



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814

Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

February 14, 2008

TESTIMONY TO THE HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING

House Bill 2575, HD1 - Relating to Language Access

The Disability and Communication Access Board (DCAB) supports the intent of House Bill 2575, HD1 - Relating to Language Access that clarifies definitions related to language access, expands the Language Access Advisory Council from 11 to 15 members and appropriates \$189,000 to establish a statewide language access bank to ensure access by limited English proficient persons to State-funded services, programs and activities.

Although persons with limited English proficiency is not our agency's target population, we wish to point out that some people who are deaf or hard of hearing have limited English language proficiency and use American Sign Language (ASL) as a means of communication. ASL is a language in and of itself and is not a translation of English. Individuals who use ASL have as much in common in terms of language barriers, but their rights are subsumed under the Americans with Disabilities Act (ADA), which is patterned after Title VI of the Civil Rights Act of 1964, and under current State law, Hawaii Revised Statutes §368-1.5. While the barriers are similar, many of the methods and remedies, including standards for determining effective communication, and the administrative means to either certify or credential ASL interpreters are very different.

DCAB credentials ASL interpreters who do not possess national certification and has established Administrative Rules under Chapter 91 for the use of such interpreters and other communication access providers for people who are deaf and hard of hearing, or deaf-blind. We also maintain a list of credential interpreters and distribute the list upon request. In our work with interpreter credentialing, we are a member of the Judiciary's Office of Equality and Access to the Courts' (OEAC) and Supreme Court Interpreter Committee. To that extent, we are 'ahead' of what is being proposed in this bill for people with limited spoken English proficiency.

Our experience with test development, credentialing interpreters, maintaining a list of qualified interpreters, and being a member of the OEAC's Supreme Court Interpreter Committee would be an excellent resource to the Language Access Advisory Council. Therefore, we recommend the following:

1. On page 2, line 3, amend the definition of "Language to include American Sign Language;"
2. Change references to "meaningful communication" throughout the bill and replace it with "effective communication;" and
3. In section 2, where representatives to the Language Access Board are listed, include a representative from the Disability and Communication Access Board.

We defer to the Department of Labor and Industrial Relations regarding the appropriation in the bill.

With the inclusion of the suggested amendments, we urge you to pass this measure.

Thank you for the opportunity to testify.

Respectfully submitted,

PATRICIA M. NIELSEN
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director

Hawaii Interpreter Action Network
c/o Hawaii Newspaper Guild
888 Mililani Street, Room 303, Honolulu, Hawaii 96813

TO: Rep. Maile S. L. Shimabukuro, Chair; Rep. Karl Rhoads, Vice-chair
House Committee on Human Services and Housing

FROM: M. Alohalani Boido, M. A., Chair
Legislative Action Committee, Hawaii Interpreter Action Network
Tel.: 946-2558, E-mail: boido@hawaii.edu

HEARING: February 14, 2008; 9:35 a.m., Rm. 329

RE: **SUPPORT WITH AMENDMENTS, HB 2575 HD 1,**
Relating to Language Access

I am Marcella Alohalani Boido, M. A., a Hawaii Judiciary Certified court interpreter (Spanish & English) and a founding member of Hawaii Interpreter Action Network (HIAN). HIAN is dedicated to representing Hawaii's court interpreters. We work to elevate professional standards of competence and ethics, and to improve working conditions. I also sit on the Council for the Office on Language Access.

HIAN supports this bill with amendments.

Part I, Section 2 (6): This should be amended to provide for a person from any accredited institution of higher learning in Hawaii who holds a nationally or internationally recognized professional-level credential or certification as an interpreter or translator and who provides training in interpretation or translation of spoken languages.

Part I, Section 2 (additions 10, 11, 12, and 13) Representatives from each county on the Council should be persons who have *demonstrated an affirmative commitment* to the provision of language access, as evidenced, for ex., by advocacy for language access, or as court-certified interpreters, state-certified medical or administrative hearing interpreters, or American Translation Association certified translators, or in other ways. "Interest in language access" can be negative! Those who are against language access should never sit on this council.

