



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

February 8, 2013

House Committee on Health, House Committee on Public Safety

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health

HB266, Relating to Language Access

1 **Department's Position:** SUPPORT WITH RESERVATIONS due to the unknown impact to the  
2 Governor's Executive Budget Request.

3 **Fiscal Implications:** Unspecified appropriations request.

WRITTEN ONLY

4 **Purpose and Justification:** The purposes of HB266 are to create a central information and referral  
5 point for accessing interpreters and translators in other languages other than English, and to establish a  
6 pilot multi-lingual website for the Office of Language Access.

7 The benefits of both the Language Access Resource Center and website demonstration projects  
8 are: 1) improved customer service to Hawaii's diverse population, 2) potential cost-savings for State  
9 programs who deal with limited English proficiency populations (due to consolidation, economies of  
10 scale, and standardization of policies and procedures, and 3) better compliance with and diminished risk  
11 from federal and state civil rights and language access laws. Improved language access unlocks key  
12 levers that address many health, economic, social, and gender inequities.

13 Thank you for the opportunity to testify on this measure.



**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
Honolulu, Hawaii 96817

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

**HOUSE COMMITTEES ON HEALTH AND PUBLIC SAFETY**

February 8, 2013 8:30 A.M.  
Room 329, Hawaii State Capitol

In consideration of  
**House Bill 266**  
**Relating to Language Access**

Honorable Chairs Della Au Belatti, Henry J.C. Aquino and Members of the House Committees on Health and Public Safety, thank you for the opportunity to provide you with comments regarding House Bill (H.B.) 266, relating to language access.

The Hawaii Public Housing Authority (HPHA) supports the enactment of this measure, which establishes and provides appropriations for a statewide language access resource center and multilingual website pilot project to be administered by the Office of Language Access, provided that its passage does not adversely impact the priorities indicated in the Executive Biennium Budget.

The HPHA, along with numerous other state agencies, is required by both federal and state law to take reasonable steps to ensure meaningful access to services, programs, and activities by limited English proficient (LEP) persons. The HPHA services many LEP clients, and takes various measures to provide these services, including hiring and using bilingual staff, contracting with professional interpreters either directly or through an agency, and providing written translations of documents when necessary.

Unfortunately, due to the large number of different languages spoken by HPHA LEP clients, the agency sometimes finds it difficult to find qualified interpreters that are available at the place and time they are needed. This is especially difficult on the neighbor islands, where resources are scarce. When an interpreter in a foreign language is requested, the agency must sometimes call on embassies, churches, and other community groups to find one. In addition, because there are no certification requirements for interpreters, quality of services may vary by interpreter. Furthermore,

given the language barrier, it is very difficult for the agency to know whether the service that was provided is adequate.

A language access resource center, such as the one proposed in this bill, would provide the agency with more resources to provide meaningful language access services, such as listings of qualified interpreters and translators, training opportunities to increase the number of qualified interpreters, and testing of interpreters to ensure quality control.

The HPHA appreciates the opportunity to provide the House Committees on Health and Public Safety with the agency's position regarding H.B. 266. We respectfully request the Committees to pass this measure favorably, and we thank you very much for your dedicated support.

NEIL ABERCROMBIE  
GOVERNOR



BARBARA A. KRIEG  
DIRECTOR

LEILA A. KAGAWA  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

February 5, 2013

**TESTIMONY TO THE  
HOUSE COMMITTEE ON HEALTH**

For Hearing on Friday, February 8, 2013  
8:30 a.m., Conference Room 329

BY

BARBARA A. KRIEG  
DIRECTOR

**House Bill No. 266**  
**Relating to Language Access**

**WRITTEN TESTIMONY ONLY**

TO CHAIRPERSON BELATTI AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on H.B. 266.

The purpose of H.B. 266 is to increase the accessibility to State of Hawaii Government services and information for those that have limited English proficiency by establishing a statewide Language Access Resource Center and multilingual website pilot project to be administered by the Office of Language Access.

The Department of Human Resources Development (DHRD) **supports** this bill.



