

NEIL ABERCROMIE
GOVERNOR



DWIGHT TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR

SERAFIN P. COLMENARES JR.
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF LANGUAGE ACCESS

830 PUNCHBOWL STREET, ROOM 322

HONOLULU, HAWAII 96813

www.hawaii.gov/labor/ola

Phone: (808) 586-8730 / Fax: (808) 586-8733

Email: dlir.ola@hawaii.gov

To: Rep. Marcus Oshiro
House Committee on Finance

From: Serafin Colmenares Jr.
Executive Director, Office of Language Access

Date: February 29, 2012, 3:30 p.m.
State Capitol, Room 308

Re: Testimony on H.B. No. 2374
Relating to Language Access

Thank you for the opportunity to submit testimony in support of H.B. No. 2374, Relating to Language Access.

The Office of Language Access (OLA) strongly supports this bill, which would transfer the office from the Department of Labor and Industrial Relations (DLIR) to the Department of Health (DOH) as an administratively attached agency.

The OLA was established by law in 2007 to address the language access needs of limited English proficient persons and ensure meaningful access to services, programs, and activities offered by state and state-funded agencies for limited English proficient persons. The office provides oversight, central coordination, and technical assistance to state agencies in their implementation of language access requirements under the law.

The DOH has, as one of its purposes, the provision of health equity to all groups in Hawaii. The provision of language access helps to eliminate health disparities among our multi-ethnic population thereby promoting the total well-being of all. The functions and activities of the OLA are, therefore, congruent with those of the DOH.

The bill is a step forward in the implementation of the third focus of the present administration's New Day Plan: "to transform State government into an efficient and effective enterprise," and is in line with the New Day objective "to protect the human and civil rights of all regardless of categories." By transferring the functions and duties of the OLA from the DLIR to the DOH, this bill will help align state functions and improve the State's delivery of vital language services to its more than 140,000 limited English proficient population, provide them better access to needed government services, protect their rights, and enable them to become more active participants and contributing members to society.

The transfer will enable OLA to more effectively and efficiently use its resources and perform its functions. Being located in an agency that performs similar purposes and serves a similar population will result in better collaboration and sharing of resources, thereby making OLA more responsive to the community and the state and state-funded agencies it serves. Better language access means better customer service thereby helping raise public awareness and confidence in government and our processes.

For these reasons, the OLA urges the members of the committee to approve this legislation.



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor

February 27, 2012

To: The Honorable Marcus R. Oshiro, Chair,
The Honorable Marilyn B. Lee, Vice Chair, and
Members of the House Committee on Finance

Date: Wednesday, February 29, 2012
Time: 3:30 p.m.
Place: Conference Room 308, State Capitol

From: Dwight Y. Takamine, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. NO.. 2374 RELATING TO THE OFFICE OF LANGUAGE ACCESS

I. OVERVIEW OF PROPOSED LEGISLATION

HB2374 would transfer the Office of Language Access (OLA) from the DLIR to the Department of Health (DOH).

The department strongly supports this administration measure.

III. COMMENTS ON THE HOUSE BILL

The measure is part of the administration's effort, "to transform State government into an efficient and effective enterprise," while also protecting the human and civil rights of all residents of our state. By transferring the functions and duties of OLA from the DLIR to the DOH, this measure will help align state functions and improve the state's delivery of vital language services to its more than 140,000 limited English proficient population and provide them better access to needed government services, protect their rights, and enable them to become more active participants and contributing members to society.

The transfer will enable OLA to more effectively and efficiently use its resources by being located in an agency that performs similar purposes, which will result in better

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February 29, 2012

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collaboration and sharing of resources. This will enable OLA to be more responsive to the community and the state and state-funded agencies it serves. Better language access means better customer service thereby helping raise public awareness and confidence in government and our processes.

NEIL ABERCROMBIE
GOVERNOR



BARBARA A. KRIEG
INTERIM DIRECTOR

DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 27, 2012

**TESTIMONY TO THE
HOUSE COMMITTEE ON FINANCE**

For Hearing on Wednesday, February 29, 2012
3:30 p.m., Conference Room 308

BY

BARBARA A. KRIEG
INTERIM DIRECTOR

House Bill No. 2374
Relating to the Office of Language Access

WRITTEN TESTIMONY ONLY

TO CHAIRPERSON OSHIRO AND MEMBERS OF THE COMMITTEE:

The purpose of H.B. No. 2374 is to transfer the Office of Language Access to the Department of Health, as an administratively attached agency, effective July 1, 2012.