We support the amendments in HD 1, Part I, Section 2, paragraphs 14 and 15.

Part II, Section 3 (6) should be amended to "Work toward official statewide recognition of nationally and internationally recognized professional credentials for interpreters and translators, and to develop and cooperate in the development of objective, criterion-referenced, performance-based, scientifically valid and legally defensible certification examinations for interpreters and translators to insure the quality and accuracy of their services."

Please support HB 2575 HD 1 with these amendments. Thank you.

Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 * Honolulu, Hawai'i 96827

TESTIMONY IN SUPPORT OF HB 2575 HD1 RELATING TO LANGUAGE ACCESS

LATE TESTIMONY

Feb. 14, 2008, 9:25 a.m. | Hawai'i State Legislature | Conference Room 329

To: House Committee on Human Services and Housing
Rep. Maile S.L. Shimabukuru, Chair
Rep. Karl Rhoads, Vice-Chair
House Human Services and Housing Committee Members

From: Jake Manegdeg, President, Filipino American Citizens League

My name is Jake Manegdeg. As president of the Filipino American Citizens League, I support this bill. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

The Filipino American Citizens League supports all the provisions outlined in HB 2575 HD1. We believe that language access is a civil right. It has been over forty years since the Civil Rights Act was passed by Congress. We look to your leadership to advance Hawai'i's policies and align state resources in order to give the Office of Language Access the direction and tools to be an effective agent of systems change and capacity building, through effective partnerships with the public and private sectors, as well as with community stakeholders.

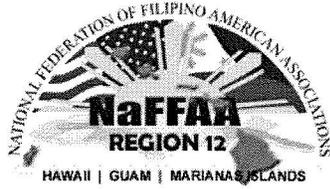
The alarming toll of substance abuse, domestic violence, death rates due to chronic diseases, high school drop out rates, underrepresentation in higher education, and many more socioeconomic risk factors disproportionately affect communities where English is a second language because they are least likely to access needed services. Government agencies, especially in labor, health, and judiciary, cannot risk the liability of denying access to services because of language barriers.

The investment in a language bank of trained and certified interpreters will meet a longstanding priority. In return, communities that speak more than one language will become empowered to continue contributing to Hawai'i's sustainability even more, when compared to what they receive.

Thank you for the opportunity to submit our support of this bill. Please vote yes to its passage.

Very Sincerely,

Jake Manegdeg,
President, Filipino American Citizens League



LATE TESTIMONY

**TESTIMONY IN SUPPORT OF HB 2575 HD 1
RELATING TO LANGUAGE ACCESS**

Feb. 14, 2008, 9:25 a.m.

Hawai'i State Legislature Conference Room 329

TO:

House Committee on Human Services and Housing
Honorable Maile S.L. Shimabukuru, Chair
Honorable Karl Rhoads, Vice-Chair
Honorable House Human Services and Housing Committee Members

FROM:

Amy Agbayani, Ph.D.
Assistant Vice Chair, National Federation of Filipino American Associations Region XII

Report Title:

Language Access Definitions and Plans; Language Access Advisory Council (\$)

Description:

Clarifies definitions related to language access. Expands the language access advisory council from 11 to 15 members. Establishes a language access bank. Appropriates funds. (HB2575 HD1)

My name is Amy Agbayani. NaFFAA supports this bill. I serve as Vice Chair of the National Federation of Filipino American Associations Region XII, which represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands. NaFFAA Region XII is an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

NaFFAA is a staunch supporter of language access to government services. We fully appreciate the challenges of implementing the spirit of the law and are in full support of the amendments in SB 2575 HD1. The Office of Language Access, government agencies, and the non-profit organizations that serve limited English speaking communities deserve have a formidable task to ensure that the right to access services is protected.

Thank you for the opportunity to comment on this bill. Please support its passage.

