

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, ACSW, MPH  
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Finance**

**HB 761, RELATING TO INTELLECTUAL DISABILITIES**

**Testimony of Loretta J. Fuddy, ACSW, MPH  
Acting Director of Health**

**March 1, 2011**

- 1 **Department's Position:** The Department of Health is in support of H.B. 761
- 2 **Fiscal Implications:** None.
- 3 **Purpose and Justification:** H.B. 761 relates to changing references in the Hawaii Revised Statutes
- 4 from "Mental Retardation" or like terms to "Intellectual Disability" or like terms. This term will
- 5 compliment the Developmental Disabilities Division's authorizing statute HRS 333F and have a great
- 6 impact on honoring an individual's self-determination. This term is recognized by the federal
- 7 government and implemented through statute and federal regulations. Hawaii will join the country and
- 8 professional organizations that have changed their language from Mental Retardation to Intellectual
- 9 Disabilities to respect people first.
- 10 Thank you for the opportunity to testify.



STATE OF HAWAII  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

March 1, 2011

The Honorable Marcus R. Oshiro, Chair  
The Honorable Marilyn B. Lee, Vice Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Oshiro and Lee and Members of the Committee:

SUBJECT: HB 761– RELATING TO INTELLECTUAL DISABILITIES.

The State Council on Developmental Disabilities (DD) **STRONGLY SUPPORTS HB 761**. The purpose of the bill is to change references to “mental retardation” or like terms in the Hawaii Revised Statutes to “intellectual disability” or like terms.

**HB 761 is a housekeeping measure; is not intended to change coverage, eligibility, rights, responsibilities or definitions referred to in the amended provisions; and does not request any appropriation amount.**

On October 5, 2010, President Obama signed S. 2781 into law as Public Law (P.L.) 111-256. This law is also known as “Rosa’s Law” named after Rosa Marcellino, a nine-year old girl with Down’s Syndrome who worked with her mother, Nina, and their state representative who led the effort to pass legislation in Maryland changing the word “mental retardation” to “intellectual disability.”

Rosa’s law replaces the term “mental retardation” with “intellectual disability” in federal education, health and labor laws. The law states that for purposes of the amended statutes and implementing regulations, a reference to an “intellectual disability” shall mean a condition previously referred to as “mental retardation” and a reference to “individuals with intellectual disabilities” shall be a reference to those previously referred to as “individuals with mental retardation.”

The American Association on Intellectual Disabilities and Developmental Disabilities (AAIDD) defines intellectual disability as “a disability characterized by significant limitations both in intellectual functioning and in adaptive behavior, which covers everyday social and practical skills. This disability originates before the age of 18.”

HB 761 follows a national movement led by self-advocates to use people-first language that is less offensive and more respectful, and to eliminate the negative stigma that is associated

with the term mental retardation or like terms. The Council has been working with the Self-Advocacy Advisory Council (SAAC) comprised of individuals with intellectual disabilities and the Maternal Child Health Leadership Education in Neurodevelopmental and Related Disabilities (MCH-LEND) program in the movement to remove the "R" word and replace it with intellectual disabilities. SAAC members were overwhelmingly eager to make the change from the terms "mental retardation," "mentally retarded," and "retarded" that they consider being hurtful and offensive, to a term "intellectual disabilities" that is considered to be more positive and respectful to them.

HB 761 seems to be such a simple measure to remove the term "mental retardation" and like terms and replace it with "intellectual disabilities." Moreover, its outcome would be significant and have far reaching effects in:

- 1) Moving in the right direction in keeping with P.L. 111-256
- 2) Changing how we refer to individuals with intellectual disabilities
- 3) Promoting more respectful and people-first language
- 4) Promoting positive attitudes and perceptions of individuals with intellectual disabilities
- 5) Eliminating the negative stigma associated with mental retardation or like terms
- 6) Treating individuals with intellectual disabilities with greater dignity and respect


**The Council emphasizes Section 19 on Page 8, lines 3-5, as stated, "This Act is not intended to change coverage, eligibility, rights, responsibilities or definitions referred to in the amended provisions."**

We applaud the Legislature's initiative through HB 761 that recognizes that individuals with intellectual disabilities are people first, and that they have the right to be included and respected in society.

