

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

House Committee on Health
House Committee on Labor and Public Employment

February 10, 2012

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health
House Bill 2374

1 **Department's Position:** The Department of Health supports the intent of this measure provided that its
2 enactment does not reduce or replace priorities within the Governor's Supplemental Budget Request.

3

4 **Fiscal Implications:** Unquantified administrative costs to support additional attached agency

5

6 **Purpose and Justification:**

7 This is an administrative transfer of the existing Office of Language Access currently administratively
8 attached to the Hawaii State Department of Labor and Industrial Relations to being administratively
9 attached to the Hawaii State Department of Health.

10

11 The Office of Language Access provides oversight, central coordination, and technical assistance to
12 state and state funded agencies in implementing language access, including the Department of Health.

13

1 A key foundation of the Department of Health's strategic plan is achieving health equity, or eliminating
2 health disparities for all groups in Hawaii. By assuring language access, key barriers are addressed. The
3 goals of the Office of Language Access are congruent with our aim to identify and address populations
4 such as immigrants and refugees and by doing so improve the public's health.

5

6 Assuming sufficient resources are available to support an additional attached agency, the Department
7 would welcome the newly created synergy with the Office of Language Access.

8

9 We appreciate the opportunity to testify and strongly urge you to pass HB2374.

10

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 8, 2012

TESTIMONY TO THE
HOUSE COMMITTEES
ON

HEALTH
AND
LABOR AND PUBLIC EMPLOYMENT

For Hearing on Friday, February 10, 2012
10:45 a.m., Conference Room 329

BY

BARBARA A. KRIEG
INTERIM DIRECTOR

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

WRITTEN TESTIMONY ONLY

TO CHAIRPERSONS YAMANE AND RHOADS AND MEMBERS OF THE
COMMITTEES:

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 pertaining to employees in Section 5 of the bill:

"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 and/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.



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor

February 9, 2012

To: The Honorable Ryan I. Yamane, Chair,
The Honorable Dee Morikawa, Vice Chair, and
Members of the House Committee on Health

The Honorable Karl Rhoads, Chair,
The Honorable Kyle Yamashita, Vice Chair, and
Members of the House Committee on Labor & Public Employment

Date: Friday, February 10, 2012
Time: 10:45 a.m.
Place: Conference Room 329, 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 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 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: House Committee on Health
House Committee on Labor and Public Employment

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

Date: February 10, 2012, 10:45 a.m.
State Capitol, Room 329

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 two committees to approve this legislation.



HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 10, 2012
10:45 am
Conference room 329

To: The Honorable Ryan Yamane, Chair
and Members of the House Committee on Health

The Honorable Karl Rhoads, Chair
and Members of the House Committee on Labor and Public Employment

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 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 administration's and OLA's decision to move the program to the department that it feels most suited to perform its functions.

February 10, 2012

3432 B-1 Kalihi, Hon 96819



HAWAII FRIENDS OF CIVIL RIGHTS

Chair Yamane and members of the Committee on Health
Chair Rhodes and members of the Committee on Labor and Public Employment

Testimony in support of H.B. 2374 Relating to Language Access (OLA)

Submitted by Amy Agbayani, co-chair

I am representing the Hawaii Friends of Civil Rights (HFCR) in support of HB 2374 which would transfer the Office of Language Access from the Department of Labor to the Department of Health. HFCR supports policies, programs and individuals who are committed to equal access and non-discrimination and believes that OLA is a critical state agency for non-native English speakers to be full participants in our community.

For four decades, I have worked in support of immigrant and language rights for and this experience makes me confident that the proposed transfer will increase the capability of OLA to better meet its mandate. DOH has a long history and track record of attention to equal access to state services. I was among the many community members who initiated the first bilingual services at the Department of Health in response to the 1976 Mangrobang court case that documented the lack of language access in the area of health services. DOH also provides administrative support to a similar agency relating to communication access for persons with disabilities.

