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To: Rep. Della Au Belatti, Chair
Rep. Dee Morikawa, Vice Chair
House Committee on Health

Rep. Henry J.S. Aquino, Chair
Rep. Kaniela Ing, Vice Chair
House Committee on Public Safety

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

Date: February 8, 2013, 8:30 a.m.
State Capitol, Room 329

Re: Testimony on H.B. No. 266
Relating to Language Access

The Office of Language Access (“OLA”) appreciates the opportunity to testify in support of H.B. 266 Relating to Language Access. My name is Serafin Colmenares, Jr. and I am the Executive Director of OLA. **OLA strongly supports S.B. 58 with a few amendments** to reflect more current census data obtained by our office after the original drafting of this bill; appropriations that provide adequate funding to execute these new duties; and other technical clarifications.

H.B. 266 would create and provide appropriations for a Language Access Resource Center and a pilot multi-lingual website project within OLA to better serve the LEP population and assist state and state-funded agencies in complying with applicable federal and state language access laws.

BACKGROUND

According to the United Census Bureau, American Community Survey Public Use Microdata Sample (PUMS) in 2009-2011 almost 24% of Hawaii’s population speaks a language other than English at home; and approximately 151,187 residents of Hawaii are limited English proficient (LEP). According to the Immigration Policy Center of the American Immigration

Council, approximately 18% of Hawaii's residents are foreign born, while 14% of Hawaii's children with immigrant parents are LEP.

Language barriers have prevented our LEP population from fully benefiting from essential government and government-funded services. These barriers have also prevented them from fully participating in and contributing to our community and living up to their potential.

To address this, the federal government, through Title VI of the 1964 Civil Rights Act, and President Clinton's Executive Order 13166, has directed all federal agencies to ensure that all programs receiving federal funds provide meaningful access to LEP persons. In 2006, the Hawaii State Legislature passed Act 290, (later re-codified by Act 201 Session Laws Hawaii 2012 into Hawaii Revised Statutes (H.R.S.) § 321C) which mirrored federal law, requiring that all state agencies and state-funded programs also provide meaningful access to services for LEP persons.

NEEDS

Over the years, since the inception of Hawaii's Language Access law and our office, OLA has identified three major challenges to agency compliance: (1) there is no comprehensive and centralized system or structure in Hawaii to identify qualified language interpreters and translators; (2) Hawaii has a dearth of competent language interpreters and translators available to assist LEP individuals – especially in certain languages; and (3) state agencies do not have multilingual websites that can help LEP persons access needed information in their own language.

As a point of fact, our office regularly receives calls from agencies and the public for information and referrals for available and qualified interpreters and translators – a function which we consistently serve but is not in our current legislative charge.

H.B. 266 WOULD MEET THESE NEEDS

H.B. 266, with technical amendments and adequate funding, would create a Language Access Resource Center that would (1) maintain a publicly available roster of interpreters and translators with their credentials; (2) train agencies on how to obtain and utilize their services; (3) support interpreter and translator recruitment and retention; (4) assist in their training; and (5) work toward identifying, creating, and promoting a testing and certifying process for them. This bill would also enable OLA to administer a pilot project to test the utility and feasibility of establishing a multilingual website.

This bill would benefit agencies, interpreters, translators, and the LEP population alike since it addresses the problem of supply and demand of interpreters and translators; increases and improves the number and quality of language service providers; and provides Hawaii's LEP population a better means to access state and state-funded services.

A language access resource center and multilingual website will also enable the state to provide better customer service and promote equity and citizen participation in government services and programs.

Moreover, since many of our state and state-funded agencies also receive federal funding, this bill would assist them in complying with *both* federal and state language access law.

FUNDING

When the companion measure, S.B. 58, was heard in the Senate, we informed the Senate Committee on Human Services that our office's projected costs for the language access resource center would be \$400,000 (page 10, line 14); and \$190,000 for the multi-lingual website (page 11, line 2).

We would also like to note that when our office was established in 2007, we had a staff of six, including myself as Executive Director. In 2009, budget cuts eliminated all of OLA's support staff and the office was left to function with my position alone. In 2012, two staff positions were restored; however, our ability to fully execute the current statutory duties of the office is still severely compromised. While OLA wholly supports H.B. 266, with amendments, we ask the legislature to ensure that adequate funding be provided so that this office can not only fulfill its current statutory obligations, but also those presented by this bill.

