



STATE OF HAWAII
DEPARTMENT OF HEALTH
OFFICE OF LANGUAGE ACCESS
830 PUNCHBOWL STREET, ROOM 322
HONOLULU, HAWAII 96813

February 14, 2018

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Aphirak Bamrungruan, Executive Director

Subject: **HB 1943, HD1 – RELATING TO LANGUAGE ACCESS**

Hearing: Friday, February 14, 2018, 4:00 PM
Conference Room 308, State Capitol

Agency's Position: The Office of Language Access (OLA) supports the intent of the measure, provided that the measure's passage does not replace or adversely impact priorities in the Governor's Executive Budget Request.

Purpose and Justification: The purpose of the measure is to appropriate funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the Office of Language Access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

Hawaii is one of the most culturally diverse states and has one of the highest proportions of non-English speakers in the nation. According to the U.S. Census Bureau, 2012-2016 American Community Survey (ACS) 5-year estimates, the total population in the state of Hawaii was 1,413,673. An estimate of 25.7% or 339,539 of Hawaii residents, 5 years and older, speak a language other than English at home. Of those, 166,949 or 12.6% indicated that they speak English "less than very well."

English proficiency (or lack of) has strong impacts on people's economic and social activities, health literacy and wellness, access to education, employment, and important public assistance, benefits, programs and services. In 2006, the Hawaii State Legislature passed the Hawaii Language Access Law (Codified under Hawaii Revised Statutes 321C) and OLA was established in 2007 to address the language access needs of limited English Proficient (LEP) persons and ensure their meaningful access to services, programs, and activities offered by the

executive, legislative, and judicial branches of state government, including departments, offices, commissions, boards, or other state-funded agencies (including the counties). In 2013, Act 217, Session Laws of Hawaii 2013, gave OLA further responsibilities to establish and operate a Language Access Resource Center.

Under the Hawaii Language Access Law, OLA's task is to provide highly specialized technical assistance and to coordinate resources to reduce the burden of implementing language access obligations. OLA is charged with providing oversight, central coordination, and technical assistance to all state and state-funded agencies in their implementation of language access compliance – a civil right under both state and federal law.

OLA began with six positions but lost five positions in 2009 due to the Reduction-In-Force. In 2012, OLA received enough funds to restore two of the five lost positions and has been operating with only three authorized full-time equivalent positions until the present time. The lack of personnel has limited OLA's ability to fully perform its mandated functions. Additional staffing will enable OLA to better assist state agencies in complying with language access laws and performing its statutorily mandated compliance and technical assistance functions.

OLA appreciates this committee for its commitment to language access and for the opportunity to provide this testimony.



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Finance

Representative Sylvia Luke, Chair
Representative Ty J. K. Cullen, Vice Chair

Friday, February 16, 2018, 4:00 PM – Agenda #3
State Capitol, Conference Room 308

By
Debi Tulang-DeSilva
Program Director
Office of Equality and Access to the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1943, House Draft 1 Relating to Language Access.

Purpose: Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law. (HB1943 HD1)

Judiciary's Position:

The Judiciary supports House Bill No. 1943, House Draft 1.

This measure appropriates funds for the establishment of two full-time permanent positions within the Office of Language Access (OLA) to assist state agencies and state-funded agencies in implementing the requirements of Hawai‘i’s language access law. The Judiciary recognizes that many people who require or receive Judiciary services may not be able to meaningfully participate due to limited English proficiency (LEP). Thus, the Judiciary has prioritized its resources over the years to enhance the language access services it provides for LEP court customers. Through its Office on Equality and Access to the Courts, the Judiciary is committed to providing meaningful access to court processes and services to persons with LEP. Since its establishment, the OLA has been extremely supportive of the Judiciary’s efforts to promote language access and has been a valuable collaborative partner on many language access



House Bill No. 1943, House Draft 1 Relating to Language Access
House Committee on Finance, Agenda #3
Friday, February 16, 2018, 4:00 PM.
Page 2

projects. In order to sustain the assistance and support that the OLA provides the Judiciary and numerous other state agencies, the Judiciary supports the passage of House Bill No. 1943, HD1.

We appreciate the Legislature's action to support efforts that promote access to justice and respectfully request your support of House Bill No. 1943, HD 1.

Thank you for the opportunity to provide testimony on this measure.

