

MAR 12 2026

SENATE 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
5

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
9

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
14

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
19

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
24

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
28

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
34



1 WHEREAS, the Disability and Communication Access Board has
2 published an informational flyer, "Guidance for Healthcare
3 Providers in Ensuring Effective Communication"; and
4

5 WHEREAS, Hawaii suffers from a shortage of qualified sign
6 language interpreters; and
7

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
13

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,
18

19 BE IT RESOLVED by the Senate of the Thirty-third
20 Legislature of the State of Hawaii, Regular Session of 2026,
21 that the Disability and Communication Access Board is requested
22 to conduct a study of the communication needs of deaf, hard of
23 hearing, or deaf-blind individuals in health care settings; and
24

25 BE IT FURTHER RESOLVED that the study is requested to
26 include consideration of:
27

- 28 (1) The availability of sign language interpreters,
29 tactile interpreters, and other services and auxiliary
30 aids that serve the needs of deaf, hard of hearing,
31 and deaf-blind communities in the State;
32
- 33 (2) The range of preferences of deaf, hard of hearing, or
34 deaf-blind patients;
35
- 36 (3) Any special communication needs of deaf, hard of
37 hearing, or deaf-blind patients who are hospitalized
38 or receiving in-patient care in skilled nursing
39 facilities; and
40
- 41 (4) The legal duty for health care providers to provide
42 auxiliary aids and services, including qualified sign



1 language interpreters, to patients who are deaf, hard
2 of hearing, or deaf-blind in order to promote
3 effective communication; and
4

5 BE IT FURTHER RESOLVED that, based on the study's findings,
6 the Disability and Communication Access Board is requested to
7 make any necessary revisions to the current guidance for
8 healthcare providers to ensure effective communication that
9 better addresses the needs of deaf, hard of hearing, or
10 deaf-blind individuals in healthcare settings; and
11

12 BE IT FURTHER RESOLVED that the Disability and
13 Communication Access Board is requested to submit a report of
14 its findings and recommendations, including any proposed
15 legislation, to the Legislature no later than twenty days prior
16 to the convening of the Regular Session of 2027; and
17

18 BE IT FURTHER RESOLVED that certified copies of this
19 Resolution be transmitted to Director of Health and all members
20 of the Disability and Communication Access Board.
21
22
23

OFFERED BY: 