SUGGESTED AMENDMENTS

- With respect to more current census data, we recommend the following amendments:

– p. 1, lines 1- 10:

“SECTION 1. The legislature finds that according to the United States Census Bureau, American ~~[community survey in 2005–2009]~~ Community Survey of 2009-2011, ~~[and estimates by the department of business, economic development, and tourism,]~~ almost ~~[311,000]~~ 329,827 of Hawaii's ~~[1,270,000]~~ 1,361,628 people, or twenty-four per cent of Hawaii's population, speak a language other than English at home. This includes nearly ~~[260,000]~~ 281,607 persons who speak an Asian or Pacific Island language. According to the same studies, out of those who speak a language other than English at home, ~~[140,791]~~ 151,187 or forty-six per cent are limited English proficient.”

- We appreciate HIAN's earlier testimony on SB58 in pointing out that some interpreters and translators may hold hundreds of certificates. We therefore recommend the language be revised to include *any* of their qualifications and credentials to avoid the interpretation that *all* of their credentials be listed.

p. 5, lines 1-4

“(1) Maintain a publicly available roster of language interpreters and translators, listing any of their qualifications and ~~[,certificates, certifications, agency or affiliations, and other]~~ credentials;”

p. 9, lines 8-11

“(A) Maintain a publicly available roster of language interpreters and translators, listing any of their qualifications and ~~[,certificates, certifications, agency or affiliations, and other]~~ credentials;”

- With respect to funding, should this committee seek to provide OLA’s projections, we propose \$400,000 be inserted on page 10, line 14; and \$190,000 for the multi-lingual website be inserted on page 11, line 2).

ADDRESSING STAKEHOLDER CONCERN

In its testimony on the companion measure, S.B. 58, the Hawaii Interpreter Action Network (HIAN), through Alohalani Boido, its President, raised a few concerns with the bill and suggested a number of amendments. This testimony has been very useful to our office in helping us consider ways to improve the bill. We address the issues raised by HIAN below.

(1) Is it necessary to provide clear and distinct definitions of “interpreter,” “interpretation,” “translator,” and “translation”?

In summary, we do not believe that such definitions are necessary. We caution that doing so may create further confusion and unintended consequences.

Those who work in the industry and with “interpreters” and “translators” understand that, professionally, “interpreters” and “interpretation” generally relate to *oral* language services; and “translate” and “translators” generally relate to *written* language services. The range of skills involved and training desired in these separate areas are very different. It is therefore wholly understandable why HIAN seeks to establish, in statute, clear and distinct definitions of these two, often discrete categories of language service.

However, as is discussed at length in Taniguchi v. Kan Pacific Saipan, 132 S.Ct. 1997 (2012),¹ which is also referenced by HIAN’s testimony on S.B. 58, these terms are often used interchangeably by the public. In her dissent, Justice Ginsburg cites Random House Dictionary of the English Language 744, 1505 (1973) as defining the transitive verb “interpret” as, inter alia, “to translate,” and “translate” as “to turn (something written or spoken) from one language into another,” explaining that using these terms interchangeably is at least “acceptable usage.”

OLA generally defers to the wisdom of the legislature on whether definitions of these terms are necessary. However, it may help to know that in this bill, whenever the term “interpret” or “interpreter” is used; it is coupled with the term “translator” or “translation;” so there is no risk that any of these terms would be misconstrued as the other.

The legislature may wish to look closer at the underlying statute in HRS Chapter 321C. However, rather than defining the terms “interpreter,” “interpretation,” “translator,” and “translation;” section 321C-2 provides definitions of “oral language services” and “written

¹ It is also worthy to note that the application of the case is limited as it concerned a question on whether a prevailing party in a federal legal dispute should be awarded the costs for the written “translation” of documents used in the litigation under a statute that authorizes the awarding of costs for “interpretation.” The context of this bill and Hawaii’s Language Access law, and the stakes involved are distinguishable.

language services,” and in section 321C-3, uses these terms to ascribe conduct and responsibilities to state and state-funded agencies with respect to language access. Where the terms “interpreter,” “interpretation,” “translator,” and “translation” are used, we believe the context and common definitions and acceptable understanding of these terms make the meanings sufficiently clear. Statutory definitions of these terms may muddy the waters. Moreover, since the passage of the original language access law, we have not become aware of any problems or misunderstandings with the terms as currently used in statute.

Conversely, if rigid definitions were provided, we may run into problems of boxing the general and LEP public into meanings that were not intended. For example, if someone uses the term “interpret” when requesting a written translation; they may be denied a service they are otherwise legally entitled to.

We are happy to provide further analysis on this question should the committee seek our input.

(2) Should the scope of credentials listed on the roster of interpreters and translators be limited to “certifications” and “licenses”?

In its earlier testimony on SB 58, HIAN suggests that the information on this roster be limited to the language service providers’ “certifications” and “licenses.” While this will certainly benefit those interpreters and translators who are able to obtain such certifications and licenses in their respective languages, and who can therefore justifiably charge more for their services, there are several providers who cannot obtain such credentials because certification and licensure do not exist in their language. This is particularly true for certain rare languages for which services are in high demand.

Much also depends on the agencies’ resources, and the degree of expertise needed for a given job. Agencies would benefit greatly from knowing about other relevant qualifications. For example, an interpreter with credentials in housing counseling and familiar with that area of government service may be more desirable to certain agencies than someone who may charge more because they have a health care interpreter certification.

We therefore prefer to leave the decisions as to what credentials the service providers wish to share on the roster up to the providers themselves. We also trust that the agencies know best what type of services they need. Our support for this bill partially rests in our hope that the roster will be able to help agencies link up with the provider that is best suited for the job – not only to a limited scope of providers.

We stress that OLA’s role in producing a publicly available roster is merely to fill a demonstrated need for information – to bridge the gap between supply and demand and assist those seeking language services and give them the ability to connect with those who can provide it. OLA is not charged with verifying or authenticating the information that interpreters and translators provide.

While a concern for state liability has been voiced, we note that Hawaii’s Language Access law does not authorize a private cause of action. Although a number of administrative

complaint processes have been instituted within federal and state agencies, a private party does not have the right to sue, in court, the State of Hawaii (or OLA) for its failure to provide language access services – let alone legally challenge the *quality* of those services. This is supported by federal case law, Alexander v. Sandoval, 532 U.S. 275 (2001).

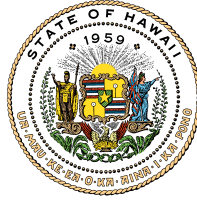
To make this clear, OLA intends to include on the roster a disclaimer stating that it is not legally responsible for the representations made by the language service providers and reflected on the roster; nor for the quality of their services. Whether it's necessary to amend this bill to include language to this effect in statute, we defer to the wisdom of the legislature.

(3) Is it necessary to amend the language relating to the process of testing and certifying interpreters and translators so that is more precise?

OLA believes the current language is preferable as it is general enough to allow OLA the latitude and flexibility to consider what process would work best for the state. While HIAN's vision may certainly correspond with the eventual process that OLA identifies or creates, HIAN's language may be too restrictive. Many of the terms they suggest are also ambiguous. If used, the terms "scientifically valid" and "legally defensible" should be agreed upon and defined. What scientific standards should apply? Moreover, since there is no private cause of action for violations of language access, there is no need for a "legally defensible" process. The current language presumes that these decisions will be made over time – which would take research, discussion, and collaboration, as is intended.

Thank you for the opportunity to provide this testimony.

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TESTIMONY OF
SANJEEV "SONNY" BHAGOWALIA, CHIEF INFORMATION OFFICER
TO THE

HOUSE COMMITTEE ON HEALTH
AND
HOUSE COMMITTEE ON PUBLIC SAFETY

Friday, February 8, 2013

8:30 a.m.

Conference Room 329

H.B. 266

RELATING TO LANGUAGE ACCESS

Chairs Bellati and Aquino, Vice Chairs Morikawa and Ing, and members of the committees, thank you for the opportunity to testify on H.B. 266. My name is Sanjeev "Sonny" Bhagowalia, Chief Information Officer for the State of Hawaii.

The Office of Information Management and Technology (OIMT) offers comments on H.B. 266.

Internationalization of website content controls and interfaces, which includes multiple language translation is an emerging best practice for government and technology. Open source technology exists to support internationalization measures, such as Google Translate. Although the accuracy of the translation is automated, it may not be as contextually accurate as human translation. Nevertheless, it is a step in the right direction. The State will benefit from internationalization of its outward facing communications.

OIMT respectfully requests that language be included in the measure to require the multilingual pilot website be developed in consultation with the CIO to ensure that it is compatible with the state's information technology infrastructure, leverages technology solutions to maximize staff efforts, meets current technology standards, including providing the proper Unicode language support, and provides the proper checks and balances to manage the cultural sensitivities and expectations of the website.

Thank you for the opportunity to testify on this matter.

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TO: Rep. Della Au Belatti, Chair; Rep. Dee Morikawa, Vice-Chair,
House Committee on Health
Members, House Committees on Health & Public Safety

FROM: M. Alohalani Boido, M. A., President, Hawaii Interpreter Action Network
Hawaii Judiciary Certified Court Interpreter (Tier 4)
Tel.: 946-2558, E-mail: boido@hawaii.edu

HEARING: February 8, 2013, 8:30 a.m., Conf. Rm. 329

RE: **SUPPORT, BUT ONLY WITH PROPOSED AMENDMENTS,
HB 266, Relating to Language Access**

Chair, Vice-chair, and members of the House Committee on Health, thank you for listening to this testimony. Members of the House Committee on Public Safety, we realize that this specific bill has not been referred to your committee. We think you will find it of interest anyway, and we thank you for your time and attention. It does have implications for public safety. Law enforcement, fire, and other public safety workers make use of interpreter services.

I am Marcella Alohalani Boido, M. A., a Hawaii Judiciary Certified court interpreter (Spanish & English), a founding member of Hawaii Interpreter Action Network (HIAN), and currently the HIAN President. HIAN is dedicated to representing Hawaii's interpreters. We work to elevate professional standards of competence and ethics, and to improve working conditions.

HIAN supports the general intent of SB 58. Unfortunately, Section 321C-6 (E), HRS, (on p. 10 of the current draft) as currently written would:

- **open the state to tremendous financial liability, and**
- **expose our Limited-English Proficient (LEP) community members and tourists to harm.**

It is a dangerous and regressive proposal, based on several crucial, mistaken assumptions.

It is a common misconception that any bilingual person can interpret or translate. Many bilinguals overestimate their own language knowledge and interpreter/translator skills. Some deliberately misrepresent their knowledge, skills, credentials, and experience. Some target immigrants for all sorts of scams, fraud, and exploitation.

The idea of publishing a roster of unscreened, alleged bilinguals is appalling. The liability problems alone are tremendous. No government entity in the USA publishes a roster of interpreters and translators unless the people on the roster have first met objective, test-based professional standards.

HB 266 does not even propose a criminal history background check. This is completely irresponsible. In contrast, the Hawaii Judiciary requires a criminal history record check. Federal

courts require a 10-point FBI fingerprint check every two years. Other government entities have similar requirements.

Any placement on a public, government-funded roster should be a result of careful checking and verification of meaningful credentials. Thinking that a disclaimer will prevent state liability is wishful thinking.

Interpreter error can have serious consequences and cost the state a bundle of money. The Willie Ramirez case resulted in a settlement worth up to \$71 million.¹ Two law suits in Washington State resulted in payments totaling \$25 million dollars—20+ years ago, so imagine how much that might be today—and led to the Reyes Consent Decree,² which mandated the creation of Washington State interpreter certifications for healthcare and social service interpreters.

We propose some amendments, and oppose certain concepts.

Let us review our situation. 240,090,³ or 18% of Hawaii's population of 1,392,313 is foreign born.⁴ 26% percent of those age 5+ (2007-2011) speak a Language Other Than English (LOTE) at home.⁵ 148,965, or 12% of those 5+ years old, speak English "less than very well."⁶ That's just the beginning of the fun. **Hawaii's need for bilinguals, interpreters, and translators is fragmented both by geography and by language.** Hawaii also has many foreign tourists.

Hawaii needs to develop a responsible program for identifying competent bilinguals, interpreters and translators to serve our government, resident, and tourist population needs. Such a program must be based on valid testing and credentialing.

HIAN suggests that Section 1 (1) be amended as follows:

"Maintain a publicly available roster of bilinguals, language interpreters and translators, listing any their qualifications, certificates, certification(s) and/or license(s) they may have, ~~agency or affiliations, and other credentials;~~"

We support the general intent of Section 3(8)(E). **We want a public roster of bilinguals, interpreters, and translators who have passed a criminal history background check and whose knowledge and skills have been verified by means of appropriate tests.** Current wording creates several problems.