HB-1943-HD-1

Submitted on: 2/15/2018 12:42:44 PM

Testimony for FIN on 2/16/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Nuland-Ames	Office of Language Access Advisory Council	Support	No

Comments:

I am submitting this written testimony in favor of HB1943 and request your support for establishing two permanent full time project specialist positions within the Office of Language Access (OLA) to assist State agencies and State-funded agencies in implementing the requirements of, and compliance with, Hawaii's language access law.

I am very familiar with the fine work of OLA in developing compliance plans, monitoring State compliance with State and Federal civil rights laws, and providing education to all sectors of the State despite being severely understaffed. That understaffing has, of course, limited the ability of OLA to fulfill all obligations, reach all stakeholders, monitor updates and changes in best practices and Federal agency revisions, and provide up to date education to State employees, legal and medical personnel, and interpreters and translators. This situation is particularly challenging as 1 in 4 Hawaii residents speaks a language other than English at home. I commend OLA's extraordinary efforts over the past several years, but we must recognize that it is not sustainable, nor reasonable, to continue to demand so much from so few.

Supporting this bill will make a meaningful difference throughout the State, in terms of both those who work with and provide services for our language diverse population and those who depend upon effective language access to receive equitable and necessary services.

I thank you for the opportunity to provide testimony and request your serious consideration of this important bill.

HB-1943-HD-1

Submitted on: 2/15/2018 8:46:52 AM

Testimony for FIN on 2/16/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Serafin Colmenares	State Health Planning and Development Agency	Support	No

Comments:

In behalf of the State Health Planning and Development Agency, I am writing in support of HB1943 Relating to Language Access. The Office of Language Access (OLA) needs additional staff positions to help assist state and state-funded agencies meet the requirements under Hawaii's language access law. HB1943 would enable OLA to fulfill this mandate. I encourage the Committee to pass this bill.

Ryan H. Engle
Board President

Angela Kuo Min
Executive Director



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**TESTIMONY IN SUPPORT OF H.B. No. 1943
RELATING TO LANGUAGE ACCESS**

**Committee on Finance
Friday, February 16, 2018
Conference Room 308**

CHAIR SYLVIA LUKE, VICE CHAIR TY J.K. CULLEN, AND MEMBERS OF THE
COMMITTEE:

Volunteer Legal Services Hawaii supports the passage of H.B. No. 1943 and the recommendation to appropriate funds relating to the Office of Language Access.

In the last thirty-six years, Volunteer Legal Services Hawaii has provided legal assistance to the low- and moderate- income community of Hawaii; many who identify themselves as English not being their first language and/or being limited in English proficiency. Our office recognizes the needs for interpreter and translator resources to continue serving the multi-ethnic and multi-cultural community of Hawaii, and to provide all residents of Hawaii meaningful access to justice.

I support H.B. No. 1943 to increase staff at the Office of Language Access. Thank you.

Sincerely,

Angela Kuo Min
Executive Director



February 16, 2018 @ 4pm
COMMITTEE ON HEALTH & HUMAN SERVICES
Rm 308

TESTIMONY IN SUPPORT OF HB1943hd1 RELATING TO LANGUAGE ACCESS
SUBMITTED BY AMY AGBAYANI, CHAIR FILIPINA ADVOCACY NETWORK (FAN)

Chair Luke, Vice Chair Cullen and members of the committee.

Filipina Advocacy Network (FAN) strongly supports HB 1943 hd1 providing two positions for the Office of Language Access. The Hawai'i State Legislature passed legislation establishing the Office of Language access to ensure access to state-funded services for persons with limited English proficiency. This important agency is under-funded and cannot effectively implement its mandate without additional resources. Language access to state services is a critical government responsibility and a civil right. The Office of Language Access is the state agency that can help other state agencies provide appropriate language assistance that will benefit our community in multiple ways. Non-discrimination, equal access, appreciation of diversity and need for inclusion are the basis for funding OLA.

Obtaining government information and access to state services should be available to all persons in the state. Although not the same, limited English speakers encounter similar problems and need similar programs available to deaf and hard of hearing individuals. Our recent problem with the incorrect missile alert warning highlights the needs of individuals who are unable to read or understand English messages. At this time, there is inadequate communication protocols to warn our multilingual communities of hurricanes and other natural disasters.