I wish to take this opportunity to express my thanks: to the DLIR for its past administrative support; to DOH for welcoming OLA as an attached agency; and to legislators for your continuing support for equal access and non-discrimination for speakers of languages other than English. you for your efforts to

I respectfully request you to approve HB 2374.



CATHOLIC CHARITIES HAWAII

TO: Representative Ryan I. Yamane, Chair
Representative Dee Morikawa, Vice Chair
Committee on Health

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

DATE: Friday, February 10, 2012 (10:45 a.m., Room 329)

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.





CONGRESS OF VISAYAN ORGANIZATIONS

99-1325 Aiea Heights Drive, Aiea, Hawaii 96701

To: House Committee on Health
House Committee on Labor and Public Employment

From: Jane Clement, President

Date: February 10, 2012, 10:45 a.m.
State Capitol, Room 329

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.

My name is Jane Clement and I am the president of the Congress of Visayan Organizations (COVO), the umbrella of Visayan organizations in the state of Hawaii. COVO 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.

COVO would like to thank the DLIR for hosting OLA during the past several years. We would also like to thank the DOH for opening its arms and providing a new administrative home to OLA. We believe that transferring OLA to DOH will further strengthen the office inasmuch as the purposes and functions of the two agencies are congruent.

We strongly urge the committees to pass this bill.

FILIPINOS FOR AFFIRMATIVE ACTION

3432 B-1 Kalihi Street, Honolulu, HI 96819

TESTIMONY IN STRONG SUPPORT OF HB2374

**Submitted to
House Committee on Health &
House Committee on Labor and Public Employment
Hawai'i State Capitol, Room 329
February 10, 2012, 10:45am**

TO: Rep. Ryan I. Yamane, Chair, & House Committee on Health Members
Rep. Karl Rhoades, Chair, & House Committee on Labor and Public
Employment

FR: Agnes Malate, Board Member
Filipinos for Affirmative Action

**RE: HB2374 RELATING TO TRANSFER OF THE OFFICE OF LANGUAGE ACCESS TO
THE DEPARTMENT OF HEALTH**

My name is Agnes Malate. As a Board Member of the Filipinos for Affirmative Action (FFAA) I am in full support of HB2374 to transfer the Office of Language Access from the Department of Labor and Industrial Relations to the Department of Health. The FFAA is committed to supporting and promoting equality for Hawai'i's diverse community.

I would like to thank the Legislators for establishing the Office of Language Access (OLA) in 2007. OLA has served an important role in providing equal access to services offered by state and state-funded agencies for persons who have limited proficiency in English. The Department of Health's purpose and services are in alignment with OLA's, which will provide the Office with increased access to resources and strengthen its ability to perform its functions.

FFAA supported the passage of the Hawai'i's Language Access Act in 2006. The passage was a major milestone in decades long efforts by numerous agencies and community groups who have advocated for limited English proficient individuals to have equal access to state and state-funded services, programs, and activities. I urge you to preserve the intent of the Language Access Act and ensure that OLA continues to fulfill its vital role.

Thank you for the opportunity to provide testimony on this bill and for the Legislators' continued support of the Office of Language Access.



UNITED FILIPINO COUNCIL OF HAWAII

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

Testimony in Strong Support of HB2374
House Committee on Health &
House Committee on Labor and Public Employment
Hawai'i State Capitol, Room 329
Feb. 10, 2012, 10:45 a.m.

To: Rep. Ryan I. Yamane, Chair, and Members of the House Committee on Health
Rep. Karl Rhoades, Chair, and Members of the House Committee on Labor and
Public Employment

From: Lynn 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.

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 housing 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



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 Health &
House Committee on Labor and Public Employment
Hawai'i State Capitol, Room 329
Feb. 10, 2012, 10:45 a.m.

To: Rep. Ryan I. Yamane, Chair, and Members of the House Committee on Health
Rep. Karl Rhoades, Chair, and Members of the House Committee on Labor and Public
Employment

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.

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.

Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 * Honolulu, Hawai'i 96827

Testimony in Strong Support of HB2374
House Committee on Health &
House Committee on Labor and Public Employment
Hawai'i State Capitol, Room 329
Feb. 10, 2012, 10:45 a.m.

To: Rep. Ryan I. Yamane, Chair, and Members of the House Committee on Health
Rep. Karl Rhoades, Chair, and Members of the House Committee on Labor and Public
Employment

From: Jake Manegdeg, President, Filipino American Citizens League

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.

My name is Jake Manegdeg. I am proud to strongly support this bill. The League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

I am pleased with the provisions of this bill because the Office of Language Access is vital to the equal access and non-discrimination of health services provided by the government. I want to extend my gratitude to the Dept. of Health for making this possible. Thank you also to the Dept. of Labor and Industrial Relations for their past administrative support.

To our legislators, thank you for hearing this bill. I respectfully request your support to pass this bill.

Very Sincerely,

Jake Manegdeg
President, Filipino American Citizens League

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 12:38 AM
To: HLTtestimony
Cc: rvmae@aol.com
Subject: Testimony for HB2374 on 2/10/2012 10:45:00 AM

Testimony for HLT/LAB 2/10/2012 10:45:00 AM HB2374

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Maria Etrata
Organization: Oahu Filipino Community Council
E-mail: rvmae@aol.com
Submitted on: 2/9/2012

Comments:
Kindly accept this testimony on behalf of our Filipino community.

Charlene Cuaresma

Filipino Coalition for Solidarity

A HAWAII RIGHTS ADVOCACY GROUP • FOUNDED IN 1990

c/o 728 Nunu St. · Kailua, HI 96734 · <http://www.philippinesonline.org/thecoalition/>

To: House Committee on Health and House Committee on Labor and Public Employment

Re: H.B. No. 2374, Relating to Transfer of the Office of Language Access

Date: February 10, 2012, 10:45 a.m.
State Capitol, Room 329

Thank you for the opportunity to submit testimony on H.B. No. 2374, Relating to Language Access. The Filipino Coalition for Solidarity supports this bill, which would transfer the Office of Language Access (OLA) from the Department of Labor and Industrial Relations (DLIR) to the Department of Health (DOH) as an administratively attached agency.

The Filipino Coalition for Solidarity was formed 22 years ago for the primary purpose of advancing civil rights and social justice for Filipinos and other minority groups through education, advocacy and social action. Language barriers are among the most serious challenges that Filipinos face in Hawaii, and our interest in language access issues is therefore very strong.

More than 140,000 of the state's total population of 1.3 million more than ten percent of the total have only limited proficiency in English. Language barriers impair the ability of this large segment of the population in all aspects of living, most importantly health.

OLA was established by statute in 2007 to address the language access needs of the ten percent of our people who have limited proficiency in English, and to help ensure that they have meaningful access to services, programs, and activities offered by state and state-funded agencies that will help them gain proficiency in English. OLA provides oversight, central coordination, and technical assistance to other state agencies as they implement the language access requirements of state and federal laws.

The Department of Health has, as one of its purposes, the goal of ensuring that access to health care not be impeded by language barriers. We know that, as in many other fields, language access helps to eliminate health disparities in Hawaii's multi-ethnic population, and improvement of health care in one community promotes the overall well-being of our entire society.

This bill helps implement one of the key goals of Governor Abercrombie's New Day Plan: "to transform State government into an efficient and effective enterprise," by promoting the New Day objective "to protect the human and civil rights of all regardless of categories." Governor Abercrombie's administration has determined that transferring OLA to DOH will help improve the State's delivery of vital language services to this very large sector of our people, by giving them better access to needed government services, protecting their rights, and enabling them to become more active participants and contributing members to society.

For these reasons, the Filipino Coalition for Solidarity joins the administration and others in urging your two committees, and the entire Legislature, to approve this bill.

Sincerely yours,
Helena Manzano
Vice President
Filipino Coalition for Solidarity