Thank you for the opportunity to present testimony in **strong support of HB 761.**

Sincerely,

  
Liz Ann Salvador  
Chair

  
Waynette K.Y. Cabral, MSW  
Executive Administrator



STATE OF HAWAII  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
KAUAI OFFICE  
3060 EIWA STREET, ROOM 207  
LIHUE, HAWAII 96766  
TELEPHONE: (808) 274-3484  
FAX: (808) 274-3485

March 1, 2011

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, HI 96813

HB 761- RELATING TO INTELLECTUAL DISABILITIES.

Dear Representative Oshiro and Members of the Committee:

My name is Eleanor Doi, Program Specialist submitting testimony in strong support of HB 761 on behalf of the Kauai Developmental Disabilities Committee.

Amending the word "mental retardation" to "intellectual disability" is the best suggestion we've heard in a long time. The term "mental retardation" is demeaning to people with cognitive challenges that need to be viewed in a new light. The term "intellectual disability" is a better term to describe individuals and would certainly take out words that can be so hurtful them.

The word "retard" in Webster's Dictionary means, "To slow the progress of; delay". In our society today the word is often abused by people, and used in a demeaning way to others, making the true meaning of the word forgotten. For the sake of those of us in our society with "delays" thank you for changing the "R" in our vocabulary.

We appreciate the opportunity to submit written testimony. Thank you so much for hearing the bill and ask that you support the passage of **HB 761**.

Sincerely,  
Eleanor Doi  
Program Specialist



**STATE OF HAWAII**

**STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES**

MAUI OFFICE  
54 HIGH STREET, THIRD FLOOR  
WAILUKU, HAWAII 96793  
TELEPHONE: (808) 984-8218  
FAX: (808) 984-8242

March 1, 2011

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

**HB 761 – RELATING TO INTELLECTUAL DISABILITIES.**

Dear Representative Oshiro and Members of the Committee:

Aloha, my name is Mary Matsukawa. I am staff to the Maui Developmental Disabilities Committee, a standing subcommittee of the Hawaii State Council on Developmental Disabilities. Thank you for this opportunity to testify in strong support of **HB 761**.

Our committee would like to change the Hawaii Revised Statutes by removing the term "mental retardation" or like terms wherever it appears and replacing it with the terms "intellectual disabilities" or like terms.

We feel this change will update the language currently used in State statutes and remove a term from Hawaii law that has often been used in a derogatory and demeaning manner.

Language is important and we feel the word "retard" now carries a negative stigma in our vocabulary. We feel HB 761 will change attitudes and promote that individuals with intellectual disabilities be treated with dignity and respect. We support the intent of the bill to change only the terms used and not change coverage, eligibility, and/or definitions referred to in the sections of the law being amended.

The Honorable Marcus R. Oshiro  
Page 2  
March 1, 2011

The changes we are supporting are in keeping with the new federal law (Public Law 111-256 also known as Rosa's law) signed by President Obama on October 5, 2010 that changes the language used in federal health, education, and labor laws from "mental retardation" to "intellectual disabilities."

We are excited about this opportunity to change our State language to reflect the forward thinking of the Federal Language.

Sincerely,  
Mary Matsukawa  
Program Specialist



## DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814  
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 1, 2011

### TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

#### House Bill 761 - Relating to Intellectual Disabilities

The Disability and Communication Access Board supports House Bill 761 to change the term "mental retardation" to "intellectual disability" in the statute.

We have consistently sought to have politically correct, people first language in the statute that more appropriately reflects the current and evolving terminology in our field. National organizations and consumer advocacy groups have moved away from the term "mental retardation" and this bill mirrors the national trend.

Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG  
Chairperson  
Legislative Committee

FRANCINE WAI  
Executive Director



February 28, 2011

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813  
<http://www.capitol.hawaii.gov/emailtestimony>

RE: HB 761 – RELATING TO INTELLECTUAL DISABILITIES

Dear Representative Oshiro and Members of the Committee:

As State Director for Best Buddies Hawaii, I have extensive experience working with students and adults that that have intellectual and developmental disabilities (IDD).

Best Buddies is a 501(c)(3) nonprofit organization dedicated to establishing a global volunteer movement that creates opportunities for one-to-one friendships, integrated employment, and leadership development for people with intellectual and developmental disabilities.

Along with our fellow organization, Special Olympics, Best Buddies International has been fighting the battle to eliminate the "R" word for years because of the very negative impact this word has on persons with IDD.

I am in strong support of HB 761.