“According to the American Community Survey data collected for five years from 2010 to 2014, around one-in-four people aged 5 and older during the period spoke a language other than English at home in Hawaii. Speaking a non-English language at home does not mean that the person cannot speak English. About half of the non-English speakers at home were fluent English speakers describing their English speaking ability as “very well”, while another 30 percent rated their English speaking ability as “well”. However, 19 percent of the non-English speakers in Hawaii, or about 62,000 people, spoke English “not well” or “not at all”. At the household level, 6.3 percent of total households in Hawaii, or about 28,400 households, had no one aged 14 and older who could speak English very well in the household. “Hawai'i has a significant percentage of people in all counties who are unable or have only a limited ability to read, write, speak or understand English. Without language assistance, these residents face barriers to government information and services and unable to fully participate in the economy and community activities.”

A large percentage of persons in Hawai'i do not speak English or have difficulty using English. For example, 40 percent of persons of Vietnamese ethnicity and 35 percent of persons of Chinese ethnicity have either limited ability or are unable to speak English. Among Filipino ethnic groups, 26 percent of Ilocanos are not fluent in English and 15 percent of Pacific Islanders have limited English proficiency.

Non-English language speaking at home was more prevalent in Honolulu County than in the neighbor island counties. The proportion of non-English speakers was highest in Honolulu County at 28 percent and lowest in Hawaii County at 19 percent. Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home in Hawaii. Speakers of these three languages made up about half of non-English speakers at home in Hawaii.

See these reports for more information on language use in Hawai'i:

http://dbedt.hawaii.gov/economic/reports_studies/non-english-speaking-population-in-hawaii/

http://files.hawaii.gov/dbedt/economic/data_reports/Non_English_Speaking_Population_in_Hawaii_April_2016.pdf

Maraming salamat po for your consideration and support to members of our community who need language assistance for state services. OLA needs these two positions to effectively meet its objectives and mandate.

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Filipino American Citizens League

Jake Manegdeg, President, Charlene Cuaresma, Vice President
c/o 728 Nunu St., Kailua, HI 96734

Testimony in Strong Support of HB 1943 HD1
House Committee on Finance
Feb. 16, 2018, 4 p.m., Conference Room 308

To: Rep. Sylvia Luke, Chair and Rep. Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Jake Manegdeg, President and Charlene Cuaresma, Vice President
Filipino American Citizens League

Report Title: Office of Language Access; Program Specialist Positions; Appropriation (\$)

Description: Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

As Filipino American Citizens League president and vice president, Jake Manegdeg and I are proud to strongly support this bill. The League was formed nearly twenty 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.

Funding of two FTE positions for the Office of Language Access is vital for the ability of our government agencies to assure equal access and non-discrimination of state and federally-funded programs and services that are not only essential for people's survival today, but also for their ability to fully participate in, and contribute significantly to, society's daily economic transactions. See the attached American Immigration Council report. It shows when immigrants, whose first language is not English, do well, our society does well. In other words, the prudent compliance monitoring, planning, coordination, and management expertise that the Office of Language Access can offer our state agencies translates into mutually beneficial public health and economic vitality for all of Hawai'i's communities.

Clearly, adequate staff positions to implement the provisions of Act 217 of the language access law are more cost effective than the cost of litigation for non-compliance of civil rights laws due to the failure to hire staff for the language access resource center.

Thank you very much for hearing this bill and for your consideration of its merit.

Very Sincerely,

Jake Manegdeg and Charlene Cuaresma



COMMUNITY EDUCATION CENTER • IMMIGRATION POLICY CENTER • INTERNATIONAL EXCHANGE CENTER • LEGAL ACTION CENTER

1331 G STREET, NW • WASHINGTON, DC 20005 • TEL: (202) 507-7500 • FAX: (202) 742-5619

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May 2015

NEW AMERICANS IN HAWAII:

The Political and Economic Power of Immigrants, Asians, and Latinos in the Aloha State

Immigrants, Asians, and Latinos account for growing shares of the economy and electorate in Hawaii. Over 1 in 6 residents of Hawaii are immigrants (foreign-born), and more than half of them are naturalized U.S. citizens who are eligible to vote. “New Americans”—immigrants and the children of immigrants—account for 18.1% of registered voters in the state. Immigrants are not only integral to the state’s economy as workers, but also account for billions of dollars in tax revenue and consumer purchasing power. Moreover, Latinos and Asians (both foreign-born and native-born) wield \$31.9 billion in consumer purchasing power, and the businesses they own had sales and receipts of \$18.9 billion and employed nearly 116,000 people at last count. Immigrant, Latino, and Asian workers, consumers, and entrepreneurs are integral to Hawaii’s economy and tax base—and they are an electoral force with which every politician must reckon.

