LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, February 11, 2009
DLIR Conference Room 320

MINUTES

The meeting was called to order at 9:08 A.M. with quorum by Chairperson Dominic Inocelda.

1. Attendance

Present:
- Dominic Inocelda
- Gerald Ohta
- Dr. Suzanne Zeng
- Sr. Earnest Chung
- Serafin “Jun” Colmenares
- Livia Wang for Bill Hoshijo
- Jennifer Li
- Azi Turturici
- Dr. Tin Myaing Thein
- Mary Santa Maria
- Alohalani Boido

Language Access Advisory Council, Chairperson
Language Access Advisory Council, Vice-Chair
Language Access Advisory Council Member
Language Access Advisory Council Member
Executive Director, Office of Language Access, Ex-officio
Executive Director, Civil Rights Commission, Ex-officio
Language Access Advisory Council Member
Language Access Advisory Council Member
Language Access Advisory Council Member
Language Access Advisory Council Member
Language Access Advisory Council Member

Excused:
- Lito Asuncion
- Canisius Filibert
- Kristine Pagano for Francine Wai
- Nāmaka Rawlins
- Betty Brow
- Kendall Zukeran

Language Access Advisory Council Member
Language Access Advisory Council Member
Executive Director, DCAB, Ex-officio
Language Access Advisory Council Member
Language Access Advisory Council Member
Research Analyst, Office of Language Access

Others Present:
- Frances Lum
- Jeremy Low
- Uilani Pauole de Sa
- Gail McCarvey
- Brenda Fagin

Department of the Attorney General
Research Analyst, Office of Language Access
Senior Legal Analyst, Office of Language Access
Clerk Typist, Office of Language Access
Guest

2. Welcome and Introductions
- Brenda Fagin introduced herself. She works part-time for a non-profit, does interpretation in Ilocano and was attending the meeting as an interested private citizen.
3. Approval of minutes of January 11, 2009 meeting
   - Motion to approve the minutes made by Gerald Ohta. Seconded by Azi Turturici.
   - Minutes approved unanimously. Motion carried.

4. Executive Director’s Report – See attached
   - Executive Director Colmenares reported there is an additional 2% restriction on the budget.
   - U’i Pauole de Sa, is the representative and resource person for the Judiciary’s Language Access and Data collection trainings they had in early February.
   - OLA is seeking to involve neighbor island counties with Language Access and give help developing their plans.
   - Dr. Fred Magdalena had requested an extension of 2 more weeks to finish his report.
   - Regarding funding for state language access training, OLA will not be getting funding from DHS, reply still pending from DOH, and Executive Office of Aging.
   - Sr. Earnest Chung wanted to bring to the attention of the council the language access plan for county emergency services, that there is a system in place however work needs to be done to bring the LA plan/system procedures to the attention of the workers who come into contact with Limited English Proficient (LEP) individuals.

5. Update on Language Access Conference Planning
   - Jennifer Li, chair, has announced that she is pregnant and her expected due date is in July.
   - Outline has been made and they are waiting on budget outcome.
   - Dates available at the East-West Center are September 24, 25, 2009, pending a deposit.
   - Committee is continuing to seek outside sponsors.
   - Invitations for keynote speakers are being sent out.
   - Firming up conference topics.

6. Legislative Matters
   - Handout distributed, “2009 Legislative Session Legislations Relating to Language Access”
   - SB312 (HB813) Bill to designate the month of September as “Language Access Month” to promote awareness of language access for government services passed the second reading by the Committee on Human Services and referred to the Committee on Judiciary and Government Operations.
   - SB710 (HB1570) Language Access: Translation Bank Appropriation requires OLA to maintain a group of translators (in 5 of the most needed languages) that shall be available to departments. Appropriates funds. Referred to LBR and WAM committees.

