construct more housing or rehabilitate or manage housing as the highest priority for receiving funds from the State Rental Housing Revolving Fund.

[SB 2021](#) – Relating to Important Housing Lands. Directs the Hawai'i Public Housing Authority to conduct a study identifying state owned lands within one-half mile of any rail transit station for the purpose of construction of 100,000 housing units.

[SB 2025](#) – Relating to Housing Development. Eliminates certain restrictions for any project on state property located within one-half mile of any rail station.

[SB 2034](#) – Relating to Housing. Authorizes the issuance of general obligation bonds for the Hawai'i Housing Finance and Development Corporation's and Hawai'i Public Housing Authority's programs to develop housing exclusively for residents of the State who are owner- or renter-occupants and own no other real property.

[SB 2064](#) – Relating to the Hawai'i Housing Finance and Development Corporation. Authorizes the Corporation the right of first refusal for the development of property for all development on state lands, excluding the Stadium Development District and lands under the Hawai'i Public Housing Authority and Department of Hawaiian Home Lands, that are within county-designated transit-oriented development zones, or within a one-half mile radius of a proposed or existing transit station if the county has not designated transit-oriented development zones.

[SB 2068](#) – 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.

[SB 2077](#)- Relating to the Dwelling Unit Revolving Fund. Establishes an Interim Construction Subaccount within the Dwelling Unit Revolving Fund to be used for the interim financing of new construction projects under section 201H-43, HRS, prioritizing projects located on state or county-owned lands in counties with a population of less than five hundred thousand; provided that, for units in for-sale projects, the units shall be made available only to Hawai'i residents who are owner-occupants and own no other real property.

[SB 2580](#) – Relating to Affordable Housing. Establishes a task force to identify 1 or more parcels of alienable state land and propose a plan for a public-private partnership to develop that land for affordable housing.

[SB 2779](#) – Relating to Hawaiian Home Lands. Requires the Department of Hawaiian Home Lands to build sufficient rental housing, including rental apartment units, and rent-with-option-to-buy housing units, to satisfy the housing needs of native Hawai'ians on the waitlist for homestead leases.

[SB 2804](#) – Relating to Housing. Authorizes large land owners to petition the Land Use Commission to allow the development of elderly housing on portions of agricultural lands.

[SB 2870](#) – Relating to the Hawai'i Housing Finance and Development Corporation. Establishes a working group within the Hawai'i Housing Finance and Development Corporation to identify existing mixed-use developments in Maui County that could be acquired by the Hawai'i Housing Finance and Development Corporation.

[SB 2948](#) – Relating to Housing. Allows residential uses in areas zoned for commercial to be considered permitted as long as the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met, but exempts areas zoned under chapter 206E, HRS, relating to the Hawai'i Community Development Authority. Requires each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes.

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

E. Community Based Services and Employment

[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.

[HB 897 HD1](#) / [SB 713](#) – Relating to Health. Establishes a joint task force to review policy issues and opportunities relating to the navigation, access, and coverage of Medicaid services by individuals with autism or fetal alcohol

spectrum disorder and make a recommendation on whether a waiver or other approval from the Centers for Medicare and Medicaid Services is necessary to ensure accessibility of certain services for individuals with autism or fetal alcohol spectrum disorder.

[HB 1503](#) / [SB 1492](#) – Relating to Mental Health. 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. Requires the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments. Appropriates moneys to the Department of Health for software and data collection and publication. Requires courts, when dismissing an involuntary hospitalization petition for a person, to assess whether the person meets the criteria for assisted community treatment. Requires the Department of the Attorney General to assist in the preparation and filing of certain assisted community treatment petitions and related court proceedings.

[HB 1648](#) – Relating to School Psychology. Establishes licensure requirements for school psychologists to be administered by the board of psychology. Requires all school psychologists to be licensed by 7/1/2026. Increases the composition of the board of psychology to include two school psychologists.

[HB 1657](#) / [SB 2510](#) – Relating to Education. Requires all public schools to implement universal screenings for students in kindergarten through third grade to identify and support students who are at risk of dyslexia and other learning disabilities.