The Department of Human Resources Development has **comments** on the proposed transfer. To protect the rights and benefits of the employees to be transferred, we prefer the following proposed transfer language be used in place of the transfer language in Section 5, lines 14-21 on page 13 and lines 1-19 on page 14 to read:

"All employees who occupy civil service positions and whose functions are transferred to the department of health by this Act shall retain their civil service status (permanent or temporary). Employees shall be transferred without loss of salary, seniority, retention points, prior

service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act, provided that the employees possess the minimum qualifications and public employment requirements for the class or position to which transferred or appointed, as applicable, provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

Any employee who, prior to this Act, is exempt from civil service and is transferred as a consequence of this Act, may continue to retain the employee's exempt status, but shall not be appointed to a civil service position because of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, any vacation and sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act, provided that the employees possess legal and public employment requirements for the position to which transferred or appointed, as applicable; provided that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The director of the department of health may prescribe the duties and qualifications of such employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes."

Thank you for the opportunity to offer comments on this measure.



HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 29, 2012
3:30 pm
Conference Room 308

To: The Honorable Marcus Oshiro, Chair
and Members of the House Committee on Finance

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai'i Civil Rights Commission

Re: H.B. No. 2374

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

H.B. No. 2374 transfers the functions and duties of the Office of Language Access (OLA) from the Department of Labor and Industrial Relations to the Department of Health. The HCRC is an ex-officio member of OLA's Language Access Advisory Committee, and has historically supported the formation and operation of OLA to address the language access needs of limited English proficient persons to state and state-funded services, programs, and activities. The HCRC supports the placement of OLA in whichever department the Administration, OLA, and the Legislature feel is best suited to the successful performance of its functions and responsibilities.



CATHOLIC CHARITIES HAWAII

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

FROM: Melba Bantay, Program Director
General Immigration & Refugee Services

DATE: Wednesday, February 29, 2012 (3:30 p.m., Room 308)

RE: Support of HB 2374, Relating to the Office of Language Access

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing services for immigrants and refugees for over 20 years. CCH strongly supports HB 2374 which will transfer the Office of Language Access (OLA) from the Department of Labor & Industrial Relations to the Department of Health, along with all of the functions and duties of the office.

As Program Director of CCH's General Immigration & Refugee Services Program and as a member of the Office of Language Access Advisory Council, I believe that OLA will be more appropriately located and supported in the Department of Health.

Catholic Charities Hawai'i asks for your support of HB 2374. If I can provide any further information, please feel free to contact me at 808-527-4711 or via email at mbantay@catholiccharitieshawaii.org. Thank you for this opportunity to provide testimony.





UNITED FILIPINO COUNCIL OF HAWAII

P.O. BOX 498, Honolulu, Hawaii 96809-0498

Testimony in Strong Support of HB2374
House Committee on Finance
Hawai'i State Capitol, Room 308
Feb. 29, 2012, 3:30 p.m.

To: Rep. Marcus Oshiro, Chair & Rep. Marilyn Lee, Vice Chair and
Members of the House Committee on Finance, Hawai'i State Legislature
From: Lynne Gutierrez, President, United Filipino Council of Hawaii

Report Title: Office of Language Access

Description: Transfers the Office of Language Access to the Department of Health, as an
administratively attached agency. Effective July 1, 2012.

Dear Chair Marcus Oshiro, Vice Chair Marilyn Lee, and Members of the House Committee on
Finance:

The United Filipino Council of Hawaii provides strong support for this bill. I am the president of
the United Filipino Council of Hawaii (UFCH). We are an umbrella organization with member
civic groups from six island councils. UFCH membership is comprised of nearly 5,000 individual
members.

We are encouraged to see this proposed transfer of the Office of Language Access (OLA) to the
Hawai'i State Dept. of Health. Filipinos are the second largest ethnic group in Hawai'i. Language
access is an important issue to us and other communities, whose first language is not English.

In 2006 we supported the passage of Hawai'i's Language Access Act. We respectfully ask for your
continued support to ensure that equal access to government services and programs is safeguarded
for all people.