Sincerely,

Amy Agbayani, Ph.D., Assistant Vice Chair, NaFFAA Region XII



Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

P.O. Box 2034 Aiea, HI 96701
E-mail: namihonolulu@yahoo.com

LATE TESTIMONY

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TESTIMONY IN SUPPORT OF HB 2575 HD 1 RELATING TO LANGUAGE ACCESS

Feb. 14, 2008, 9:25 a.m.
Hawai'i State Legislature
Conference Room 329

To: House Committee on Human Services and Housing
Honorable Maile S.L. Shimabukuru, Chair
Honorable Karl Rhoads, Vice-Chair
Honorable House Human Services and Housing Committee
Members

From: Beatrice Ramos Razon, RN, FADCA
President, Nursing Advocates Incorporated, Inc. (NAMI)

Report Title: Language Access Definitions and Plans;
Language Access Advisory Council (\$)

My name is Beatrice Ramos Razon. As the founder and president of NAMI (Nursing, Advocates & Mentors, Inc.), I am in support of this bill. NAMI's membership is comprised of over 75 nurses, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawaii's people by addressing the global issues of a worldwide nursing shortage through the training and mentoring of foreign medical graduate nurses to pass Hawai'i's nurses board exams.

Language access to government services is of grave importance to Hawai'i's diverse immigrant groups. NAMI supports the 1) clarification of definitions related to language access 3) the expansion of the language access advisory council from 11 to 15 members 4) establishment of a language access bank 4) and appropriation of funds.

Thank you for the opportunity to provide support for this bill. NAMI appreciates consideration of your support to implement this mandate.

Sincerely,

Beatrice Ramos Razon, RN, FACDA
President, Nursing Advocates and Mentors, Inc.



OAHU FILIPINO COMMUNITY COUNCIL

P.O. Box 17531 • Honolulu • Hawaii 96817

Unit Organizations

Alliance of Residential
Carehome Administrators
Aloha Saguibsib Cultural
Foundation, Inc.
Annac ti Bado iti Hawaii
Annac ti Batac
Annac ti Caoayan 2002
Annak ti Kailokuan iti
America
Annak ti Sinait iti Hawaii
Asingan Organization of
Hawaii
Badoc-Pinili Aid
Association of Hawaii
Banna Association of
Hawaii
Bannatiran Association of
Hawaii
Batangas Association of
Hawaii
Bulacan Circle of Hawaii
Caballeros de Dimasalang
Cabugao Sons & Daughters
of Hawaii
Candonians of Hawaii
Caoayan ISAH
Cavitenians of Hawaii
Dingras Association of
Hawaii
Divine Word College
Alumni Association
FilAm Sports USA
Fil American Citizens
League
Filipino Business Women's
Club
Filipino Nurses Organization
of Hawaii
Filipino Women's Civic
Club
GUMIL Hawaii
GUMIL Oahu
Hawaii Filipino Women's
Club
Hawaii Council of Bilingual
Educators
ILAH
Ilocos Nortenians of
America
INCAT Alumni Association
of Hawaii
International Filipino
Society of Hawaii
Kalayaan Phil.-Hi. Int.
La Union Circle of
Hawaii
Lingayen Gulf Club of
Hawaii

TESTIMONY IN SUPPORT OF HB 2575 HD 1 RELATING TO LANGUAGE ACCESS

Feb. 14, 2008, 9:25 a.m.

Hawai'i State Legislature Conference Room 329

TO:

House Committee on Human Services and Housing

Honorable Maile S.L. Shimabukuru, Chair

Honorable Karl Rhoads, Vice-Chair

Honorable House Human Services and Housing Committee
Members

FROM: Franklin Borromeo

President, Oahu Filipino Community Council

My name is Franklin Borromeo. I serve as President of the Oahu Filipino Community Council (OFCC). On behalf of the Council, I submit support of this bill. OFCC is an umbrella organization comprised of sixty-two members (62) that represent a network of non-profit civic groups with a unified vision to improve the lives of our Filipino communities.