[HB 1658](#) / [HB 1768](#) / [SB 2046](#) / [SB 2474](#) – Relating to Family Leave. Provides that eligible public and private sector employees in the State of Hawai'i are provided with up to 16 weeks per calendar year of paid family leave to take care of a newborn child, for a serious health condition, absence due to domestic abuse or stalking of the employee or a family member, or to take care of a sick family member. Establishes an insurance fund.

[HB 1659](#) / [SB 2047](#) – Relating to Paid Sick Leave. Requires certain employers to provide a minimum amount of paid sick leave to employees to care for themselves or a family member who is ill and supplemental paid sick leave to employees under certain public health emergency conditions.

[HB 1673](#) – Relating to Workers Compensation. Requires employers to be liable for medical care, services, and supplies when a worker's compensation claim filed by a solid waste worker suffering from cancer is accepted.

[HB 1675](#)- Relating to the General Excise Tax. Beginning 1/1/2025, exempts medical services provided by physicians and advanced practice registered nurses acting in the capacity of a primary care provider from the general excise tax.

[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.

[HB 1699](#) – Relating to General Excise Tax. Exempts food and medical services from the general excise tax. However, does not extend the food exemption to people who receive supplemental security income benefits, or disability or blindness payments under Title I, II, X, XIV, or XVI or the Social Security, persons sixty years of age or over and persons who are physically or mentally handicapped or otherwise disabled that they are unable to adequately prepare all of their meals, meals prepared for and delivered to them and their spouses at their home by a public or private nonprofit organization or by a private establishment that contracts with the appropriate state agency to perform such services at concessional prices; or disabled or blind recipients of benefits under Title I, II, X, XIV, or XVI or the Social Security Act (42 U.S.C. 301 et seq., 401 et seq., 1201 et seq., 1351 et seq., 1381 et seq.), who are residents in a public or private nonprofit group living arrangement that serves no more than sixteen residents and is certified by the appropriate state agency or agencies, meals prepared and served under such arrangement.

[HB 1713](#) / [HB 1855](#) / [HB 1876](#) / [SB 2207](#) / [SB 2225](#) – Relating to Family Leave - Establishes a paid family leave program for state and county employees. Authorizes a qualifying employee to take up to 12 weeks of paid leave for the birth or placement of a child or to care for a family member who has a serious health condition. Establishes procedures for a health care provider to provide a certification to an employee requesting paid family leave. Requires the State and counties to establish the paid family leave program by 1/1/2025.

[HB 1715](#) – Relating to Parental Rights. Establishes the Ohana Bill of Rights for parents and legal guardians of minor children to direct the upbringing, education, health care, and mental health of their minor child.

[HB 1718](#) – Relating to Mental Health. Amends the definition of "dangerous to self". Defines the terms "gravely disabled" and "psychiatric deterioration". Broadens the term of "imminently dangerous to self and others". Increases the maximum period of emergency hospitalization.

[HB 1719](#) – Relating to Duchenne muscular dystrophy. Requires birthing facilities to screen newborns for Duchenne muscular dystrophy, and to report data to the Department of Health. Provides a screening exemption when parents or guardians object on religious grounds.

[HB 1720](#) – Relating to Medical Services for Firefighters. Provides cancer screening for full-time state firefighters every three years to cover twelve types of cancer. Appropriates funds exceeding the ceiling.

[HB 1721](#) – Relating to the Department of Human Services. Requires the Med-QUEST Division of the Department of Human Services to adopt rules authorizing reimbursements for remote ultrasound procedures and remote fetal nonstress tests.

[HB 1769](#) / [SB 2473](#) – Relating to Taxation. Establishes a refundable tax credit for nonpaid family caregivers. Requires the Department of Taxation to report to the Legislature before the convening of each Regular Session.

[HB 1770](#) / [HB 1974](#) / [HB 2110](#) / [HB 2558](#) / [SB 2472](#) / [SB 2785](#) – Relating to Social Services. Increases the monthly needs allowance from \$50 to \$75. 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.