7. Recap on Committee Restructuring and Appointment of Language Access Month Sub-Committee Chair
   - Dominic Inolceida said the structure is not changed, just how it operates. Special Projects Committee assignment of chair as needed when the project comes up. Same as By Laws, as needed.
   - Language Access Month, sub-committee chair, need names and volunteers, co-chair must come from the council but members of the committee can come from outside.
   - Per Francis Lum, chair must be assigned at a council meeting first, and then sub-committee meetings will not fall under Sunshine Law rules and regulations.
   - Question on how to incorporate the neighbor islands as participants on committee
8. Updates on Language Access Complaints
   - U'i reported that there were 2 informal complaints, one involving employment and Korean language interpretation, the other Hawaii Housing Authority and eviction and the language is Chukeese. Legal Aid is involved in the housing eviction and taking action regarding Language Access.
   - Mary Santa Maria from the State, Department of Health, Maui District Health Office (MDHO) reported a situation that had occurred at a Maui hospital. This was not a formal complaint to the Office of Language Access (OLA) but it was a formal complaint to MDHO.
     A female patient who does not speak English brought her interpreter with her to labor and delivery at the hospital. The interpreter needed to leave before the birth. The hospital did not at any time attempt to provide interpreter services for the patient. As a result, the incorrect name was recorded on the birth certificate and the mother thought she was signing a release form for pain medication for herself but instead had signed a release form for a shot for the baby.
     The hospital did eventually recognize their error in not utilizing the phone interpretation service which they have available and have remedied the incorrect birth certificate. Mary did not know if the patient was going to file a formal complaint with OLA, but she did share the complaint procedure with the case worker.

9. Announcements
   - Dominic Inocelda reported that the Inter-Agency Council supports the move of Office of Community Services (OCS) from Department of Labor and Industrial Relations to Department of Human Services. Three areas of concern are: 1. OCS should not use immigrants as a focus, 2. OCS to maintain reasonable milestones so the agencies can reach them and 3. OCS focus on employment, self-sufficiency and to include self employment.
   - Next Language Access Advisory Council Meeting will be on Wednesday, March 11, 2009 at 9:00 A.M. in the DLIR Director’s conference room 320.

10. Adjournment
    - Meeting was adjourned at 10:20 A.M.
LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, January 14, 2009
DLIR Conference Room 320

MINUTES

The meeting was called to order at 9:18 A.M. by Chairperson Dominic Inocelda.

1. Attendance

Present:
- Dominic Inocelda
- Gerald Ohta
- Dr. Suzanne Zeng
- Sr. Earnest Chung
- Serafin “Jun” Colmenares
- Livia Wang for Bill Hoshiho
- Kristine Pagano for Francine Wai
- Jennifer Li
- Azi Turturici
- Dr. Tin Myaing Thein
- Lito Asuncion
- Betty Brow
- Mary Santa Maria
- Canisius Filibert

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Executive Director, DCAB, Ex-officio
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Language Access Advisory Council Member

Excused:
- Alohalani Bido
- Nāmaka Rawlins

Language Access Advisory Council Member
Language Access Advisory Council Member

Others Present:
- Frances Lum
- Kendall Zuikeran
- Jeremy Low
- Uilani Paulele de Sa
- Dr. Fred Magdalena

Department of the Attorney General
Research Analyst, Office of Language Access
Research Analyst, Office of Language Access
Senior Legal Analyst, Office of Language Access
University of Hawaii at Manoa

2. Welcome and Introductions

3. Approval of minutes of December 10, 2008 meeting
   - Motion to approve the minutes made by Lito Asuncion. Seconded by Mary Santa Maria.
agencies were mostly in compliance, seven were in “partial compliance”, and two were found to be in “non-compliance.”
- Areas that the agencies are struggling with include identifying their vital documents, public contact positions, bilingual staff, training issues, and data collection.
- The posting of multilingual posters is the signature tool that gets the agencies rolling in implementing their language access plans. Some agencies have not even taken this initial step.

7. **Update on Language Access Conference Planning**
   - Jennifer Li has accepted the role of chairing the conference planning efforts.
   - Two meetings were held over the holidays outlining what the conference may look like.
   - The tentative dates are September 24 & 25, 2009, which are a Thursday and Friday.
   - There will be two tracks: Language Access Plan Implementation and Best Practices.
   - The University of Hawaii’s East-West Center will be the event site due to its central location.
   - Fee of $100 for attendees, which will include 2 breakfasts, lunches, and materials.
   - Keynote speakers will need to pay their own travel expenses and suggestions were made to invite New York Mayor Bloomberg, the new Secretary of the Department of Labor, or the new Attorney General for the Department of Justice.
   - Funding will be sought by speaking with other agencies, foundations, seeking the assistance of LAAC members, etc.
   - Concerns were raised that attendance will be greatly impacted as a result of the economic downturn, layoffs, and other uncertainties. In addition, if the OLA’s budget is reduced significantly, the conference should be cancelled.

8. **Legislative Matters**
   - Only one bill for this legislative session, which is to make every September “Language Access Month” in Hawaii.
   - New LAAC members should be present at their upcoming confirmations since an absence is not looked on favorably.

9. **Appointment of Language Access Month Sub-Committee Chair**
   - Tabled till the next LAAC meeting.

