

JAN 27 2021

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# A BILL FOR AN ACT

RELATING TO STATEWIDE HEALTH PLANNING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to establish a more  
2 coordinated and cost-effective statewide language access  
3 program.

4           SECTION 2. Section 321C-6, Hawaii Revised Statutes, is  
5 amended to read as follows:

6           "**§321C-6 Office of language access; established.** There is  
7 established within the department of health, for administrative  
8 purposes only, the office of language access. The head of the  
9 office [~~shall~~] may be known as the executive director of the  
10 office of language access. The executive director [~~shall~~] may  
11 be appointed by the governor without regard to chapter 76. The  
12 executive director [~~shall~~] may:

13           (1) Provide oversight, central coordination, and technical  
14 assistance to state agencies in their implementation  
15 of language access requirements under this chapter or  
16 under any other law, regulation, or guidance;



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- 1           (2) Provide technical assistance to covered entities in  
2           their implementation of this chapter;
- 3           (3) Review and monitor each state agency's language access  
4           plan for compliance with this chapter;
- 5           (4) Where reasonable access is not provided, endeavor to  
6           eliminate the language access barrier using informal  
7           methods, including conference, conciliation,  
8           mediation, or persuasion. Where the language access  
9           barrier cannot be eliminated by informal methods, the  
10          executive director shall submit a written report with  
11          the executive director's opinion and recommendation to  
12          the state agency or the covered entity. The executive  
13          director may request the state agency or the covered  
14          entity to notify the executive director, within a  
15          specified time, of any action taken on the executive  
16          director's recommendation;
- 17          (5) Consult with language access coordinators, the  
18          language access advisory council, and state department  
19          directors or their equivalent;
- 20          (6) Subject to section 321C-3, create, distribute to the  
21          State, and make available to covered entities,



1 multilingual signage in the more frequently  
2 encountered languages in the State, and other  
3 languages as needed, informing individuals of their  
4 right to free oral language services and inviting them  
5 to identify themselves as persons needing services;

6 (7) Adopt rules pursuant to chapter 91 to address the  
7 language needs of limited English proficient persons;

8 (8) Administer a statewide language access resource center  
9 that [~~shall~~] may:

10 (A) Maintain a publicly available roster of language  
11 interpreters and translators, listing their  
12 qualifications and credentials based upon  
13 guidelines established by the office of language  
14 access in consultation with the language access  
15 advisory council;

16 (B) Train state and state-funded agencies on how to  
17 effectively obtain and utilize the services of  
18 language interpreters and translators;

19 (C) Support the recruitment and retention of language  
20 interpreters and translators providing services  
21 to state and state-funded agencies;



- 1 (D) Provide, coordinate, and publicize training  
2 opportunities to increase the number and  
3 availability of qualified language interpreters  
4 and translators and further develop their  
5 language interpretation and translation skills;  
6 and
- 7 (E) Work toward identifying or creating a process to  
8 test and certify language interpreters and  
9 translators and promote use of the process to  
10 ensure the quality and accuracy of the language  
11 interpretation and translation services; and
- 12 (9) Have the authority to hire personnel necessary to  
13 staff the statewide language access resource center  
14 and to administer its multilingual website. The  
15 staff, at a minimum, shall consist of one full-time  
16 project coordinator, three full-time program  
17 specialists, and one full-time clerk. To the extent  
18 possible, the executive director [~~shall~~] may hire  
19 bilingual personnel to staff the statewide language  
20 access resource center and to administer its website."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: \_\_\_\_\_

A large, stylized handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to be the name of the person who introduced the bill.

# S.B. NO. 1230

**Report Title:**

Office of Language Access; Statewide Language Access Reform

**Description:**

Provides flexibility to deploy statewide language access programs and resources.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

