



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 9, 2023

The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator McKelvey and Committee Members:

SUBJECT: SB389 RELATING TO EQUITY

The Hawaii State Council on Developmental Disabilities **SUPPORTS SB389**, which requires all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

Families and caregivers of people with disabilities that require changing facilities want to participate in as many activities and outings as possible. At the same time, they must plan out or research their trip or daily activities to include accessible spaces along their path of travel, taking into consideration the disability-friendly rest areas that provides a safe and dignified toileting area along a certain route.

Implementing universal changing accommodations will ensure Intellectual and Developmental Disability (I/DD) community members have more equity in access, removing barriers to travel that currently affect full participation and integration in daily activities. This will greatly benefit the I/DD community's access to public spaces.

Thank you for the opportunity to submit testimony in **support of SB389**.

Sincerely,

Daintry Bartoldus
Executive Administrator



DISABILITY AND COMMUNICATION ACCESS BOARD

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February 9, 2023

TESTIMONY TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Senate Bill 389 – Relating to Equity

The Disability and Communication Access Board (DCAB) supports Senate Bill 389 – Relating to Equity. This bill requires places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

A fundamental goal of the ADA is to ensure people with disabilities have an equal opportunity to participate in basic civic activities and every day events, such as going to a restaurant or movie, shopping at a mall, or simply attending a high school sports event with friends and family. People with disabilities who cannot use a toilet should have access to universal changing accommodations that provides a safe, sanitary, and private space to be changed and cleaned by a caregiver when participating in civic activities and every day events.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

KIRBY L. SHAW
Executive Director



February 8, 2023

Senator Angus McKelvey, Chair

Senator Mike Gabbard, Vice Chair

Testimony to the Senate Committee on Government Operations

Thursday, February 9, 2023; 3:00 pm. State Capitol, Conf. Room 225 & Videoconference

RE: Senate Bill 389 – RELATING TO EQUITY

Aloha Chair McKelvey and Vice Chair Gabbard:

On behalf of the Epilepsy Foundation of Hawaii (EFH), we urge your **SUPPORT** of Senate Bill 389, RELATING TO EQUITY. This bill supports providing universal changing accommodations in all places of public accommodation and state building construction after 12/31/23.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans with epilepsy and seizures. Epilepsy Foundation of Hawaii, advocates and provides services for the almost 14,000 individuals living with epilepsy throughout Hawaii. Collectively, we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition characterized by seizures, which are sudden surges of electrical activity in the brain, that affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy, and approximately 1 in 10 people will experience a seizure, at some point in their lifetime.

Epilepsy is a chronic medical problem that for many people can be successfully treated. Unfortunately, treatment doesn't work for everyone. AT LEAST 1 million people in the United States have uncontrolled epilepsy, which is considered a disability by the Social Security Administration (SSA). Epilepsy does not discriminate. It can affect anyone at any age, gender, ethnicity, or size, and is often times a comorbidity with other disease states. For many, their epilepsy is debilitating.

Universal changing stations are height adjustable and support weights up to 300+ pounds, alleviating the challenge of caregivers having to navigate changing kupuna, adults and older children with disabilities either in their cars or unsafe and unsanitary spaces. Universal changing stations in state and federal buildings would establish equity and inclusion to people who need a safe and sanitary space to change incontinent supplies in order for them to ensure continuity in community engagement in public spaces.

On behalf of the Epilepsy Foundation of Hawaii and our Board of Directors, we humbly thank you for the opportunity to testify and urge your **SUPPORT for Senate Bill 389**.

Mahalo nui loa,

A handwritten signature in blue ink that reads "Naomi Manuel".

Naomi Manuel

Executive Director

Epilepsy Foundation of Hawaii

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**

SB-389

Submitted on: 2/5/2023 9:04:27 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	Remotely Via Zoom

Comments:

We think this an excellent idea. Since 2016, federal law has required baby changing accommodations in both male and female restrooms in publicly-accessible federal buildings. Since then, some states have enacted laws creating Universal Changing Stations which allow changing accommodations to also include adults in public buildings. The problem quite simply is that many adults with disabilities are just too heavy for infant changing tables. Clearly, a person's inability to utilize conventional restroom facilities directly affects their ability to enjoy and fully participate in community based activities.

Many of Hawaii's restrooms have family bathrooms but these restrooms do not have adequate restroom facilities for larger children and seniors who need to change their incontinent supplies. The lack of access to accommodating changing stations limits a person's ability to leave home to engage and participate in daily activities. This legislation would really help to create a more inclusive environment in the community for those with disabilities.

SB-389

Submitted on: 2/7/2023 7:26:30 AM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikki-Ann Yee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair McKelvey, Vice Chair Gabbard, and Committee Members,

I am testifying in strong support of SB389 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

While bathrooms have become more accessible to families by providing baby changing accommodations, they are not suitable for all, especially the elderly and wheelchair-bound adults and adolescents. This bill would ensure that going forward, future restrooms are built to be more inclusive and accessible to all.

Mahalo for the opportunity to testify in support of this bill.

Nikki-Ann Yee

SB-389

Submitted on: 2/3/2023 10:20:59 AM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE:

SB-389

Submitted on: 2/5/2023 1:15:43 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jari S.K. Sugano	Individual	Support	In Person

Comments:

In 2016, the Bathrooms Accessible In Every Situation Act (BABIES Act) requires baby changing accommodations in both male and female restrooms in publicly-accessible federal buildings.