[HB 1772](#) / [SB 2471](#) – Relating to Fall Prevention. Appropriates funds to support the Department of Health's Senior Fall Prevention Campaign. Declares the general fund expenditure ceiling is exceeded.

[HB 1774](#) / [SB 2305](#) / [SB 2486](#) – Relating to Missing Persons. Establishes a silver alert program within the Department of Law Enforcement to help locate and safeguard missing persons who are sixty-five years of age or older, cognitively impaired, or developmentally disabled.

[HB 1776](#) – Relating to the household and dependent care services tax credit. Increases a taxpayer's applicable percentage of employment-related expenses that may be claimed for the household and dependent care services tax credit for five years.

[HB 1777](#) / [SB 2476](#) – Relating to Dental Hygienists. Authorizes dental hygienists who are under the direct supervision of a licensed dentist to perform preventive dental sealant screenings and apply dental sealants on certain individuals in a school-based oral health program.

[HB 1792](#) / [SB 2420](#) – Relating to Education. Beginning in the 2025-2026 school year, requires each public, private, and charter school in the State to establish a program within the health education curriculum for high school students to provide instruction in cardiopulmonary resuscitation. Specifies instruction requirements. Waives liability for instruction under certain circumstances.

[HB 1825](#) / [SB 2119](#) – Relating to out of State Prescriptions - Authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription for medical oxygen.

[HB 1827](#) – Relating to Healthcare Workforce Development. Appropriates moneys to the Department of Labor and Industrial Relations and Department of Education to support healthcare workforce development programs, specifically the public high school healthcare workforce certificate program and glidepath program for certified nurse aides. Requires these appropriations to be matched using a state-to-private-funds ratio of 3:1. Appropriates moneys to renovate and equip certain public high school classrooms to be used for healthcare training.

[HB 1830](#) / [SB 343](#) - Relating to Mental Health. 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 certain other requirements. Allows the Board of Psychology to grant licensure waivers in certain circumstances for psychologists.

[HB 1831](#) – Relating to Crisis Intervention. Establishes the behavioral health crisis center pilot program. Appropriates funds for the pilot program.

[HB 1836](#) – Relating to Health. Allows pharmacists, during declared states of emergency, to refill prescriptions of up to thirty-day supplies of dangerous drugs and dangerous devices if the prescriber is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

[HB 1889](#) / [SB 2231](#) – Relating to Workers Compensation Medical Benefits. Expands workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

[HB 1906](#) – Relating to Making an Appropriation for the Department of Education to Promote Student Mental Health. Appropriates moneys for the Department of Education to enhance the Panorama platform and Trust Circle mobile app.

[HB 1921](#) / [SB 2853](#) – Relating to Mobile Vaccinations. Appropriates funds to the department of health for mobile vaccination services for homebound individuals.

[HB 1944](#) – Relating to Workers Compensation. Authorizes certain types of radiographical coverage and specialist consultations without a treatment plan within the context of workers' compensation coverage for employees with cervical and lumbar spinal injuries, or suspected cervical and lumbar spinal injuries.

[HB 1958](#) – Relating to Economic Development. Requires the Department of Labor and Industrial Relations to establish a three-year child care pilot grant program to provide grants to employers to assist in offering child care or caregiving support for their employees.

[HB 1963](#) – Relating to Healthcare. Expands the facilities or services that are exempt from certificate of need requirements.

[HB 1979](#) – Relating to Prescription Drugs. Establishes the Canadian Prescription Drug Importation Program to be implemented and administered by the Department of Health. Requires the Department of Health to obtain federal approval, make reports, and adopt rules.

[HB 2004](#) – Relating to a Leave Grant Program. Requires the Department of Labor and Industrial Relations to conduct an actuarial study on a leave grant pilot program to help small businesses offer their employees paid family leave and paid sick leave.