The largest number of Filipinos live on the island of Oahu, where we comprise about 10 percent of the population. Nearly half of our community are first generation. The Philippine Consulate processes an estimated 4,500 to 5,000 visas annually from the Philippines of individuals who intend to make Hawai'i their home. Filipinos are conscientious to join in being responsible stewards of our Aloha State. We, along with other immigrant groups, make up the bulk of Hawai'i's service industry work force. Your help to pass these important language access provisions will enable limited English proficient communities to become empowered to contribute even more to Hawai'i's economy and sustainability. Many of Hawai'i's revered leaders are descendants of immigrants themselves.

Thank you for the opportunity to present this testimony. Your consideration to enact this proposed legislation is greatly appreciated and needed.

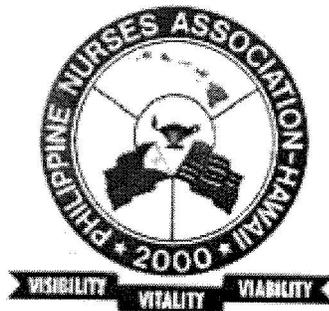
Sincerely,

Franklin Borromeo, President, Oahu Filipino Community Council

Unit Organizations

Magsingal Association of
Hawaii
Narvacan/San Antonio Club of
Hawaii
Nueva Vizcaya Association of
Hawaii
Pasuquinos Association of
Hawaii
Philippine Cultural Foundation
Philippine Nurses
Association of Hawaii
Piddig Association of Hawaii
Sanchez Mira Association of
Hawaii
San Manuel Pangasinan
Association of Hawaii
San Nicolaneos USA
San Nicolas Goodwill
Foundation
San Nicolas Teachers of
Hawaii
Santa Lucia Association of
Hawaii
Sarrat Association of Hawaii
Sarrat International Inc.
Sinait Nt. High School Alumni
of Hawaii
Solsona of Hawaii
Tarlac Mutual Club of Hawaii
TPCP
Kalibi Ballroom, Inc.
Sadiri ti San Nicolas iti Hawaii
Samar Leyte Association of
Hawaii
Sampaguita/Sunflower Club of
Hawaii
San Juan Association of
Hawaii
San Nicolas Nat. High
Santa Marians of Hawaii
School Alumni
Santa Nicolas Nat. High
School Bingao Annex
Tagalog Association of Oahu
United Bacarreneos of Hawaii
United Group of Home
Operators
United Pangasinan of Hawaii
United Urdaneta Club of
Hawaii
United Vintarinians of Hawaii
Vigan Association of Hawaii

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Tessie Oculito, RN, President
Philippine Nurses Association-Hawaii
92-1269 Umana St. | Kapolei, HI 96707
E-Mail: toculto@hawaii.rr.com | Phone: (808) 457-1066

LATE TESTIMONY

**TESTIMONY IN SUPPORT OF HB 2575 HD 1
RELATING TO LANGUAGE ACCESS**

Feb. 14, 2008, 9:25 a.m.
Conference Room 329

To: House Committee on Human Services and Housing
Rep. Maile S.L. Shimabukuru, Chair
Rep. Karl Rhoads, Vice-Chair
House Human Services and Housing Committee Members

From: Tessie Oculito, RN, President, Philippine Nurses Association Hawaii

Report Title: Language Access Definitions and Plans; Language Access Advisory Council (\$)
Description: Clarifies definitions related to language access. Expands the language access advisory council from 11 to 15 members. Establishes a language access bank. Appropriates funds. (HB2575 HD1)

My name is Tessie Oculito. I am the president of the Philippine Nurses Association-Hawaii (PNAH). We are in support of this bill. As a national affiliate of the Philippine Nurses Association of America, our shared mission is to uphold and foster the positive image and welfare of our constituent members; to promote professional excellence and contribute to significant outcomes to healthcare and society. Our vision is to be an organization responsive to its constituent needs, and to be a force in the world arena of nursing.