Since then, Arizona, California, New Hampshire, have enacted laws creating Universal Changing Stations which allows changing accommodations to also include adults in public buildings.

A person's inability to utilize conventional restroom facilities directly affects their ability to enjoy and fully participate in community based activities.

At the minimum, public restrooms should be equipped such that a person (or a caregiver) can attend to their sanitary and hygienic needs in a dignified way.

My daughter is 14 years old and has a rare and catastrophic form of epilepsy, called Dravet Syndrome. On good days she enjoys being at the mall but when she goes, she can't stay long, as she still wears diapers. She is too heavy for infant changing tables.

Many of Hawaii's restroom have family bathrooms but these restrooms do not have adequate restroom facilities for larger children and seniors who need to change their incontinent supplies. The lack of access to accommodating changing stations limits a person ability to leave home to engage and participate in every day activities such as attending school activities, doctor appointments, running everyday errands, etc.

We appreciate legislative support to bring about much needed changes to create an inclusive and safer environment for those with disabilities.

Much aloha, Jari Sugano

February 5, 2023

Aloha Chair McKelvey, Vice Chair Gabbard, and Committee Members,

My name is Sarah Kern and I am a resident of Lihue, Kauai. I am testifying in strong support of SB389 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

People who have multiple and complicated disabilities as well as our kupuna around the state need universal changing stations in our public restrooms. Those with physical disabilities are limited when it comes to using a bathroom that can accommodate their needs. The baby changing tables that currently exist in many public facilities are too small for elderly or wheelchair-bound adults and adolescents who may need to have their incontinence supplies changed. This bill would ensure that going forward, future restrooms are built to be more inclusive and accessible to all.

Thank you for the opportunity to testify in support of this bill.

Mahalo nui loa,
Sarah Kern

SB-389

Submitted on: 2/5/2023 8:10:00 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Austen Kaneshiro	Individual	Support	In Person

Comments:

Dear Chair McKelvey, Vice Chair Gabbard and members of the Governmental operation committee.

This bill is important because children like my sister MJ are heavier than babies who use the infant changing tables. So, without a place her to change her diaper, she's not able to be out for long periods of time and she doesn't like to stay home. So this bill will help children like my sister as well as seniors like grandparents who need a private place to use the bathroom.

thank you, Austen Kaneshiro

SB-389

Submitted on: 2/6/2023 8:40:51 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Teves	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please help support SB389 and its companion bill HB1145.

My name is Jennifer Teves and I am a middle school teacher here on the island of Kauai and a parent of an adolescent young male who has special needs. I am in need of your support to pass SB389 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

People who have multiple and complicated disabilities need universal changing stations in our public restrooms. As my son and his peers become young teenagers we are limited when it comes to using a bathroom that can accommodate our needs. Especially for our wheelchair bound friends because there are no bathrooms to change incontinent supplies.

Please help support SB389 and its companion bill HB1145.

Thank you,

Jennifer and Ethan Teves

SB-389

Submitted on: 2/7/2023 12:31:47 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Ann Kaneshiro	Individual	Support	Written Testimony Only

Comments:

Senate Bill 389: Equity; Universal Changing Accommodations; Public Accommodation; State Building Construction

Aloha

There are millions of people who are either non-ambulatory or have self-care issues that need a safe clean place to be changed. No one should ever be forced to be changed on a cramped infant changing table that is too small, or on a public restroom floor.

My niece, MJ, is 14 years old and she has grown too big for infant changing tables. A powered height adjustable adult changing tables in family restrooms will help provide a safe and clean environment, where we will be able to change her diaper. We need to make this change to our family restrooms to make life better and easier for people with special needs.

One of the many things my niece enjoys is getting an opportunity to adventure outside of the house. But without Universal Changing Accommodations, there may not be a safe and clean area for her, and her adventure for the day will come to an end. If there is an adjustable adult changing table for her, she will feel clean and dry and will be able to stay out longer.

I humbly ask for your support of this important bill, which will help our family care for my niece.

Mahalo for your consideration,

Lisa Ann Kaneshiro

SB-389

Submitted on: 2/7/2023 2:01:49 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

You wasting Time and Money on Crap!!!!

SB-389

Submitted on: 2/7/2023 8:39:55 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lacey Shimabukuro	Individual	Support	Written Testimony Only

Comments:

In support of increasing equity and improving the quality of life for families needing changing accommodations to more safely enjoy and participate in community activities.

SB-389

Submitted on: 2/8/2023 12:17:55 PM

Testimony for GVO on 2/9/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shana Metsch	Individual	Support	Written Testimony Only

Comments:

Dear Senator,

I am writing to express my **support for SB389**, which requires universal changing accommodations. As a Hawaii resident, this bill is essential for promoting accessibility and inclusiveness for all individuals.

Providing universal changing accommodations is necessary to ensure that everyone, regardless of their abilities, has equal access to public spaces and services. Living with a teenage daughter with cerebral palsy, we know how difficult it can be to provide sanitary care when we are on the go. SB389 will help support families with children, individuals with disabilities, and elderly individuals who may require changing facilities.

SB389 is a well-thought-out bill that will significantly impact the lives of many individuals in Hawaii. I urge you to support it and help make our state a more accessible and inclusive place for everyone.

Thank you for your time and consideration.

Sincerely,

Shana Metsch
shanametsch@yahoo.com
808.652.9206