10. **Updates on Language Access Cases/Agreements**
    - DHS’ voluntary agreement with the U.S. Department of Health and Human Services and Office for Civil Rights (OCR) is ongoing. DHS is aware that it needs to meet certain deadlines and has been in contact with the Federal Government.

11. **Announcements**
    - The next Language Access Advisory Council meeting will be on Wednesday, February 11, 2009 at 9 A.M. in DLIR Conference Room 320.
    - Dr. Myaing advised that Pacific Gateway has moved to a new address, 83 North King Street. The agency phone number is the same.
    - Dominic Inocelda reported that the Inter-Agency Council on Immigrant Services and the OLA are working on submitting a proposal for a $50,000 grant, related to immigrant integration. This is due at the end of the month.
    - Kristine Pagano announced that the Disability and Communication Access Board (DCAB) and Assistive Technology Resource Center (ATRC) will be sponsoring a “Technology
Language Access Advisory Council Meeting  
February 11, 2009  

Report of the Executive Director  

Budget Status:  

• Additional 2% restriction on budget.  
• March 12, 2009 – next Council on Revenues report  

Operations:  

• Served as resource persons in Judiciary’s Language Access/Data Collection Trainings for administrators/managers and supervisors/staff (six days).  
• Discussed with neighbor island county advisory council representatives how to involve neighbor island county governments in language access.  
• Attended opening of Legislature and met with several legislators, January 21, 2009.  
• Attended Filipino Legislative Caucus meetings on January 22, 2009 and February 3, 2009.  
• Attended informational meetings with the House Labor and Finance Committees and the Senate Labor and Ways & Means Committees on January 23 and 29, 2009.  
• Submitted legislation (SB312/HB813) on Language Access Month; reviewed other legislations related to language access; prepared and presented testimonies.  
• Attended Governor’s State of the State Address on January 26, 2009.  
• Attended IAC meeting on January 28, 2009.  
• Finalizing procedures manual as part of the DLIR Manual.  
• Preparing final monitoring reports for state agencies receiving federal funds.  
• Staff prepared draft of “Statewide Standards for Any Person Involved in Interpreting in the Delivery of State Services” and “Waiver of Free Interpreter Services” for discussion by state language access coordinators.  

Update on Language Access Resource Center Study  

• Dr. Magdalena requested for two more weeks to finish the report.  

Update on Training Project  

• Request for funding support from DHS turned down. Awaiting response from DOH.
### 2009 Legislative Session

**Legislations Relating to Language Access**

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Title</th>
<th>Referral</th>
<th>Status</th>
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<tbody>
<tr>
<td>SCR5</td>
<td>Requesting Exec Off on Aging to do a study of various unresolved issues relating to aging including determining how best to accommodate language barriers</td>
<td>HMS</td>
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<td>HCR13</td>
<td>(HR17)</td>
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<td>SB303</td>
<td>Requires each school to establish and post a pandemic preparedness plan on the DOE website. Plan to include requirements for students who do not speak English as first language</td>
<td>EDH/HTH</td>
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<td>SB312</td>
<td>(HB813)</td>
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<td>SB710</td>
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<td>SB1072</td>
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<td>SB1094</td>
<td>(HB894, HB1375)</td>
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<td>SB1208</td>
<td>(HB1362)</td>
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<td>SB1264</td>
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<td>Dominic Inocelda Inter-Agency Council on Immigrant Services; Chair</td>
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<td>Gerald Ohta Department of Health; Vice-chair</td>
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<td>Bill Hoshijo Hawaii Civil Rights Commission Ex Officio</td>
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<td>Lito Asuncion Hawaii County Office on Aging</td>
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<td>Betty Brow BOH, International Banking Center</td>
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<td>Sr. Earnest Chung Catholic Charities Hawaii</td>
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<td>Canisius Filibert Micronesian Community Network</td>
<td>2/11/09 Earnest Chung to attend</td>
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<td>Jennifer Li Muscular Dystrophy Association</td>
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<td>Dr. Tin Myaing Thein Pacific Gateway Center</td>
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<td>Kristine Pagano rep for Disability &amp; Communication Access Board</td>
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<td>Nāmaka Rawiins Aha Punana Leo; UH-Hilo Hawaiian Language Center</td>
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<td>Mary Santa Maria Maui District Health Office</td>
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<td>Dr. Suzanne Zeng UH Center for Interpretation and Translation Services</td>
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<td>Livia Wang</td>
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<td>Jeremy Low</td>
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<td>Gail McGarry</td>
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