[HB 2017](#) / [HB 2109](#) / [HB 2173](#) / [HB 2216](#) / [SB 2611](#) / [SB 2786](#) / [SB 3224](#) – Related to Care Homes. Beginning on 7/1/2024, requires that the state supplemental payment for type 1 adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes not exceed \$1,136. Beginning on 7/1/2024, requires that the state supplemental payment for type II adult residential care homes not exceed \$1,334. (note, bills have different amounts)

[HB 2018](#) / [HB 2111](#) / [HB 2215](#) / [SB 2788](#) – Related to Medicaid. Appropriates funds to the Department of Human Services to achieve the full funding, including estimated payment increases, of Medicaid home- and community-based services.

[HB 2024](#) / [SB 2023](#) – Relating to Access to Treatment for Terminally Ill Patients. Allows a terminally ill patient to receive investigational drugs and biological products that have not received final approval from the United States Food and Drug Administration.

[HB 2042](#) – Relating to Mental Health. Appropriates funds to address the mental health and wellness needs of youth in the State.

[HB 2147](#) / [HB 2553](#) / [SB 2568](#) – Relating to Health. Authorizes pharmacists to order and administer immunizations and vaccinations to children three years of age and older under state law.

[HB 2157](#) – Relating to Employer Healthcare Requirements. Requires all health insurers in the State, including medicaid managed care programs, to cover dental and vision treatment.

[HB 2158](#) / [HB 2415](#) / [SB 2492](#) / [SB 3104](#) – Relating to the Nurse Licensure Compact. Adopts the nurse licensure compact. Beginning 01/01/2026, requires nurses who hold multistate licenses issued by a state other than Hawai'i to complete demographic data surveys. Authorizes the Board of Nursing to assess different fees for registered nurses and licensed practical nurses who hold a multistate license issued by the State.

[HB 2159](#) / [SB 2382](#) – Relating to Mental Health. Requires the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment and with the presentation of the case, unless declined by the petitioner.

[HB 2160](#) / [SB 2051](#) – Relating to Disability Health Disparity. Appropriates funds to the state council on development disabilities to study the health disparities experienced by individuals with intellectual or developmental disabilities in the State.

[HB 2393](#) / [SB 3082](#) – Relating to Title 24, Hawai'i Revised Statutes. Requires health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

[HB 2412](#) / [SB 3101](#) – Relating to Behavioral Health. Authorizes the Department of Health to redirect persons experiencing a mental health crisis who are involved with, or at risk for involvement with, the criminal justice system to the appropriate health care system and services, including behavioral health crisis centers.

[HB 2448](#) / [SB 3137](#) – Relating to Mental Health Services for Children and Adolescents. Amends the statutes pertaining to mental health services for children and adolescents provided by the Child and Adolescent Mental Health Division of the Department of Health to reflect the current mental health systems of care that address intensive mental health needs of children and adolescents.

[HB 2450](#) / [SB 2246](#) / [SB 3139](#) – Relating to Crisis Intervention. Establishes an expanded crisis intervention and diversion activities program within the Department of Health to expand existing activities to divert those with mental health issues to appropriate health care services.

[HB 2452](#) / [SB 3141](#)- 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 who are in need of assistance, assess whether those persons may fulfill the criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated. 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. Appropriates funds to the Department of Health for statewide education and training on policies related to emergency examination and hospitalization and assisted community treatment.

[HB 2529](#) – Relating to a Pilot Program to Fill Vacancies. Establishes a 5-year behavioral health exempt employee pilot program, to be administered by the Department of Health, under which the Department may fill employee vacancies in the Department's Behavioral Health Services Administration in a manner that is exempt from chapter 76, Hawai'i Revised Statutes.

[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.

[HB 2539](#) / [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](#) / [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 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](#) – 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](#) – 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 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](#) – 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](#) – 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 2465](#) – 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 DOH to respond to reports about persons having severe mental illness who are in need of assistance, assess whether those persons fulfill criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated. Establishes that a court's denial of a petition for involuntary

commitment shall serve as notification to DOH that the person should be evaluated for assisted community treatment.

[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](#) – 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 2688](#) – 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](#) – 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](#) – 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'i ans, 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 2992](#) – 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 3001](#) – Relating to Autism. Appropriates funds to increase the funding for applied behavioral analysis services for persons with autism. Requires the Department of Human Services to obtain maximum federal matching funds and pursue all other funding sources.

