
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 be known as the executive director of the office of
10 language access. The executive director shall be appointed by
11 the governor without regard to chapter 76. The executive
12 director or the department of health shall:

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;



- 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 or department of health, as the
11 case may be, shall submit a written report with [~~the~~
12 ~~executive director's~~] an opinion and recommendation to
13 the state agency or the covered entity. The executive
14 director or department of health may request the state
15 agency or the covered entity [~~to notify the executive~~
16 ~~director,~~] for notification within a specified time,
17 of any action taken on the [~~executive director's~~]
18 recommendation;
- 19 (5) Consult with language access coordinators, the
20 language access advisory council, and state department
21 directors or their equivalent;



- 1 (6) Subject to section 321C-3, create, distribute to the
- 2 State, and make available to covered entities,
- 3 multilingual signage in the more frequently
- 4 encountered languages in the State, and other
- 5 languages as needed, informing individuals of their
- 6 right to free oral language services and inviting them
- 7 to identify themselves as persons needing services;
- 8 (7) Adopt rules pursuant to chapter 91 to address the
- 9 language needs of limited English proficient persons;
- 10 (8) Administer a statewide language access resource center
- 11 that shall:
- 12 (A) Maintain a publicly available roster of language
- 13 interpreters and translators, listing their
- 14 qualifications and credentials based upon
- 15 guidelines established by the office of language
- 16 access in consultation with the language access
- 17 advisory council;
- 18 (B) Train state and state-funded agencies on how to
- 19 effectively obtain and utilize the services of
- 20 language interpreters and translators;



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



1 health shall hire bilingual personnel to staff the
2 statewide language access resource center and to
3 administer its website."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Office of Language Access; Statewide Language Access Reform

Description:

Requires the Executive Director of the Office of Language Access or the Department of Health to perform the duties of the Office of Language Access. Effective 7/1/2050. (SD1)

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