## CATHOLIC CHARITIES HAWAII

TO: Representative Della Au Belatti, Chair  
Representative Dee Morikawa, Vice Chair  
Committee on Health

FROM: Melba Bantay, Program Director  
General Immigration Services

DATE: Friday, February 8, 2013, Conference Room 329

RE: **IN SUPPORT of HB 266, RELATING TO LANGUAGE ACCESS**

My name is Melba Bantay, Program Director of Catholic Charities Hawai'i's General Immigration Services. **Catholic Charities Hawai'i strongly supports House Bill 266.**

Catholic Charities Hawai'i has been providing services to immigrants and refugees for more than 30 years and has witnessed the struggles that our newly arrived neighbors go through to understand and navigate our system of government so that they can access the resources that they need. Language – the ability to speak, read and comprehend English is a major hurdle that many immigrants and refugees must overcome in order to successfully transition to life in Hawai'i.

Having a pool of qualified interpreters and translators would enable both public and private organizations to provide the necessary language access for available resources and services. In addition, having information available via website in multiple languages will support newly arrived immigrants and refugees to adjust successfully in our community.

Immigrants and refugees have been important contributing members of Hawai'i communities for more than 100 years. We cannot forget their sacrifices as workers in our plantations, when agriculture was our state's main industry. Today, immigrants and refugees continue to be a reliable workforce in Hawai'i hotels, restaurants, and other businesses that support our tourism industry. It is only right and just that these hard-working brothers and sisters of ours be provided the support they need to realize their dreams - to find new beginnings and provide better futures for themselves and their families. House Bill 266 will provide them that opportunity.

I ask for your support of House Bill 266. If you have any questions, please feel free to contact me at 527-4711 or via email at me [mbantay@catholiccharitieshawaii.org](mailto:mbantay@catholiccharitieshawaii.org). Thank you for this opportunity to testify.



Catholic  
Charities  
USA



CLARENCE T. C. CHING CAMPUS • 1822 Ke'eumoku Street, Honolulu, HI 96822  
Phone (808) 524-HOPE(4673) • [www.CatholicCharitiesHawaii.org](http://www.CatholicCharitiesHawaii.org)





## CONGRESS OF VISAYAN ORGANIZATIONS

99-1325 Aiea Heights Drive, Aiea, Hawaii 96701

To: Rep. Della Au Belatti, Chair  
Rep. Dee Morikawa, Vice Chair  
House Committee on Health

Rep. Henry J.C. Aquino, Chair  
Rep. Kaniela Ing, Vice Chair  
House Committee on Public Safety

From: Jane Clement, President

Date: February 8, 2013, 8:30 a.m.  
State Capitol, Room 329

Re: Testimony on H.B. No. 266  
Relating to Language Access

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Thank you for the opportunity to submit testimony in support of H.B. No. 266, Relating to Language Access.

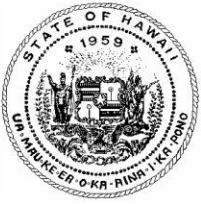
My name is Jane Clement and I am the president of the Congress of Visayan Organizations (COVO), the umbrella of Visayan organizations in the state of Hawaii. COVO strongly supports this bill, which would establish a language access resource center and a multilingual website in the Office of Language Access.

COVO has been very supportive of any opportunity that would promote and enhance language access in the State of Hawaii. We believe that establishing a language access resource center will not only lead to the growth and development of a badly-needed pool of qualified interpreters in the State but will also address the interpreter needs of State and state-funded agencies and Hawaii's more than 151,000 limited English proficient (LEP) population in general.

The establishment of a multilingual website will also enable LEP individuals to access information about government services and programs electronically and in their own language.

These twin proposals will lead to better customer service, promote equal access, and bring about greater participation by the LEP population in government services and programs.

We strongly urge the members of the committees to pass this bill.



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 8, 2013  
Rm. 329, 8:30 a.m.

To: The Honorable Della Au Belatti, Chair  
Members of the House Committee on Health

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 266 (rev. 2-5-13)

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. The HCRC is also an ex-officio member of the Language Access Advisory Council for the Office of Language Access (OLA).

The HCRC supports H.B. No. 266, provided that its passage does not replace or adversely impact priorities in the Executive Budget. H.B. No. 266 would establish a statewide language access resource center for state agencies and state-funded entities in OLA, and explores the feasibility of creating a multilingual website to provide online information about government services to limited English proficient (LEP) individuals. Language is a characteristic of national origin and ancestry. Denial of access to federal and state funded services for LEP individuals is unlawful national origin / ancestry discrimination, under Title VI of the Civil Rights Act of 1964 and HRS Chapter 321C.

OLA is responsible for oversight, central coordination, and technical assistance to state agencies in implementation of language access requirements. To date, OLA’s primary work has been in lending technical assistance to covered entities in developing language access plans required by law, and planning and organizing annual conferences on language access. OLA has not been able to offer state agencies the resources needed to effectively provide interpreters and written translations required to implement their language access plans.