Immigrants and their children are growing shares of Hawaii’s population and electorate.

- **The foreign-born share** of Hawaii’s population rose from 14.7% in 1990, 2000, 2013, 2013.¹ to 17.5% in ² to 17.6% in ³ according to the U.S. Census Bureau. Hawaii was home to 246,464 immigrants in 2013.⁴

- **56.7% of immigrants (or 139,732 people) in Hawaii were naturalized U.S. citizens in 2013⁵**—meaning that they are eligible to vote.

- Unauthorized immigrants comprised roughly **2.4% of the state’s population** (or 35,000 workers) in 2013, according to a report by the Pew Hispanic Center.⁶

- **18.1% (or 99,209) of registered voters** in Hawaii were “New Americans”—naturalized citizens or the U.S.-born children of immigrants who were raised during the current era of immigration from Latin America and Asia which began in 1965—according to an analysis of 2012 Census Bureau data by the American Immigration Council.⁷

Nearly half of all residents of Hawaii are Asian or Latino.

- **The Asian share of Hawaii’s population** was 37.8% (or 531,218 people) in 2013.⁸ **The Latino share of the population** grew from 7.4% in 1990 to 9.8% (or 138,064 people) in 2013,¹⁰ according to the U.S. Census Bureau.

- **Asians accounted for 41.9% (or 201,000) of Hawaii voters** in the 2012 elections, and **Latinos 5.2% (or 25,000)**, according to the U.S. Census Bureau.¹¹

- In Hawaii, **88% of children with immigrant parents were U.S. citizens** in 2009, according to data from the Urban Institute.¹²

- In 2009, **94.7% of children in Asian families** in Hawaii were U.S. citizens, as were **98.9% of children in Latino families**.¹³

Immigrant, Asian, and Latino entrepreneurs and consumers add tens of billions of dollars and tens of thousands of jobs to Hawaii's economy.

- The **2014 purchasing power of Asians in Hawaii totaled \$28 billion**—an increase of 129.3% since 1990. **Latino buying power totaled \$3.9 billion**—an increase of 308% since 1990, according to the Selig Center for Economic Growth at the University of Georgia.¹⁴
- Immigration boosts housing values in communities. From 2000 to 2010, according to the Americas Society/Council of the Americas, the value added by immigration to the price of the average home was \$1,728 in Honolulu.¹⁵
- Hawaii's 56,872 **Asian-owned businesses had sales and receipts of \$18.2 billion and employed 111,924 people** in 2007, the last year for which data is available. **Latino-owned businesses had sales and receipts of \$671.7 million and employed 3,977 people** in 2007, according to the U.S. Census Bureau's Survey of Business Owners.¹⁶ The state's 4,374 **Latino-owned businesses had sales and receipts of \$671.7 million and employed 3,977 people** in 2007, according to the U.S. Census Bureau's Survey of Business Owners.¹⁷
- From 2006 to 2010, there were 15,997 new immigrant business owners in Hawaii, and they had total net business income of \$772 million, which makes up 19.8% of all net business income in the state, according to Robert Fairlie of the University of California, Santa Cruz.¹⁸
- In 2010, 22.5% of all business owners in Hawaii were foreign-born, according to the Fiscal Policy Institute.¹⁹

Immigrants are essential to Hawaii's economy as workers and taxpayers.

- Immigrants comprised **20.5% of the state's workforce** in 2013 (or 150,209 workers), according to the U.S. Census Bureau.²⁰
- Latinos in Hawaii paid **\$468 million in federal taxes and \$259 million in state/local taxes in 2013**, according to the Partnership for a New American Economy. In particular, foreign-born Latinos paid \$88 million in federal taxes and \$47 million in state/local taxes.²¹
- The federal tax contribution of Hawaii's Latino population included **\$324 million to Social Security and \$76 million to Medicare in 2013**. Foreign-born Latinos contributed \$59 million to Social Security and \$14 million to Medicare that year.²²

Unauthorized immigrants are important to Hawaii's economy as workers and consumers.

- Unauthorized immigrants comprised roughly **3.7% of the state's workforce** (or 25,000 workers) in 2012, according to a report by the Pew Hispanic Center.²³
 - If all unauthorized immigrants were removed from Hawaii, **the state would lose \$2 billion in economic activity, \$900.3 million in gross state product, and approximately 8,460 jobs**, even accounting for adequate market adjustment time, according to a report by the Perryman Group.²⁴
- Unauthorized immigrants pay taxes.***
- Unauthorized immigrants in Hawaii paid **\$31.2 million** in state and local taxes in 2012, including \$19.8 million in sales taxes, \$6.3 million in personal income taxes, and \$5 million in

property taxes, according to data from the Institute for Taxation and Economic Policy.²⁵

- Were unauthorized immigrants in Hawaii to have legal status, they would pay **\$41.2 million** in state and local taxes, including \$21.8 million in sales taxes, \$13.8 million in personal income taxes, and \$5.5 million in property taxes.²⁶

Immigrants are integral to Hawaii's economy as students.

- Hawaii's 4,388 **foreign students contributed \$107.1 million** to the state's economy in tuition, fees, and living expenses for the 2013-2014 academic year, according to NAFSA: Association of International Educators.²⁷
- Foreign students contribute to Hawaii's metropolitan areas. From 2008 to 2012, according to the Brookings Institution, 5,723 foreign students paid \$77.3 million in tuition and \$60.9 million in living costs in the Honolulu metropolitan area.²⁸
- Foreign students also contribute to innovation in Hawaii. In 2009, "non-resident aliens" comprised 27.7% of master's degrees and 42.9% of doctorate degrees in science, technology, engineering, and mathematics (STEM) fields, according to the Partnership for a New American Economy.²⁹

Naturalized citizens advance educationally.

- The number of immigrants in Hawaii with a college degree **increased by 24.1%** between 2000 and 2011, according to data from the Migration Policy Institute.³⁰
- In Hawaii, **86% of children with immigrant parents** were considered "English proficient" as of 2009, according to data from the Urban Institute.³¹
- The English proficiency rate among **Asian children in Hawaii was 93.4%**, while for **Latino children it was 96.3%**, as of 2009.³²

- 1 U.S. Census Bureau, *The Foreign-Born Population: 2000*, December 2003.
- 2 Ibid.
- 3 2013 American Community Survey (1-Year Estimates).
- 4 Ibid.
- 5 Ibid.
- 6 Jeffrey S. Passel, D’Vera Cohn, and Molly Rohal, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14* (Washington, DC: Pew Research Center’s Hispanic Trends Project, November 18, 2014), p. 29.
- 7 Walter A. Ewing and Guillermo Cantor, *New Americans in the Voting Booth: The Growing Electoral Power of Immigrant Communities* (Washington, DC: American Immigration Council, October 2014), p. 25.
- 8 2013 American Community Survey (1-Year Estimates).
- 9 U.S. Census Bureau, *The Hispanic Population: 2000*, May 2001.
- 10 2013 American Community Survey (1-Year Estimates).
- 11 2012 Current Population Survey, Table 4b. Reported Voting and Registration, by Sex, Race and Hispanic Origin, for States: November 2012.
- 12 The Urban Institute, data from the Integrated Public Use Microdata Series datasets drawn from the 2005 - 2009 American Community Survey.
- 13 Ibid.
- 14 Jeffrey M. Humphreys, *The Multicultural Economy 2014* (Athens, GA: Selig Center for Economic Growth, University of Georgia, 2014), pp. 22, 24.
- 15 Jacob Vigdor, *Immigration and the Revival of American Cities: From Preserving Manufacturing Jobs to Strengthening the Housing Market* (New York, NY: Americas Society/Council of the Americas, 2013).
- 16 U.S. Census Bureau, *Estimates of Business Ownership by Gender, Ethnicity, Race, and Veteran Status: 2007*, June 2011.
- 17 Ibid.
- 18 Robert W. Fairlie, *Open for Business: How Immigrants are Driving Small Business Creation in the United States* (New York, NY: Partnership for a New American Economy, 2012), p. 32.
- 19 David Dyssegaard Kallick, *Immigrant Small Business Owners: A Significant and Growing Part of the Economy* (New York, NY: Fiscal Policy Institute, 2012), p. 24.
- 20 2013 American Community Survey (1-Year Estimates).
- 21 Partnership for a New American Economy, *The Power of the Purse: The Contributions of Hispanics to America’s Spending Power and Tax Revenues in 2013* (New York, NY: 2014).
- 22 Ibid.
- 23 Jeffrey S. Passel, D’Vera Cohn, and Molly Rohal, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14* (Washington, DC: Pew Research Center’s Hispanic Trends Project, November 18, 2014), p. 29.
- 24 The Perryman Group, *An Essential Resource: An Analysis of the Economic Impact of Undocumented Workers on Business Activity in the US with Estimated Effects by State and by Industry* (Waco, TX: April 2008), p. 69.
- 25 Institute on Taxation and Economic Policy, *Undocumented Immigrants’ State and Local Tax Contributions* (Washington, DC: April 2015).
- 26 Ibid.
- 27 NAFSA: Association of International Educators, *The Economic Benefits of International Students to the U.S. Economy: Academic Year 2013-2014* (Washington, DC: 2014).
- 28 Neil Ruiz, *The Geography of Foreign Students in U.S. Higher Education: Origins and Destinations* (Washington, DC: The Brookings Institution, 2014).
- 29 Partnership for a New American Economy, *Help Wanted: The Role of Foreign Workers in the Innovation Economy* (New York, NY: 2013), p. 21.
- 30 Migration Policy Institute Data Hub, Hawaii: Language & Education.
- 31 The Urban Institute, data from the Integrated Public Use Microdata Series datasets drawn from the 2005 - 2009 American Community Survey.
- 32 Ibid.