Most of our members are first generation Filipinos, who immigrated to the United States because of the global nursing shortage. As speakers of multiple languages and as health care professionals, we understand the dire consequences for individuals when language is a barrier to access needed government services, especially medical treatment. We support HB 2575 HD1 and its provisions to implement the spirit and intent of the language access law. Thank you for the opportunity to present this testimony. We ask for your help to provide the resources necessary to carry out this mandate.

Sincerely,

Tessie Oculito, RN
President, Philippine Nurses Association-Hawaii



UNITED FILIPINO COUNCIL OF HAWAII

P.O. BOX 498, Honolulu, Hawaii 96809-0498

LATE TESTIMONY

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TESTIMONY IN SUPPORT OF HB 2575 HD 1 RELATING TO LANGUAGE ACCESS

Feb. 14, 2008, 9:25 a.m.
Hawai'i State Legislature Conference Room 329

TO:

House Committee on Human Services and Housing
Honorable Maile S.L. Shimabukuru, Chair
Honorable Karl Rhoads, Vice-Chair
Honorable House Human Services and Housing Committee Members

FROM:

Bryan Andaya, Esq.
President, United Filipino Council of Hawai'i

Report Title:

Language Access Definitions and Plans; Language Access Advisory Council (\$)

Description:

Clarifies definitions related to language access. Expands the language access advisory council from 11 to 15 members. Establishes a language access bank. Appropriates funds. (HB2575 HD1)

My name is Bryan Andaya. I am submitting testimony in support of this bill as president of the United Filipino Council of Hawaii (UFCH). UFCH is an umbrella organization with member organizations from the islands Hawai'i, Maui, Moloka'i, Lana'i, O'ahu, and Kaua'i. Current membership includes a total of 5,000 individual members.

We appreciate and support the clarifications made in the amendments of HB 2575 HD 1. We also support the expansion of the advisory council to include representation from all counties. The highest percentage of Filipinos in Hawai'i reside on the island of Kaua'i. We believe that establishing a language bank of certified interpreters provides government agencies the tools they need to ensure access to government services.

Thank you for the opportunity to present our testimony. Your help to pass this bill will safeguard the civil rights of all people.

Respectfully submitted,

Bryan P. Andaya, President

*2006-07

**2007-08



**TESTIMONY IN SUPPORT OF HB 2575 HD 1
RELATING TO LANGUAGE ACCESS**

Feb. 14, 2008, 9:25 a.m.
Conference Room 329

TO:

House Committee on Human Services and Housing
Honorable Maile S.L. Shimabukuru, Chair
Honorable Karl Rhoads, Vice-Chair
Honorable House Human Services and Housing Committee Members

From:

Charlene Cuaresma, MPH, President, Filipino Coalition For Solidarity

Report Title: Language Access Definitions and Plans; Language Access Advisory Council (\$)

Description: Clarifies definitions related to language access. Expands the language access advisory council from 11 to 15 members. Establishes a language access bank. Appropriates funds. (HB2575 HD1)

My name is Charlene Cuaresma. As president of the Filipino Coalition for Solidarity, I am submitting testimony in support of this bill. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai'i and our global neighbors through education, advocacy, and social action.

The Filipino Coalition For Solidarity is in support of the amendments reached to clarify the intent of the bill with regard to "covered entities", to increase the number of Language Access Advisory Council members to include persons interested in language access issues from all counties, and to establish a language access bank. These provisions clarify the function of the Office of Language Access by focusing priorities to advance its capacity building role to assist government agencies. This will facilitate access and delivery of services to Hawai'i's people, who have a limited command of the English language, including Filipinos. Your support is integral to meet the challenges of implementation and to protect the civil rights of Hawai'i's most vulnerable communities, who are the backbone of our state's economy and service industry.

Thank you for this opportunity to comment on this important bill. Your consideration to provide the Office of Language Access with the tools needed to implement this important measure is greatly appreciated.

Respectfully,

Charlene Cuaresma
President, Filipino Coalition for Solidarity

STATE TESTIMONY