We propose a more precise wording:

(E) Work toward official statewide recognition of nationally and internationally recognized professional credentials for bilinguals, interpreters, and translators, and to develop and cooperate in the development of legally defensible, scientifically valid, performance-based, objective, criterion-referenced certification examinations for bilinguals, interpreters and translators to ensure the quality and accuracy of their services."

¹ <http://healthaffairs.org/blog/2008/11/19/language-culture-and-medical-tragedy-the-case-of-willie-ramirez/>

²² Luisa Reyes and Salvador Penado v. Richard Thompson, Secretary, State of Washington Department of Social and Health Services, U.S. District Court for the Western District of Washington, C91-303, 1991. <http://www.healthlaw.org/images/stories/issues/Reyes.Consent.Decree.pdf>

³ <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>. Accessed 02/06/2013.

⁴ Census Quickfacts. <http://quickfacts.census.gov/qfd/states/15000.html>. Rounded up. Accessed 02/06/2013.

⁵ Ibid.

⁶ See note 1.

For a test to be legally defensible, it needs to be scientifically valid. The other criteria for such tests flow from this. Alternatively, they must have the support of a professional association.⁷

There are already existing tests available for testing bilinguals for oral proficiency and/or written knowledge of a language.⁸

Performance-based certification examinations already exist in a number of language pairs, and should be recognized by the State of Hawaii. If and when Hawaii creates its own tests, these tests must really ensure the quality and accuracy of interpretation and translation services. That is why we feel it is necessary to specify the types of examinations to be developed, that is, "...legally defensible, scientifically valid, performance-based, objective, criterion-referenced..."

We added the wording "cooperate in the development of" because, for languages of lesser diffusion nationwide, but with large populations in Hawaii, i.e. Micronesian and Filipino languages, Hawaii could pool its resources with other states in the development of examinations for those languages. This has already been done by the Hawaii Judiciary for the oral exams of simultaneous mode in Chuukese and Marshallese.

1. This is overly broad: "...qualifications, certificates, certifications...and other credentials." It opens the door for OLA to put the weight of government approval behind misleading "credentials" that will not be legally defensible.
2. The burden of verifying credentials will create a paperwork nightmare for OLA.
3. Working for an agency or having an "affiliation" does not qualify a person.

The "twin professions" of interpretation and translation recognize only certain types of credentials. For translators, and court and healthcare interpreters, most of the credentials are called "certifications," although Texas licenses the court interpreters who pass their exams.

These certifications are the result of passing a performance-based test of skill. They are:

1. Tests administered by a state, national, or international entity, such as US federal or state courts, the U. S. Dept. of State, the United Nations, European Parliament, etc.
2. Tests administered by a nationally recognized professional organization, such as the American Translators Association (ATA)⁹ or the National Association of Judiciary Interpreters and Translators (NAJIT)¹⁰ for spoken languages, or RID or state certifications for ASL, and now, for spoken language healthcare interpreters, the Certification Commission for Healthcare Interpreters (CCHI)¹¹ or the National Board of Certification for Medical Interpreters (NBCMI).¹²

Additionally, there are credentials issued by international professional organizations, such as AIIC¹³. These are based on peer observation and sponsor recommendations.

⁷ Bar exams are not scientifically valid, but have the support of a professional association. ATA exams are similar.

⁸ ACTFL and Versant, for example. <http://www.languagetesting.com/actfl-proficiency-scale>,
<http://www.versanttest.com/>

⁹ http://www.atanet.org/certification/aboutcert_overview.php

¹⁰ <http://www.najit.org/>

¹¹ <http://www.healthcareinterpretercertification.org/>

¹² <http://www.certifiedmedicalinterpreters.org/>

¹³ <http://aiic.net/>

We are concerned that people will be offering as credentials a bunch of certificates that are not based on passing a performance-based test, or where the standard for passing a test is extremely low, and therefore insufficient to merit confidence.

Certificates can be very misleading.

- A person can rack up a collection of certificates and still never pass a professional exam. Yet, on a public roster that lists certificates as a “credential,” a person with 20 certificates and no professional certification will look more qualified to most laypeople than a professional who lists a single credential: their professional certification.
- Most certificates are issued simply to verify that a person attended a workshop.
- Most certificates are for attending a generic (not language specific) workshop or class.
- Most workshops and classes have few or no entry requirements.
- Over time, certificates become increasingly difficult to verify.¹⁴
- They are extremely easy to falsify.
 - People can print off certificates.
 - People can take a scan of someone else’s certificate and modify it.
- Some entities, including schools, issue test-based certificates where the testing standard is low and insufficient to validate the level of knowledge and skill necessary to perform the work to acceptable standards. For example, a certificate issued after passing a test for an undergraduate three-credit course must be at a level appropriate for the course. That is not a professional standard.