We would like to extend our warm appreciation to the Dept. of Labor and Industrial Relations for
providing past administrative support for the Office of Language Access. Thank you to the Dept. of
Health for proposing to house OLA as an attached agency. Appreciation goes out to legislators for
hearing this bill and for the opportunity to provide this written testimony.

Sincerely,

Lynn Gutierrez, UFCH President



OAHU FILIPINO COMMUNITY COUNCIL

P.O. Box 17531 • Honolulu • Hawaii 96817

Testimony in Strong Support of HB2374
House Committee on Finance
Hawai'i State Capitol, Room 308
Feb. 29, 2012, 3:30 p.m.

To: Rep. Marcus Oshiro, Chair & Rep. Marilyn Lee, Vice Chair and
Members of the House Committee on Finance, Hawai'i State Legislature

From: Maria Etrata, President, Oahu Filipino Community Council

Report Title: Office of Language Access

Description: Transfers the Office of Language Access to the Department of Health, as an
administratively attached agency. Effective July 1, 2012.

Dear Chair Marcus Oshiro, Vice Chair Marilyn Lee, and Members of the House Committee on
Finance:

I am proud to provide strong testimony in support of this bill. My name is Maria Etrata, president of the Oahu Filipino Community Council. OFCC is an umbrella organization that represents a network of non-profit civic groups with a unified vision to improve the lives of our Filipino communities.

OFCC was one of many community groups that advocated for the successful passage of Hawaii's Language Access bill in 2006. We are committed stakeholders in the recovery of our economy. Equal access to health care is an important work force issue.

OFCC would like to thank the Dept. of Health for leading the way to provide equal access to health services through the language access provisions of this bill. Thank you to the Dept. of Labor and Industrial Relations for past administrative support of the Office of Language Access.

Thank you to the legislators for the opportunity to provide this testimony, and for hearing these bills. Your kind consideration for the passage of this bill is greatly appreciated and needed.

Sincerely,

Maria Etrata
President, Oahu Filipino Community Council



Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

NAMI, P.O. Box 2034 Aiea, HI 96701
E-mail: bramosrazon@aol.com

Testimony in Strong Support of HB2374
House Committee on Finance
Hawai'i State Capitol, Room 308
Feb. 29, 2012, 3:30 p.m.

To: Rep. Marcus Oshiro, Chair & Rep. Marilyn Lee, Vice Chair and
Members of the House Committee on Finance, Hawai'i State Legislature

From: Beatrice Ramos-Razon, President, Nursing Advocates and Mentors Inc.

Report Title: Office of Language Access

Description: Transfers the Office of Language Access to the Department of Health, as an administratively attached agency. Effective July 1, 2012.

Dear Chair Marcus Oshiro, Vice Chair Marilyn Lee, and Members of the House Committee on Finance:

My name is Beatrice Ramos-Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), I am proud to submit our strong support for this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people through education, mentoring, advocacy and service.

NAMI actively advocated for Hawaii's Language Access bill in 2006. We believe that this bill is a step in the right direction. I would like to thank the Dept. of Health for taking on the Office of Language (OLA) as an attached agency. Appreciation is extended to the Dept. of Labor & Industrial Relations for their previous administrative support of OLA.

Thank you to the legislators for this opportunity to testify and for hearing these bills.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA
President, Nursing Advocates and Mentors, Inc.

FINTestimony

From: mailinglist@capitol.hawaii.gov
ant: Tuesday, February 28, 2012 9:25 AM
To: FINTestimony
Cc: ccuaresma@gmail.com
Subject: Testimony for HB2374 on 2/29/2012 3:30:00 PM

Testimony for FIN 2/29/2012 3:30:00 PM HB2374

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Jake Manegdeg
Organization: Filipino American Citizens League
E-mail: ccuaresma@gmail.com
Submitted on: 2/28/2012

Comments:

Kindly accept this testimony on behalf of Jake Manegdeg, president, Filipino American Citizens League. He has no email.

Thank you,

Charlene Cuaresma

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 28, 2012 3:50 PM
To: FINTestimony
Cc: juncolme@yahoo.com
Subject: Testimony for HB2374 on 2/29/2012 3:30:00 PM

Testimony for FIN 2/29/2012 3:30:00 PM HB2374

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Jane Clement
Organization: Congress of Visayan Organizations
E-mail: juncolme@yahoo.com
Submitted on: 2/28/2012

Comments: