



**TESTIMONY IN STRONG SUPPORT
HB 761 HD1
Senate Committee on Human Services
Hearing : March 22, 2011 1:45 PM Conf Room 016**

To: The Honorable Suzanne Chun Oakland
Chair, Senate Human Services Committee
Twenty-Sixth Legislature State of Hawaii
State Capitol
405 South Beretania Street
Honolulu, Hawaii 96813

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

Re: HB 761 HD1
RELATING TO INTELLECTUAL DISABILITIES.
Changes references to "mental retardation" or like terms in the Hawaii Revised Statutes to "intellectual disability" or like terms.

Dear Senator Chun Oakland and Members of the Committee:

We are in STRONG SUPPORT of HB 761 HD1, 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.

LATE

WRITTEN TESTIMONY ONLY

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:

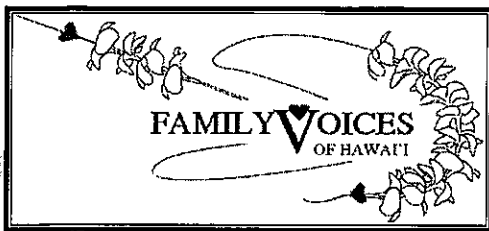
Committee on Human Services

HB 761, HD1, RELATING TO INTELLECTUAL DISABILITIES

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

March 22, 2011

- 1 **Department's Position:** The Department of Health is in support of H.B. 761, H.D. 1
- 2 **Fiscal Implications:** None.
- 3 **Purpose and Justification:** H.B. 761, H.D. 1 relates to changing references in the Hawaii Revised
- 4 Statutes from "Mental Retardation" or like terms to "Intellectual Disability" or like terms. This term
- 5 will compliment the Developmental Disabilities Division's authorizing statute HRS 333F and have a
- 6 great 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.



HILOPA'A^{LATE}

Family to Family Health Information Center

Date: March 18, 2011

To: COMMITTEE ON HUMAN SERVICES
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Vice Chair

Fr: Leolinda Parlin, State Coordinator for Family Voices of Hawai'i

Re: HB 761, HD 1 – SUPPORT

On behalf of Family Voices of Hawai'i, I offer strong support of HB 761, HD 1.

As an organization, Family Voices is a national grass roots organization of family of friends of child with special health care needs. In Hawai'i, we operate the federally funded Hilopa'a Family to Family Health Information Center.

We support the passage of HB 761, HD 1 to replace the "R-Word" on our state statutes with Intellectual Disability. It is highly unfortunate, that what was previously a diagnostic term as turned into such a derogatory remark. As we seek to change our culture to use more appropriate people first language, starting with law that governs our land is the place to start. The action to pass this legislation gives us a framework to work in and really exemplifies "walking the talk" for our great community. It is also a huge step in the prevention of bullying.

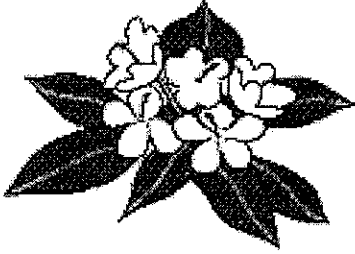
A recent study by Special Olympics, of over 1,000 teenagers across the country, specifically on the prevalence and the response to the use of the R-Word found:

- 92% of young Americans (ages 8-18) report having heard the R-word used, while 36% have heard the word used specifically toward someone with an intellectual disability.
- Only 50% of those who heard it used to refer to someone with an intellectual disability told the person who used the word that it was wrong to do so.
- The study also confirmed that as young people progress from elementary school, to middle school and then on to high school, they are less likely to feel bad or sorry for the person being picked on, and more likely to laugh, do nothing, and/or not care.

The Hilopa'a Family to Family Health Information Center defers to the State Council on Developmental Disabilities for the necessary amendments to the bill to insure it's completeness.

Thank you for time and consideration in supporting HB 761, HD 1.

LATE



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 22, 2011

**Special Education
Advisory Council**

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Ms. Barbara Pretty, *Acting
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Senator Suzanne Chun Oakland, Chair
Senate Committee on Human Services
State Capitol
Honolulu, HI 96813

RE: HB 761 HD1 - RELATING TO INTELLECTUAL DISABILITIES

Dear Chair Chun Oakland and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), supports HB 761 HD1, which proposes to substitute the term "intellectual disabilities" for the stigmatizing term "mental retardation" in applicable sections 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 respectful 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 People First Language. Thank you for the opportunity to present testimony on this important issue. I am happy to answer questions by phone or email (Ivalee_Sinclair@notes.k12.hi.us).

Respectfully,

Ivalee Sinclair, Chair

LATE

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

March 22, 2011

The Honorable Senator Suzanne Chun Oakland, Chair
The Honorable Senator Les Ihara, Jr., Vice Chair
& Senate Committee on Human Services
Twenty-Sixth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT/RE: SB 761- Relating to Intellectual Disabilities

Dear Senators Chun-Oakland, Ihara and Members of the Committee:

Good Morning,

My name is Michael A. Ortiz and I am a 2nd 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 trainee for the Maternal and Child Health Leadership Education in Neurodevelopmental and Related Disabilities program (MCH LEND) 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 HB 761.

Sincerely,

Michael A. Ortiz

LATE

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The Arc of Hilo

The Arc of Kona

The Institute for Family Enrichment

Winners at Work/Abilities Unlimited



March 22, 2011

Senate Committee on Human Services Hearing
Tuesday, March 22, 2011, 1:45 p.m. Room 016
HB 761, HD1, Relating to Intellectual Disabilities

Senate Committee on Human Services
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr., Vice Chair

Subject: HB 761, HD1, Relating to Intellectual Disabilities

Position: The Hawaii Waiver Providers Association ("HWPAA") submits this testimony in **strong support** of HB 761, HD1.

Dear Senator Chun Oakland and Committee Members:

The Hawaii Waiver Providers Association (HWPAA) is a statewide association comprised of 24 Developmental Disabilities Medicaid Waiver Service Providers affording leadership to collaborate and shape the service system to meet the needs of people with developmental disabilities. Founded in 2001, the HWPAA's mission is to provide the necessary resources to develop, strengthen, and attain the highest standards of excellence for persons with intellectual and developmental disabilities. In keeping with its mission, the HWPAA is in strong support of HB 761, HD1 which will bring Hawaii in alignment with "Rosa's Law" enacted by the U.S. Congress to eliminate the term "mental retardation" from statute and address the hurtful ways in which the "r" word has been used in our culture.

We humbly ask for your support of HB 761, HD1.

Thank you for this opportunity to testify,

Mike Tamanaha, Vice President
Hawaii Waiver Providers Association