[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](#) / [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 2071](#) – Relating to Photo Red Light Imaging Detector Systems. Provides that any photo red light imaging detector system's clear and unobstructed recorded image of a motor vehicle license plate shall be prima facie evidence that the motor vehicle to which the license plate is attached is the motor vehicle for which the license plate was issued.

[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 2267](#) / [SB 2443](#) – Relating to Highway Safety. Establishes the Automated Speed Enforcement Systems Program. Authorizes the state or counties to administer the Automated Speed Enforcement Systems Program. Requires fines collected beginning 1/1/2025 for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program. Creates a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System.

[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 presses. 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 Signs. 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.

[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](#) – Relating to the Sunshine Law. Requires board meeting packets to be available 2 business days before the meeting instead of 48 hours before.

[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.

[HB 1975](#) / [SB 2751](#) – Relating to the Sunshine Law. Establishes accessibility standards for the distribution of public documents and media presentations by boards as defined in section 92-2, Hawai'i Revised Statutes. Requires DCAB to assist OIP.

[HB 1976](#) / [SB 2752](#) – Relating to the Office of Elections. Appropriates funds to the Office of Elections Statewide Elections Accessibility Needs Advisory Committee to provide voter education and outreach services for individuals with accessibility needs.

[SB 2116](#) – Relating to Board meetings. Requires all meeting 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](#) – 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.

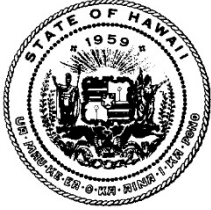
VII. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

VIII. Next Meeting

VIII. Adjournment

If you 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/>.



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
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MINUTES

Legislative Committee Meeting

Location: 1010 Richards Street, #118 and via Zoom
Date: January 31, 2024
Time: 12:00 p.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Summer Kozai, Committee Members;
Kirby Shaw, Bryan Mick, Staff

ABSENT: Rosanna Daniel-Kanetake, Charlotte Townsend, Committee Members

GUESTS: Peter Fritz, Donald Sakamoto

I. Chairperson Violet Horvath called the meeting to order at 12:03 p.m.

II. The attendees introduced themselves.

III. Statement from Public and Written Testimonies Submitted

Bryan Mick reported that staff did not receive written testimonies.

IV. Approval of Legislative Committee Meeting Memo of January 24, 2024

The January 24, 2024 Legislative Committee meeting memo was approved as circulated (M/S/P Akamine/Kozai).

V. DCAB Legislative Positions Relating to 32nd Legislature

There were no proposed changes to the DCAB Legislative Positions.

VI. Bills and Resolutions

A. [SB 2688](#) – Relating to Information Accessibility. Establishes the Access Hawai'i Advisory Committee to advise the Access Hawai'i Committee on how to improve accessibility to government information for people with diminished access to government information arising from disabilities. *DCAB Executive Director is a member.

Kirby Shaw commented that this might duplicate some of the duties that DCAB should be doing. Guest Peter Fritz provided background on the Access Hawaii Committee. Bryan Mick suggested the Committee may want to suggest that DCAB be added as a standing member of the existing Access Hawaii Committee.

MOTION: SUPPORT THE INTENT AND COMMENT THAT THE DCAB EXECUTIVE DIRECTOR BE ADDED TO THE EXISTING ACCESS HAWAII COMMITTEE (M/S/P Akamine/Kozai).

- B. [HB 2391](#) / [SB 3080](#) – Relating to Telecommunications Access for Individuals with Print Disabilities. Clarifies that the Public Utilities Commission under the Universal Service Program may provide and may use funds from the Universal Service Fund to provide, free telecommunications access to certain individuals with a print disability.

Bryan Mick explained that the Committee already voted to support the intent, but staff would also like to request that some of the funds be directed to the DCAB Communication Access program in order to increase the statewide numbers of American Sign Language (ASL) interpreters.

MOTION: SUPPORT THE INTENT AND COMMENT THAT SOME OF THE FUNDS SHOULD BE DIRECTED TO DCAB’S COMMUNICATION ACCESS PROGRAM TO INCREASE THE STATEWIDE NUMBERS OF ASL INTERPRETERS (M/S/P Akamine/Kozai).

- C. [SCR 4](#) / [SR 4](#) – Requesting the Hawai‘i State Public Library System to Establish a Hawai‘i Deaf Culture Digital Library for the Deaf and Hard of Hearing Community.

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

- D. [SCR 5](#) / [SR 5](#) - Urging the Prompt Implementation of the Hawai‘i Electronic Information Technology Act on or before December 31, 2024.

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

- E. [HB 2039](#) – Relating to the State Capitol. Requires DAGS and DPS, in consultation with the legislature and other entities, to plan and implement security improvements at the state capitol. Requires DAGS to remove all parking meters from the capitol parking facility and reallocate parking in the capitol district.

Bryan Mick explained if the accessible parking spaces are relocated to Kinau Hale, there is not an accessible route to get to the Capitol. Even if improvements are made, it is still a long distance which will require crossing a very busy street. Kirby Shaw mentioned this will be especially challenging when it rains. Chairperson Violet Horvath said DCAB needs to prepare to respond to ant statement that people with disabilities can just participate virtually if the lack of parking is an issue for them. Guest Peter Fritz responded that idea would violate ADA Title II provisions for equal access to programs and services.

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

- F. [HB 2330](#) / [SB 2306](#) – Relating to Automated External Defibrillators. No later than January 1, 2025, requires the Department of Accounting and General Services to install and maintain automated external defibrillators in all state buildings. Requires the Department of Accounting and General Services to provide trainings on the use of automated external defibrillators for certain state employees and security staff.

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

- G. [HB 2364](#) / [SB 3053](#) - Relating to the Conveyance Tax. Allocates ten percent of conveyance tax collections to the Dwelling Unit Revolving Fund for the purpose of funding infrastructure programs in transit-oriented development areas.

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

- H. [HB 2571](#) / [SB 3201](#) – Relating to Accessible Housing. Establishes the multifamily housing accessibility modifications grant program to facilitate the installation of accessibility modifications in certain properties. Staff note, DCAB mentioned in bill.

Bryan Mick commented that there has already been internal discussion at DOH where such a program would be the best fit. It would require additional staff and funding to administer the program. The City and County of Honolulu has a zero interest loan program that can be used for accessibility modifications, but as that uses federal funds the City often experiences delays in processing applications and distributing the loan. There would probably be much more demand for a state funded grant program, so the eligibility criteria need to be carefully considered.

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

- I. [SB 2021](#) – Relating to Important Housing Lands. Directs the Hawai'i Public Housing Authority to conduct a study identifying state owned lands within one-half mile of any rail transit station for the purpose of construction of 100,000 housing units.

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

- J. [SB 2064](#) – Relating to the Hawai'i Housing Finance and Development Corporation. Authorizes the Corporation the right of first refusal for the development of property for all development on state lands, excluding the Stadium Development District and lands under the Hawai'i Public Housing Authority and Department of Hawaiian Home Lands, that are within county-designated transit-oriented development zones, or within a one-half mile radius of a proposed or existing transit station if the county has not designated transit-oriented development zones.

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

- K. [HB 1658](#) / [HB 1768](#) / [SB 2046](#) / [SB 2474](#) – Relating to Family Leave. Provides that eligible public and private sector employees in the State of Hawai'i are provided with up to 16 weeks per calendar year of paid family leave to take care of a newborn child, for a serious health condition, absence due to domestic abuse or stalking of the employee or a family member, or to take care of a sick family member. Establishes an insurance fund.

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

- L. [HB 1769](#) / [SB 2473](#) – Relating to Taxation. Establishes a refundable tax credit for nonpaid family caregivers. Requires the Department of Taxation to report to the Legislature before the convening of each Regular Session.

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

- M. [HB 1772](#) / [SB 2471](#) – Relating to Fall Prevention. Appropriates funds to support the Department of Health's Senior Fall Prevention Campaign.