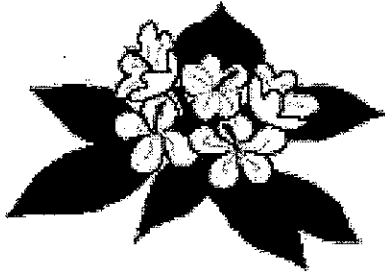
Adopting this bill would have a very positive impact on increasing the self esteem of individuals having an intellectual disability and on the way our society views them.

Sincerely,

A handwritten signature in black ink that reads "Michael McCormick". The signature is written in a cursive, flowing style.

Michael McCormick  
State Director, Best Buddies Hawaii





**S E A C**  
**Special Education Advisory Council**  
919 Ala Moana Blvd., Room 101  
Honolulu, HI 96814  
Phone: 586-8126 Fax: 586-8129  
email: spin@doh.hawaii.gov

March 1, 2011

**Special Education  
Advisory Council**

Ms. Ivalee Sinclair, *Chair*  
Ms. Barbara Pretty, *Acting  
Vice Chair*

Ms. Brendelyn Ancheta  
Ms. Sue Brown  
Ms. Deborah Cheeseman  
Ms. Annette Cooper  
Ms. Phyllis DeKok  
Ms. Mary Ellis  
Ms. Debra Farmer  
Ms. Gabriele Finn  
Ms. Martha Guinan  
Mr. Henry Hashimoto  
Dr. Martin Hirsch  
Ms. Tami Ho  
Ms. Barbara Ioli  
Ms. Deborah Kobayakawa  
Ms. Bernadette Lane  
Ms. Shanelle Lum  
Ms. Rachel Matsunobu  
Ms. Dale Matsuura  
Ms. Kristy Nishimura  
Ms. Connie Perry  
Ms. Barbara Pretty  
Ms. Kau'i Rezendes  
Ms. Melissa Rosen  
Dr. Patricia Sheehy  
Mr. August Suehiro  
Ms. Judy Tonda  
Ms. Cari White  
Ms. Jasmine Williams  
Mr. Duane Yee  
Ms. Carol Young

Jan Tateishi, Staff

Representative Marcus Oshiro, Chair  
House Committee on Finance  
State Capitol  
Honolulu, HI 96813

RE: HB 761 - RELATING TO CHANGING REFERENCES IN  
HAWAII REVISED STATUTES FROM "MENTAL  
RETARDATION" TO "INTELLECTUAL DISABILITY"

Dear Chair Oshiro and Committee Members,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports** HB 761 which aims to substitute more current terminology for the sometimes stigmatizing term "mental retardation" in Section 333F-1 of the Hawaii Revised Statutes.

SEAC and other community organizations championed the use of the term "intellectual disability" in lieu of "mental retardation" as an eligibility category in Hawaii's revisions to special education administrative rules--Chapter 60. In doing so, SEAC was following a national movement led by self advocates to use more neutral and person-centered language in describing disabilities. Most recently, Rosa's Law, passed unanimously by Congress in October 2010, likewise requires the substitution of "intellectual disability" for "mental retardation" in federal health, education and labor policies.

SEAC believes the time has come for Hawaii to abandon old, baggage laden disability terms for respectful, People First language. Thank you for the opportunity to present testimony on this important issue.

Respectfully,

Ivalee Sinclair, Chair

Michael A. Ortiz  
2591 Dole St. Rm F203  
Honolulu, HI 96822

March 1, 2011

Representative Marcus R. Oshiro, Chair  
Representative Marilyn B. Lee, Vice Chair  
& House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

SUBJECT/RE: HB 761 –Relating to Intellectual Disabilities

Dear Representatives Oshiro, Lee and Members of the Committee:

Good Afternoon,

My name is Michael A. Ortiz and I am a 2<sup>nd</sup> year Masters in Social Work Student at the University of Hawaii at Manoa, a practicum student at the Hawaii state council on developmental disabilities, and a MCH LEND (Maternal and Child Health Leadership Education in Neurodevelopmental and Related Disabilities) Trainee at Kapiolani Medical Center for Women and Children. Thank you for the opportunity to tell you that I am in **strong support of HB 761**.