HB-1943-HD-1

Submitted on: 2/15/2018 2:26:44 PM

Testimony for FIN on 2/16/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dominic Inocelda	Susannah Wesley Community Center	Support	No

Comments:

Honorable Chair and Members of the House Finance Committee,

I would like to express my full support for HB 1943 HD 1, Relating to Language Access. As a staff person at the Susannah Wesley Community Center who has provided services to the immigrant community I know of the need to provide language access to those who speak little or no English. Yes, we do expect persons coming to live in the United States to learn English to help them better adjust to life in the US. However, for many there is a period of time where language and cultural differences are significant barriers to receiving and utilizing public, private, and non-profit services. For some immigrant persons, especially the elderly, English fluency may not be achieved.

Act 201 of the Session laws of Hawaii promotes meaningful access to state-provided and state funded services in Hawaii. The creation of the Office of Language Access was a key component of Act 201. Since its inception, a lack of staffing to properly carry out the functions of the OLA office has been an on-going experience. HB 1943 proposes to establish two full-time permanent program specialist positions. This would be a very positive step in helping the OLA office to more fully carry out its mission and purpose. For this reason, I fully support HB 1943. I ask for your serious consideration in funding these position requests. Thank you very much for the opportunity to provide testimony for HB 1943.

Dominic Inocelda, LCSW



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.

NAMI, P.O. Box 2034 Aiea, HI 96701

E-mail: bramosrazon@aol.com

Testimony in Strong Support of HB 1943 HD1
House Committee on Finance
Feb. 16, 2018, 4 p.m., Conference Room 308

To: Rep. Sylvia Luke, Chair and Rep. Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Beatrice Ramos-Razon, President, Nursing Advocates and Mentors Inc. (NAMI)

Report Title: Office of Language Access; Program Specialist Positions; Appropriation (\$)
Description: Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

My name is Beatrice Ramos-Razon. As the founder and president of NAMI, I am proud to submit our strong support for this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

NAMI actively advocated for Hawai'i's Language Access bill in 2006. Funding of these two positions will support state offices to carry out provisions of Title VI. Income inequality during these austere times makes access to state-funded services even more important in order to not only keep vulnerable communities and individuals afloat, but also our State's economy and infrastructure.

Most of NAMI's volunteer mentors and instructors personally know what it is like to overcome language and cultural barriers, because English is not our first, but second, or third language. As health professionals and stakeholders, we gratefully and confidently contribute to Hawai'i's well-being and economic prosperity.