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

- N. [HB 1889](#) / [SB 2231](#) – Relating to Workers' Compensation Medical Benefits. Expands workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

Bryan Mick explained that currently, several types of cancers which have been linked to environmental hazards firefighters are exposed to are covered. This would add to that list of covered cancer types.

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

- O. [HB 1944](#) – Relating to Workers Compensation. Authorizes certain types of radiographical coverage and specialist consultations without a treatment plan within the context of workers' compensation coverage for employees with cervical and lumbar spinal injuries, or suspected cervical and lumbar spinal injuries.

Guest Peter Fritz commented that workers' compensation can be tricky because it bars the employee from bringing a lawsuit against the employer.

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

- P. [HB 2450](#) / [SB 2246](#) / [SB 3139](#) – Relating to Crisis Intervention. Establishes an expanded crisis intervention and diversion activities program within the Department of Health to expand existing activities to divert those with mental health issues to appropriate health care services.

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

- Q. [HB 2452](#) / [SB 3141](#)- 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 who are in need of assistance, assess whether those persons may fulfill the criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated. 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. Appropriates funds to the Department of Health for statewide education and training on policies related to emergency examination and hospitalization and assisted community treatment.

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

- R. [SB 3001](#) – Relating to Autism. Appropriates funds to increase the funding for applied behavioral analysis services for persons with autism. Requires the Department of Human Services to obtain maximum federal matching funds and pursue all other funding sources.

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

- S. [HB 2071](#) – Relating to Photo Red Light Imaging Detector Systems. Provides that any photo red light imaging detector system's clear and unobstructed recorded image of a motor vehicle license plate shall be prima facie evidence that the motor vehicle to which the license plate is attached is the motor vehicle for which the license plate was issued.

Bryan Mick explained that DCAB supported the creation of the red light system and this bill seeks to clarify how it can be properly enforced. While not strictly disability related DCAB's guiding principles on pedestrian mobility and safety includes using technology to improve pedestrian safety.

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

- T. [HB 2267](#) / [SB 2443](#) – Relating to Highway Safety. Establishes the Automated Speed Enforcement Systems Program. Authorizes the state or counties to administer the Automated Speed Enforcement Systems Program. Requires fines collected beginning 1/1/2025 for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program. Creates a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System.

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

- U. [HB 1975](#) / [SB 2751](#) – Relating to the Sunshine Law. Establishes accessibility standards for the distribution of public documents and media presentations by boards as defined in section 92-2, Hawai'i Revised Statutes. Requires DCAB to assist OIP.

Guest Peter Fritz commented that currently OIP's stance is accessibility issues are outside of their scope. Bryan Mick commented that DCAB has not yet discussed the bill with OIP to find out what their thoughts are on the bill. He added the bill contains a line to add funding for training materials but not to hire additional staff.

MOTION: SUPPORT INTENT WITH COMMENTS (M/S/P Horvath/Kozai)

- V. [HB 1607](#) – Relating to Algorithmic Discrimination - Prohibits users of algorithmic decision-making from utilizing algorithmic eligibility determinations in a discriminatory manner. Requires users of algorithmic decision-making to send corresponding notices to individuals whose personal information is used. Requires users of algorithmic decision-making to submit annual reports to the Department of the Attorney General. Provides for appropriate means of civil enforcement.

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

- W. [HB 1773](#) / [SB 2552](#) / [SB 2567](#) – Relating to Dementia. Requires the law enforcement standards board to develop training materials related to the recognition and signs of Alzheimer's disease and related types of dementia. Requires law enforcement officers to review training materials for at least 1 hour per year.

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

- X. [HB 1812](#) / [SB 2452](#) – Relating to Corrections. Restricts the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions. Prohibits the use of solitary confinement and requires the use of appropriate alternatives for committed persons who are members of a vulnerable population.

Bryan Mick commented that studies show people with psychological disabilities are assigned solitary confinement at a greater rate than others, and that solitary confinement can often cause psychological disabilities.

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

- Y. [HB 1941](#) / [SB 2250](#) / [SB2467](#) – Making and Emergency Appropriation to the Department of Health to Implement Quality Improvement Recommendations for the Hawai'i State Hospital. Makes an emergency appropriation to provide funds for the Department of Health to implement quality improvement recommendations at the Hawai'i State Hospital.

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

- Z. [HB 2250](#) – Relating to Crisis Intervention. Requires the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers. Authorizes crisis intervention officers to order persons determined to be imminently dangerous to themselves or others to be transported to a designated behavioral health crisis center.

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

- AA. [SB 2003](#) – Relating to Law Enforcement. Requires police commissions to ensure that all full-time police officers receive crisis intervention training relating to interaction with persons with mental disabilities.

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

- BB. [SB 2005](#) – Relating to Mental Health. Requires the Department of Corrections and Rehabilitation to construct a mental health facility for inmates and detainees in their custody who exhibit signs of mental illness, pose a danger of physical harm to themselves or others, or request treatment and meet certain admittance criteria.

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

- CC. [HB 2078](#) / [SB 2883](#) – Relating to Education. Beginning with the 2025-2026 school year, requires the Department of Education to ensure that inclusive curricula are available to all students at public schools. Makes it a discriminatory practice to refuse to approve, remove, or prohibit the use or access of inclusive or diverse materials in schools and public libraries on the basis of materials featuring or written by LGBTQ+ individuals.

Bryan Mick noted the bill also prohibits discrimination based on disability.

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

- DD. [HB 1977](#) / [SB 2750](#) - Relating to Braille Literacy. Establishes state policy to promote braille literacy for blind students. Requires the individualized education programs of blind students to include the instruction of Braille and provision of Braille instructional materials under certain circumstances. Requires the Department of Education to establish a Braille Literacy Resource Center.

Board member Anthony Akamine commented this should include other accessible formats. Guest Donald Sakamoto commented that teaching Braille to younger people with vision impairments is a good idea as they may lose more of their sight as they age. He mentioned that there recently was a blind public high school student who was unable to obtain textbooks and other materials in Braille format in a timely fashion.

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

- EE. [SB 317 SD1](#) – Relating to Audiology and Speech-Language Pathology Interstate Compact. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

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

- FF. [HB 1580](#) – Relating to Animal Cruelty. Amends the penalty for causing injury or death to a service animal from a felony Class C to a Class B, and for intentional interference with the use of a service animal from a misdemeanor to a felony Class C.

Kirby Shaw explained that injuring or killing a service animal is a separate offense from a non-service animal because it not only impacts the animal, but it also has a severe impact on the person with the disability who was relying on the animal. Bryan Mick added that currently injuring a non-service animal is a misdemeanor and injuring a service animal is a felony class C. The bill proposes to move those up one level to felony class C and class B respectively.

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

- GG. [HB 1631](#) – Relating to Housing. Requires the school facilities authority to work with the Department of Education to prioritize projects for the construction of educator workforce housing that will house teachers and other staff of the Department.

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

- HH. [HB 1632](#) – Relating to Housing. Requires the counties to adopt an ordinance allowing licensed architects and professional engineers to self-certify that plans accompanying a building permit application are in compliance with all applicable state and county building codes.

Chairperson Violet Horvath commented she is generally uncomfortable with self-certification. Kirby Shaw responded that for Title III projects, they currently are self-certifying when it comes to the ADA or FHA as the counties do not review projects for compliance with either of those.

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

- II. [HB 1702](#) / [HB 1762](#) / [SB 2063](#) – Relating to Housing. Requires any government agency that exercises its authority to develop low- or moderate-income housing projects to process any low- or moderate-income housing project that meets the development requirements of chapter 201H, Hawai'i Revised Statutes, and applicable administrative rules.

MOTION: COMMENT (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.

There were no comments.

- VIII. The next Committee meeting is scheduled for February 7, 2024 at 11:00 a.m.

IX. Chairperson Violet Horvath adjourned the meeting at 2:03 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

/s/

BRYAN K. MICK