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## HOUSE RESOLUTION

REQUESTING THE DISABILITY AND COMMUNICATION ACCESS BOARD TO  
STUDY THE HEALTH CARE SETTING COMMUNICATION NEEDS OF, AND  
DEVELOP GUIDELINES FOR, INDIVIDUALS WHO ARE DEAF, HARD OF  
HEARING, OR DEAF-BLIND.

1           WHEREAS, the Title III of the Americans with Disabilities  
2 Act of 1990 (42 USC section 12101 *et. seq.* (1990)) requires  
3 healthcare facilities to communicate effectively with people  
4 having communication disabilities; and

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6           WHEREAS, Chapter 489, Hawaii Revised Statutes, prohibits  
7 discrimination on the basis of disability in places of public  
8 accommodation, including healthcare facilities; and

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10          WHEREAS, healthcare providers have a duty to provide  
11 auxiliary aids and services, including qualified sign language  
12 interpreters, to patients who are deaf, hard of hearing, or  
13 deaf-blind in order to promote effective communication; and

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15          WHEREAS, before deciding what type of auxiliary aid or  
16 service is necessary for effective communication, healthcare  
17 providers must give primary consideration to the patient's  
18 preference; and

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20          WHEREAS, a healthcare provider may allow an adult  
21 accompanying a deaf, hard of hearing, or deaf-blind patient to  
22 interpret only in limited cases involving an imminent threat and  
23 upon agreement of all parties; and

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25          WHEREAS, a healthcare provider may not rely on an  
26 accompanying adult to interpret if there is reason to doubt the  
27 person's impartiality or effectiveness; and

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29          WHEREAS, each patient who is deaf, hard of hearing, or  
30 deaf-blind has different needs and preferences regarding the  
31 desired profile of the interpreters, the sign language used, and  
32 the specific services interpreters can provide, including  
33 American Sign Language and tactile interpretation; and

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1 WHEREAS, the Disability and Communication Access Board has  
2 published an informational flyer, "Guidance for Healthcare  
3 Providers in Ensuring Effective Communication"; and  
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5 WHEREAS, Hawaii suffers from a shortage of qualified sign  
6 language interpreters; and  
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8 WHEREAS, given the limited availability of qualified  
9 interpreters and the variety of required and preferred  
10 interpretation services additional guidance is needed to assist  
11 healthcare providers in communicating effectively with deaf,  
12 hard of hearing, and deaf-blind patients; and  
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14 WHEREAS, patients who are deaf, hard of hearing, or  
15 deaf-blind may have additional communication needs while  
16 hospitalized or receiving in-patient care in skilled nursing  
17 facilities; now, therefore,  
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19 BE IT RESOLVED by the House of Representatives of the  
20 Thirty-third Legislature of the State of Hawaii, Regular Session  
21 of 2026, that the Disability and Communication Access Board is  
22 requested to conduct a study of the communication needs of deaf,  
23 hard of hearing, or deaf-blind individuals in health care  
24 settings; and  
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26 BE IT FURTHER RESOLVED that the study is requested to  
27 include consideration of:  
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- 29 (1) The availability of sign language interpreters,  
30 tactile interpreters, and other services and auxiliary  
31 aids that serve the needs of deaf, hard of hearing,  
32 and deaf-blind communities in the State;  
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- 34 (2) The range of preferences of deaf, hard of hearing, or  
35 deaf-blind patients;  
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- 37 (3) Any special communication needs of deaf, hard of  
38 hearing, or deaf-blind patients who are hospitalized  
39 or receiving in-patient care in skilled nursing  
40 facilities; and  
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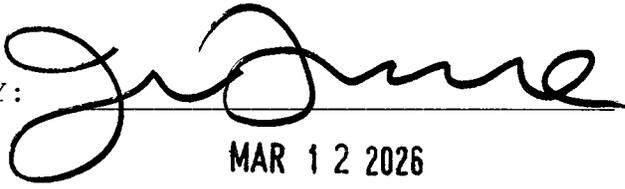
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1           (4) The legal duty for health care providers to provide  
2           auxiliary aids and services, including qualified sign  
3           language interpreters, to patients who are deaf, hard  
4           of hearing, or deaf-blind in order to promote  
5           effective communication; and  
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7           BE IT FURTHER RESOLVED that, based on the study's findings,  
8           the Disability and Communication Access Board is requested to  
9           make any necessary revisions to the current guidance for  
10          healthcare providers to ensure effective communication that  
11          better addresses the needs of deaf, hard of hearing, or  
12          deaf-blind individuals in healthcare settings; and  
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14          BE IT FURTHER RESOLVED that the Disability and  
15          Communication Access Board is requested to submit a report of  
16          its findings and recommendations, including any proposed  
17          legislation, to the Legislature no later than twenty days prior  
18          to the convening of the Regular Session of 2027; and  
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20          BE IT FURTHER RESOLVED that certified copies of this  
21          Resolution be transmitted to Director of Health and all members  
22          of the Disability and Communication Access Board.  
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OFFERED BY:   
MAR 12 2026