I do not have a family member with a developmental or intellectual disability. I myself do not have a developmental or intellectual disability. I do, however have many friends, clients, and colleagues who have an intellectual or developmental disability. I have heard countless times the stories of pain, anger, and sadness from this group about the verbal and physical torment they have encountered growing up and still experience today. Although I have not been affected by this myself, I cannot help but think of the many times I have been labeled and treated in a negative way due to my race, gender, appearance, and socioeconomic status. When I think back at those times people gave me derogatory labeling for the above mentioned, it reminds me that words have an impact of how we are treated and how we ultimately begin to view ourselves. I myself am not alone, as all of us have fallen victim to this in one way or another.

Still to this day, I do not feel that current ideas, attitudes, and beliefs about individuals with disabilities promote equality. Through the passage of this bill, I feel that it will begin the process of changing the negative ideas, attitudes, and beliefs about individuals with disabilities and will be the catalyst to enhancing their quality of life. I understand that this bill will not change things overnight. However, I feel that someone needs to lead by example and feel that the state is in the best position to lead this new paradigm of thinking.

".... I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. ...I have a *dream* today!"- Dr. Martin Luther King Jr.

I have a dream that one day all individuals with developmental and intellectual disabilities will not be judged on their appearance or cognitive abilities, but on the content of THEIR character. Words matter. Lets begin change now.

Thank you for the opportunity to present testimony and for hearing the bill. Please support the passage of SB 962.

Sincerely,

Michael A. Ortiz

**TESTIMONY IN STRONG SUPPORT**  
**HB 761**  
**House Committee on Finance**  
**Hearing: March 1, 2011 3:00 PM Conf Room 308**

To: The Honorable Rep. Marcus R. Oshiro, Chair,  
House Committee on Finance  
Twenty-Sixth Legislature State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

From: Thomas and Gloria Huber  
46-291 Auna Street  
Kaneohe HI 96744  
Contact: 808 235 1437 [hubert001@hawaii.rr.com](mailto:hubert001@hawaii.rr.com)

Re: HB 761  
RELATING TO INTELLECTUAL DISABILITIES.  
Changes references to "mental retardation" or like terms in the Hawaii Revised Statutes to "intellectual disability" or like terms.

Dear Representative Oshiro and Members of the Committee:

We are in STRONG SUPPORT of HB 761, which would follow the lead of the U.S. Congress ("Rosa's Law") and the guidance of all major advocacy groups for people with intellectual disability by changing all references in Hawaii law from "mental retardation" to "intellectual disability."

Indeed, the movement towards a less pejorative term was begun by individuals with intellectual disabilities and their own self-advocacy groups, who explained that the old term had become demeaning and dismissive. Even their advocates resisted at first, saying that a change of language was necessary, but that "the laws" required the hurtful terminology. "Change the words and change the law", they responded. And why not? The time has come!

Thank you for the opportunity to testify.

We are confident that the Legislature of the State of Hawaii will respect the feelings and dignity of its citizens with intellectual disabilities just as it has striven to provide meaningful support and services for them.

Support HB761

Relating to Intellectual Disabilities

HONORABLE HAWAII STATE SENATORS:

Mahalo for the opportunity to give my support to HB 761. My name is Joshua Fouts, and I am a lecturer in the Special Education Department at UH Mānoa, College of Education. As a teacher educator I feel it is important that we train and develop our teachers to individualize instruction, so the many needs of our students with disabilities can be met. IDEA 1997 mandated individualized instruction for students with disabilities through the use of Individual Education Plans (IEP). IEP's break down areas of need into specific goals and objectives, modify the environment, so that students can receive their education in the least restrictive environment.

HB 761 helps create the least restrictive environment by using words that: a) are more specific to the area to be addressed in IEPs, b) are consistent with other categories of disabilities, and c) lack negative connotations.

The word *intellectual* describes the area that the individual that has lost an ability in, whereas the word *mental* does not describe the exact ability. By definition the word *mental* could describe a loss in emotional or intellectual ability. As the disability field grows and becomes more complex, it is imperative that that we know exactly what areas we are addressing in the student's IEP. By identifying the exact areas of ability, specific goals and objectives can be designed and progress made.

The word *disability* is consistent with other categories of disabilities and makes for a more efficient system for special educators. The present system can be a very difficult to navigate for special educators, and providing more structure and stability will make it easier for educators to provide the best services, and least restrictive environment possible for the students they work with.

Lastly, the word *disability* does not give the negative connotations that the word *retardation* or *retard* does. Replacing *retardation* with a more appropriate word promotes the idea that individuals regardless of their abilities or disabilities should be seen as people first and not labeled by their disability, thus creating the least restrictive environment for all students.

Changing references in the Hawaii Revised Statutes from *mental retardation* to *intellectual disability* creates the least restrictive environment by using words that: a) are more specific to the areas that need to be addressed in IEPs, b) are consistent with other categories of disabilities, and c) lack negative connotations.

Thank you again for the opportunity to show my support of HB 761.

Sincerely,

Joshua H Fouts Ph.D., BCBA  
Lecturer, College of Education  
University of Hawai'i at Mānoa

Testimony For SB962

Kim Gropper

[www.kimgropperw@hotmail.com](mailto:www.kimgropperw@hotmail.com)

March 1, 2011

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

HB 761– RELATING TO INTELLECTUAL DISABILITIES”.

Dear Representative Oshiro and Members of the Committee:

My name is Kim Gropper. I am a student in the Masters of Social Work program at the University of Hawaii and a trainee for the Maternal Child and Health Leadership Education in Neurodevelopmental and Related Disabilities (MCH LEND) Program.

Thank you for the opportunity to tell you that I am in **strong support of HB 761.**

As a social worker and a trainee in the MCH LEND program, I work regularly with individuals who have intellectual disabilities and their families. I am also on a multi-disciplinary team with people who have family members with intellectual disabilities. I have heard many stories and direct accounts of how the word “retarded” has hurt these people. I sat and listened to the pain in the voices of a group of self advocates as they discussed the “R” word. I have listened to mothers of children with special needs cry recounting stories of their children coming home from school in tears after begin called “retarded” by other kids. We all know that words have the power to make people feel strong emotions. The “R” word is a word that hurts people’s feelings and makes them feel worthless,

criticized, teased, belittled, unappreciated, unvalued, disliked, and bullied. Why continue to use this hurtful word as a state when there is already a national precedent to change this outdated terminology? Let's do the right thing here in Hawaii, the Aloha state, and take the first step in creating a society that treats individuals with disabilities with the respect that they deserve.

Thanks for taking the time to consider my testimony. Thank you as well for hearing HB 761. I urge you to support the passage of this bill.

Sincerely,

Kim Gropper

**ROBERT C. JOHNSON, PhD**

1731 Hale Koa Drive  
Honolulu, Hawaii 96821-1026  
(808) 732-0672

February 28, 2011

House Finance Committee

<http://www.capitol.hawaii.gov/emailtestimony>

Re: Testimony on HB 761, **Relating to “Intellectual Disabilities”**

Hearing on Tuesday, March 1, 2011, 3 pm, State Capitol Room 308

I am writing to urge the House Finance Committee to support HB 761. I am a retired Professor who taught for 17 years at Kapi‘olani Community College. During that period, I had the opportunity to work with many students who had disabilities, including intellectual disabilities. They were not in any sense “mentally retarded” and demonstrated their ability to learn and participate in post-secondary education.

The words “mentally retarded” have many negative connotations that raise barriers to individual accomplishment and self-respect. In contrast, the words “intellectual disability” do not bear that negativity and have become the standard terminology used by individuals and organizations that provide services for persons with such a disability.

Please help bring the language used in Hawai‘i into conformance with language that has become the standard in the professions that provide service to persons with “intellectual disabilities” and their families.

Respectfully,



Robert C. Johnson, PhD



Tawni Gesteuyala, MD  
1319 Punahou St.  
Honolulu, HI 96826  
tgesteuy@hawaii.edu

March 1, 2011

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

SUBJECT/RE: HB 761 – RELATING TO INTELLECTUAL DISABILITIES

Dear Representative Oshiro and Members of the Committee:

My name is Tawni Gesteuyala and I am a Chief Resident of the University of Hawaii Pediatrics Residency Program as well as a trainee in the Maternal Child Health Leadership Education in Neurodevelopmental and Related Disabilities (MCH LEND) Program.

Thank you for the opportunity to show my **strong support of HB 761**.

The term “mental retardation” is no longer an objective, clinical diagnosis describing a person’s intellectual function; it has come to have several meanings in everyday use, each with a negative connotation. It’s now thrown around in conversation to indicate when something is “uncool” or not right, and, when used at a person, is hurtful and belittling. I believe that society as a whole needs to change, and that a good place to start is in legislation. It seems unreasonable to hope to remove disparaging terms like “mentally retarded” from everyday slang when they are found throughout Hawaii statutes.

Thank you again for allowing me to present this testimony in strong support of HB 761, and to the Committee for hearing this bill.

Sincerely,

Tawni Gesteuyala, MD

Paul Nelson  
47-486 Aialii St.  
Kaneohe, Hawaii 96744

February 28, 2011

The Honorable Ryan I. Yamane, Chair  
House Committee on Health  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

SUBJECT/RE: HB 761 – RELATING TO INTELLECTUAL DISABILITIES.

Dear Representative Yamane and Members of the Committee:

Good morning/good afternoon; my name is Paul Nelson and I am a person with disabilities – I have Cerebral Palsy. I am 22 years old and living with cerebral palsy is not easy, sometimes. I will greatly approve SB692 that removes the words “Mental Retardation” from Hawaii Revised Statutes.

In school I was told that I never would be able to do things; like get a job or live on my own. They did not know Paul, the person, all they knew was that I had Cerebral Palsy; just like a cover on a book, they never looked past Chapter one. People who don't have a disability, don't know how hard it is to live with CP. People with disabilities can do a lot more than what people “think” they can do.

You can help people out by changing the laws and learning to use more gentler, kinder and respectful words towards people with any disability.

Thank you for the opportunity to present testimony. I look forward to the day that the bill passes.

Sincerely,

Paul Nelson

PAUL NELSON

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 9:31 AM  
**To:** FINTestimony  
**Cc:** Framodda@yahoo.com  
**Subject:** Testimony for HB761 on 3/1/2011 3:00:00 PM

Testimony for FIN 3/1/2011 3:00:00 PM HB761

Conference room: 308  
Testifier position: support  
Testifier will be present: No  
Submitted by: Ramoda Anand  
Organization: Individual  
Address:  
Phone:  
E-mail: [Framodda@yahoo.com](mailto:Framodda@yahoo.com)  
Submitted on: 2/28/2011

Comments:  
I strongly support HB761

## TESTIMONY TRANSMITTAL COVER

**Names of Testifiers:**

1. Sarah Ahina
2. Jonathan Ahina
3. Lani Bartholomew
4. Ben Dalavidao III
5. Sol Ray Duncan
6. Bathey Fong
7. Ryan Ho
8. April Mira
9. Michelle Muralt
10. Debbie Rivers
11. Joshua Smalley Bower
12. Vaipapa Soliai

**Position/Title and Organization:** Not applicable.

**Committee Comments are Directed To:** House Finance (FIN) Committee

**Date and Time of Hearing:** Tuesday, March 1, 2011, 3:00 p.m.

**Measure Number:** HB 761 – RELATING TO INTELLECTUAL DISABILITIES

**Number of copies the Committee is requesting:** 2 copies to Room 306

Sarah Ahina  
84-757 Kiana Pl. Unit 11A  
Waianae, HI 96792  
March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

RE: HB 761 — Relating to Intellectual Disabilities

Dear Representative Oshiro and Members of the Committee:

My Name is Sarah Ahina. Thank you for hearing this bill and for the opportunity to tell you that I am in **strong support of HB 761**.

When I was a little girl, my family did not know how I was doing in school. I was having a hard time with my schoolwork, my reading, and other schoolwork. My friends were passing the grades and I was left behind. I felt sad.

All my teachers were wondering how come Sarah is having a hard time with her schoolwork. All of my friends were calling one another “retarded”, “stupid”, and “mental”. My cousins called me all kinds of names that hurt me: “lolo”, “mentally retarded”, “stupid retarded mental case”, and “special-ed class”.

So it would be good if you changed the “mental retard” word to “intellectual disability.”

Mahalo Nui Loa,  
Sarah Ahina

Jonathan Ahina  
84-757 Kiana Pl. Unit 11A  
Waianae, HI 96792

March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

HB 761 - RELATING TO INTELLECTUAL DISABILITIES.

Dear Representative Oshiro and Members of the Committee:

My Name is Jonathan Ahina. Thank you for the opportunity to tell you that I am in strong support of HB 761.

I joined SAAC (Self-Advocacy Advisory Council) in April 2009 and help out with the responsibility of my wife, whom is president for DD (Developmental Disabilities) Council and SAAC. My position in SAAC is being treasurer. One of the activities is to raise money by recycling cans and bottles for SAAC. I also attend day programs from Easter Seals.

I share strong feelings to removed the 'R' word in replacement of "Intellectual Disability".

Thank you,  
Jonathan Ahina

Lani Bartholomew  
83 Kihapi St. Apt. # 204  
Kailua, HI 96734  
(808) 861-7276

March 1, 2011

House Committee on Finance  
Representative Marcus R. Oshiro, Chair  
Representative Marilyn B. Lee, Vice Chair

Dear Representatives Oshiro, Lee, and Members of the Finance Committee:

#### HB 761– RELATING TO INTELLECTUAL DISABILITIES

My name is Lani L. Bartholomew. Thank you for the opportunity to tell you that I strongly support HB 761-Relating to Intellectual Disabilities.

When I went to Kaimuki Intermediate School I was in special education. I was called mental retarded, stupid, dumb, and retard. They even threw things at me, spit at me, teased me and called me names. They would grab my bag and take my bus tickets and throw things on the ground. The bullies would run by me and lift my dress. They were mean to me and I didn't like it. I felt ashamed and hurt. I even cried.

Thank you for taking time to listen to me.

Love,  
Lani L. Bartholomew

Ben S. Dalavidao II  
P.O. Box 373  
Papaikou, HI 96781  
Phone: (808) 964-2059

March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: HB 761—RELATING TO INTELLECTUAL DISABILITIES

Dear Representative Oshiro and Members of the Committee:

My name is Ben S. Dalavidao and I live in the Big Island with my parents. I have been a Developmental Disabilities Council member since May 2008.

I **strongly support** HB 761 relating to changing the "R" word from "mental retardation" to "intellectual disability".

My feelings are hurt each time retardation is mentioned or someone calls me retarded. Please be sensitive and urge your members to support HB 761, too.

Thank you for your help.

Sincerely,  
Ben S. Dalavidao II



Sol Ray Duncan  
1174 Waimano Home Rd.  
Pearl City, HI 96782

March 1, 2011

House Committee on Finance  
Representative Marcus R. Oshiro, Chair  
Representative Marilyn B. Lee, Vice Chair

HB 761- Relating to Intellectual Disabilities

Dear Representative Oshiro, Representative Lee and Members of the House Finance Committee:

My Name is Sol Ray Duncan. Thank you for the opportunity to tell you that I am in **strong support of HB 761**.

It should be passed to respect people with these differences. Thank you for hearing this bill.

Sincerely,

Sol Ray Duncan

Bathey Fong  
1809 Bachelot Street  
Honolulu, Hawaii 96817  
March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: HB 761 – Relating to Intellectual Disabilities

Dear Representative Oshiro and Members of the Committee:

My name is Bathey Fong of Lanakila Pacific Inc.

I am in **strong support of HB 761.**

I hated when they were calling me handicap and retarded. They said that I couldn't read because I was retarded. They always tease me the way I walked too. They made me feel mad and upset when they called me retarded. Please pass the bill so they cannot call me retarded anymore.

Thank you for your time.

Sincerely,

Bathey Fong

Ryan Ho  
1809 Bachelot Street  
Honolulu, Hawaii 96817

The Honorable Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: HB 761 – RELATING TO INTELLECTUAL DISABILITIES

Good afternoon Representative Oshiro and Members of the Committee.

My name is Ryan Ho of Lanakila Pacific Inc.

Thank you for the opportunity to tell you that I am in **strong support** of HB 761.

I don't like when someone calls me Mentally Retarded. It makes me feel sad, and it makes me go bananas. It feels bad to even hear the word M.R.

Sincerely,

*Ryan HO*

Ryan Ho

April Mira  
1174 Waimano Home Rd., #207  
Pearl City, HI 96782

March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Finance Committee  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

Re: HB 761- Relating to Intellectual Disabilities.

Dear Representative Oshiro and Members of the Committee:

My Name is April Mira. Thank you for the opportunity to tell you that I am in **strong support of HB 761.**

When I was 8 years old, people used to tease me and call me "mentally retarded", "you retard", "you mental", "you stupid", and "dumb". Kids used to tease me a lot and it made me feel uncomfortable. It was very hurtful and I cried a lot and did not want to go to school any more. I used to run away, cry in the corner at school. The kids at school tried to fight me, throw food and water at me, spit at me, and throw rubbish at me. I am now afraid to go out by myself.

Now when I see other people who have a disability, I do not tease, I help them. If this bill passes, I will be happy for the change and for the kids now that have a disability so they don't get teased in the future and aren't afraid like me.

Thank You,  
April Mira

Michelle Muralt  
1809 Bachelot Street  
Honolulu, Hawaii 96817

Representative Marcus R. Oshiro, Chair  
House Finance Committee  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: HB 761 – Relating to Intellectual Disabilities

Good afternoon Senator Hee and Members of the Committee.

My name is Michelle Muralt of Lanakila Pacific Inc. and I am in **strong support of HB 761.**

I don't like it when people calling me Mental Retarded. It makes me mad and it makes me sad. I want people to respect me so I can respect them too. And it makes me want to cry because they call me M.R.

I want the bill to pass because so the Retarded word will not be used anymore.

Thank you.

Sincerely,

*Michelle Muralt*

Michelle Muralt

Debbie Rivers  
2790 Kahaloa Drive, #802  
Honolulu, HI 96822

The Honorable Marcus R. Oshiro, Chair  
House Committee on Finance  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

March 1, 2011

### HB 761-RELATING TO INTELLECTUAL DISABILITIES

My name is Debbie Rivers. I am a person with depression and anxiety disorder, and I also have cerebral palsy. As a long-time member of the State Council on Developmental Disabilities and a person with a disability, I am here today to provide testimony in strong support of HB 761 to get rid of the "R" word and replace the label of mental retardation with intellectual disability.

Throughout my life I have heard the word "mental retardation", "retarded", "mental". Some people assume that I am less than others. I have been called "mental" many times and it really hurts my feelings and it has many negative connotations to it. These words that I have mentioned have become part of every day language in conversation, jokes, even part of the dictionary, and laws. There are many words that are in our history such as the "N" word, the "F" word, and unfortunately we all know what these words are referring to. But there have been positive changes such as people being referred to as Afro American or to give a local example, the Shriner's Hospital. Shriner's Hospital finally changed their name to Shriner's Hospital for Children. Every time I would pass Shriner's in the past, the word crippled made me cringe and sad because they are just kids that need help with their orthopedic conditions. With the new construction of the hospital came the positive change from crippled children to just children. When I first saw this it made me smile and happy and I said to myself, yes finally they changed the word.

We all have to remember that we are all people first and in society we all have labels whatever is your job title or lack of a job title, ethnic background, disability, or ability. It is time for a change to get rid of the "R" word in the state law not just to follow suit with Rosa's law, but to show aloha and celebrate our uniqueness and diversity. The time is now to get rid of the "R" word and to change it with a person with an intellectual disability.

Thank you and aloha for this opportunity to testify and please pass HB 761.

Debbie Rivers

Tuesday, March 1, 2011

Representative Marcus R. Oshiro, Chair  
House Committee on Finance  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Subject: HB 761- RELATING TO INTELLECTUAL DISABILITIES

Hearing: Tuesday, March 1, 2011, Finance Committee, 3:00 p.m. (Agenda 6), Conference Room 308

Dear Representative Oshiro & Members of the Committee on Finance:

I am in ***STRONG SUPPORT*** of HB 761 Relating to Intellectual Disabilities. This bill helps us feel better about ourselves. No one likes being called Mentally Retarded. Please help us feel better about ourselves.

Thank you for the opportunity to present testimony in **Strong Support of HB 761**. I can be reached at 946-8335 for any further questions.

Sincerely,  
*Joshua Smalley-Bower*

Vaipapa Soliai  
[vaipapas@gmail.com](mailto:vaipapas@gmail.com)

March 1, 2011

House Committee on Finance  
Representative Marcus R. Oshiro, Chair  
Representative Marilyn B. Lee, Vice Chair  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

HB 761– Relating to Intellectual Disabilities.

Good afternoon Representatives Oshiro and Lee and Members of the Committee:

My name is Vaipapa Soliai. Thank you for the opportunity to tell you that I am in **strong support of HB 761**.

I was born with a disability that confines me to a wheelchair. I cannot walk and I need people to help me with my day to day living activities. I am a human being. As a human being I have and feel and get angry just as any person. I am not different just because of my appearance and the way I talk. Because of the way I appear and talk I do not like to be referred to as mentally retarded.

By changing the references in the Hawaii Revised Statutes people will see others and I as more than just mentally retarded but as exceptional people.

Thank you.

Sincerely,  
Vaipapa Soliai