

ACT 307

H.B. NO. 2589-86

A Bill for an Act Relating to Health Services.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature declares that it is for the general welfare of the State to provide equal protection and benefits to all residents, including the non-English and limited English speaking. The legislature recognizes the need for bilingual outreach workers to assist non-English and limited English speaking residents. Hawaii experiences a continuous influx of persons from the Asian countries and the Pacific Basin. According to the 1980 census, there were 63,045 legal immigrants, 14,349 American nationals, 5,947 refugees, and 7,500 to 10,000 undocumented aliens in Hawaii. In 1982, there were 6,890 aliens in Hawaii, and in 1983, 5,238 aliens and 6,800 refugees arrived and settled permanently in Hawaii.

The legislature finds that making health and health-related services available to these residents is not enough. Language and communication, as well as cultural differences, are major problems which must be met in order to provide equal opportunity and equal access to health services for non-English and limited English speaking residents.

The program evaluation by the Action Agency under the Executive Office of the President of the United States indicates that Hawaii's bilingual health education aide program has been highly successful. This program is documented in a book entitled Making Health Education Work, which has been distributed nationwide. The American Public Health Association has cited the

program as an example of an outstanding program servicing persons with low income and minorities.

The purpose of this Act is to establish a permanent bilingual health education aide program.

SECTION 2. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§321- Bilingual health education aide program; establishment. There is established in the department of health a bilingual health education aide program. Under the program, bilingual health education aides shall assist in the provision of health education and public health services to non-English and limited English speaking persons living in the State. The department, subject to chapters 76 and 77, shall employ bilingual health education aides and other necessary personnel for the program.”

SECTION 3. No employee under contractual employment with the department of health as a bilingual health education aide on the effective date of this Act shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act, but may be transferred or appointed to a civil service position, including a bilingual health education aide position; provided that the employee possesses the minimum qualifications for the position to which transferred or appointed and passes the applicable examination.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved May 30, 1986.)

Note

1. Edited pursuant to HRS §23G-16.5.