H.B. No. 266 provides an appropriation to provide OLA the resources needed to effectively establish a statewide language access resource center, so state agencies will not be left with just their own limited resources to address the challenges of providing required language access.

**morikawa2 - Shaun**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 05, 2013 8:29 PM  
**To:** HLTtestimony  
**Cc:** aurelioagcaoili@yahoo.com  
**Subject:** Submitted testimony for HB266 on Feb 8, 2013 08:30AM

**HB266**

Submitted on: 2/5/2013

Testimony for HLT on Feb 8, 2013 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Aurelio Agcaoili	Individual	Support	No

Comments: I am in full support of HB 266. It is high time we do something to make it certain that access to all crucial government services is made available to everyone particularly the LEP individuals of our state.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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## **morikawa2 - Shaun**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 06, 2013 8:19 PM  
**To:** HLTtestimony  
**Cc:** wctanaka@gmail.com  
**Subject:** Submitted testimony for HB266 on Feb 8, 2013 08:30AM

### **HB266**

Submitted on: 2/6/2013

Testimony for HLT on Feb 8, 2013 08:30AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wayne Tanaka	Individual	Support	No

Comments: Aloha e Chair Belatti, Vice Chair Morikawa, and Honorable Members of the House Health Committee, Mahalo nui for the opportunity to testify in STRONG SUPPORT of HB266, which would provide the office of language access with funding and resources to assist state agencies, hospitals, police departments, and other service providers and community members in developing language access programs that will benefit our economy, our environment, as well as the health, safety, and the multicultural character of our local communities. Agency and service provider noncompliance with language access laws has caused, and will continue to cause, significant and irreparable harm to our residents, to our environment, to our communities, and to our economy. As a former state worker with the Department of Land and Natural Resources for three years, I saw first hand how little attention was given to the federal and state requirements to provide a meaningful level of access to those who may not speak English as proficiently as others. For example, substantial amounts of non- or limited-English speaking individuals were and are being cited and given criminal records for violating natural resource laws which were never produced or distributed in any language other than English. Countless others may not have been caught and subjected to such unreasonable punishments, but their understanding of resource laws and their engagement in resource stewardship programs continues to be limited by the Department's continuing failure to even develop a language access plan. Given the broad range of user demographics, this greatly handicaps the Department in its resource management responsibilities which in turn harms our environment. Additional concerns regarding the potential loss of millions of dollars in federal funds (which are contingent upon compliance with federal language access laws) led me to bring this issue up on numerous occasions to our civil rights compliance officer, but he expressed no interest in even taking a look at the issue. It finally took the infusion of nongovernmental monies, i.e. donations and foundation grants, to begin looking at our language access issues for the sake of our environment. And this is just for the DLNR. I cannot imagine the impacts to lives and to our communities due to other agencies and service providers failing to provide meaningful language access as required under our state law. However, I have heard the stories that have confirmed my suspicions. Hospitals, police departments, schools are all greatly behind the times in taking a common sense and modern approach to providing language access, or planning for language access issues, and instead blame (and often shift the costs of interpreters to) the very people they are paid to serve. Again, the potential liability to the state should the federal Department of Justice shift its attention here would be enormous. And in all these years, the state office of language access, essentially unfunded and provided with only one position for years and years, could only wag its finger and give poor marks to state agencies who faced no immediate consequences for noncompliance. This bill finally provides the office of language access with the bare minimum tools it needs to take a first step towards actually achieving the language

access provisions of an enlightened and modern society. Providing for a centralized database of language resources will give agencies and service providers a place to go to finally start planning for a society that recognizes that the existence of more than one language in one country is not just some crazy ideal, but is actually the basic reality pretty much every else in the world. Thus, I speak in support of this measure which will provide one step forward in meaningfully providing the substantive access to justice and civic participation that our laws purportedly assured many years ago. Promoting language access in general will: 1. Enrich our community, by allowing our multicultural communities to more fully contribute to our values, cultural awareness, and shared experiences; 2. Strengthen our economy, by providing jobs for interpreters as well as enabling their clients to contribute to our community with their full potential; and 3. Make Hawai'i a safer and more wholesome place to live, by ensuring that linguistically isolated and otherwise easily exploitable community members can know about and access the legal protections and services that our laws and policies seek to provide. Mahalo nui once again for the opportunity to testify in support of this measure.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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