Thank you for hearing this bill. With your support to fund two Language Access Resource Center FTE positions, thousands more people will be able to give more than receive, in order to make our State and their communities stronger.

Sincerely,

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

HB-1943-HD-1

Submitted on: 2/15/2018 3:19:28 PM

Testimony for FIN on 2/16/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee, Democratic Party of Hawaii	Support	No

Comments:

February 15, 2018

To: Sylvia Luke, Chair
Ty J.K. Cullen, Vice-Chair
Committee on Finance

From: Pat McManaman

Testimony in Support of H.B. 1943

As early as 1974, the United States Supreme Court held that failing to take reasonable steps to ensure meaningful access to services for Limited English Proficient (LEP) persons is a form of national origin discrimination prohibited by Title VI of the Civil Rights Act of 1964. See, *Lau v. Nichols*, 414 U.S. 563 (1974). Executive Order 13166, which was issued in 2000, further emphasized the application of Title VI to language access discrimination and required all entities receiving federal funding to provide meaningful access to LEP persons.

Despite the clear mandates of federal law, Hawaii has been cited repeatedly by the Department of Justice and the federal court for its failure to take reasonable steps to ensure meaningful access to services by LEP persons (Department of Human Services, Consent Decree, 2008; Department of Transportation, *FACE v. DOT*, United States District Court for the District of Hawaii, 2015; and Hawaii Judiciary, Technical Assistance Agreement, 2015).

Created by this Legislature in 2006, the Office of Language Access (OLA) was bold step that reaffirmed Hawaii's commitment to civil rights and inclusive access to services regardless of national origin. OLA remains committed to this vision. Without adequate resources and positions, however, it is unable to fulfill its legislative mandate to provide technical assistance to State entities and to assure compliance with federal and State language access laws.

I urge the Legislature to fully fund OLA. In the absence of full funding, we are inviting reoccurring complaints and costly litigation and place at risk our standing as a welcoming, inclusive State.

LATE

HB-1943-HD-1

Submitted on: 2/16/2018 12:30:32 PM

Testimony for FIN on 2/16/2018 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marcella Alohalani Boido	Individual	Support	No

Comments:

Chair Sylvia Luke, Vice-Chair Ty J. K. Cullen, and Members, House Committee on Finance, thank you for hearing this bill.

Chair Luke, you may remember me from my lobbying efforts on behalf of certification of court interpreters. I am now a Hawaii State Judiciary Certified Court Interpreter, Tier 4, in Spanish. I passed my professional oral exams the first year that they were offered.

From the first effort to create the Hawaii State Office on Language Access (OLA), via a bill that was crafted by Bill Hoshijo, until many years later, when the bill to create OLA passed, with Patricia McManaman as the main lobbyist, I have testified in support of these efforts to improve language access in Hawaii.

OLA first opened its doors under the leadership of Dr. Serafim "Jun" Colmenares, Ph.D. At that time, OLA had a staff of seven (7) people.

I was appointed as a member of the Language Access Advisory Council under OLA. I served for a number of years.

Gov. Lingle sought to cripple OLA by getting rid of all staff except for Dr. Colmenares. We owe it to Dr. Colmenares, big time, that he kept the doors open instead of allowing himself to be forced back into his previous Dept. of Health position.

We also owe it to Ms. Gail P. McGarvey, OLA's Secretary. She continued to come to work as a volunteer several days a week.

Jun and Gail will always have my deep appreciation and respect for keeping OLA going under extremely adverse conditions.

Eventually, Gail was re-hired, and Rebecca Gardner was able to join the team. Once again, OLA had a paid Secretary and a Legal Analyst. (See: <http://health.hawaii.gov/ola/about-us/> for current staff.)

Now we need to further undo the damage that was done. Hawaii's need for a fully functional Office of Language Access continues. The currently adverse attitude towards

immigrants at the national level should not let us in Hawaii lose sight of our community's needs and our community's philosophy of inclusion.

Providing OLA with two (2) staff positions to further empower our current Executive Director, Aphirak Bamrungruan, Esq., to continue working for language access for all Hawaii's people, will be an important step forward for Hawaii.

We in Hawaii need to keep our heads on our shoulders, and continue to work towards a more positive future for our beautifully diverse state.

Please pass and fund HB 1943 HD 1. Mil gracias, mahalo, and thank you.