“Experience” is also not a credential. *“Twenty years of doing something the wrong way does not constitute experience.”*¹⁵

Currently, OLA does not plan to verify certificates, credentials, or anything else, opening the door to all sorts of misrepresentations and misunderstandings. The fraudsters and scam artists who were removed from the Hawaii Judiciary list will now have an open door to get on a new public roster. *If OLA does verify certificates (the only responsible choice), a paperwork nightmare awaits them.* Many people have a collection.¹⁶ Even verifying degrees requires that a person submit an authenticated transcript, because transcripts are now readily falsified.

Clear and consistent definitions of crucial terms are needed. As illustrated by the recent Supreme Court decision in *Taniguchi v. Kan Pacific Saipan*, 132 S.Ct. 1997 (2012),¹⁷ it is important to have clear and distinct definitions of the terms “interpreter,” “interpretation,” “translator,” and “translation.” Both the proposed bill and the law creating the Office of Language Access (HRS 321C-2, Definitions) are inadequate in this respect. The terms used in the bill and those in HRS 321C-2 are not consistent with each other. We suggest that legal researchers work on this and amend the bill appropriately.

We ask you to support HB 266, but only with our proposed amendments. Thank you.

¹⁴ I have a collection of these myself, and I know that after a while, the issuers would be hard-pressed to verify them.

¹⁵ My father had a professor in medical school who used to say this.

¹⁶ To give some extreme examples, Mindy Emmons has four professional certifications: AOUSC, California courts, Hawaii Judiciary, and ATA. But as a California certified court interpreter, she must take a minimum of eight (8) continuing education workshops every year. She currently holds over 240 certificates. Danitza Galvan Earle, who let her California court certification lapse, probably holds at least 120 certificates.

¹⁷ http://scholar.google.com/scholar_case?case=6598041592972478691&hl=en&as_sdt=2&as_vis=1&oi=scholar

DATE: February 8, 2013

TO: Representative Della Au Belatti, Chair and Members of the House Committee on Health

FROM: Dominic Inocelda, Clinical Administrator, Susannah Wesley Community Center

RE: Testimony In Support of HB 266, Relating to Language Access

Good morning, Representative Della Au Belatti and members of the House Committee on Health. My name is Dominic Inocelda, I am writing in strong support of HB 266, Relating to Language Access.

I have been privileged to work with limited and non-English speaking persons for most of my work life. During all of my years of working with the Susannah Wesley Community Center in various administrative positions I have directly experienced the magic that happens when a limited or non-English speaking person is able to communicate and understand what is going on because someone was able to provide language interpreter assistance. For many immigrants, learning to speak English is a high priority along with all the other priorities needed to adjust and make a living in Hawaii. However, learning to speak English at a proficiently high level takes time, practice, and consistent study. For some who may have background in English in their home country, learning is much easier and for others without any familiarity with English it could take years. Usually, young people can learn English much faster due to their consistent interaction with English speaking students and friends in school. For many older non-English speakers, English proficiency is very difficult to attain. During this period of learning and gaining the skills to confidently speak in English the need for interpreter assistance is key to helping newcomers fully adjust and actively participate in their new life in Hawaii.

Census data for 2010 shows that 17.8 % of the Hawaii's total population (1,392,313) are foreign born and of this total, 25.6% speak another language other than English at home; this indicates a significant number of persons that could utilize interpretation assistance. Additionally, about 3000 to 5000 new immigrants arrive in Hawaii yearly.

With the creation of the Office of Language Access in 2007, an established State office could now focus on language access resource development and further explore the development of trained and competent interpreters and translators. OLA's work in the past couple of years has resulted in an identified need to explore the creation of a language access resource center within the Office of Language Access. As the numbers of limited and/or Non-English speaking persons continue to grow in Hawaii, including our vacationing visitors from foreign countries, further development of language access interpreter and translation resources is vitally needed.

I understand that among the various supporters of HB 266 there is concern regarding item (1) of the purpose of the language access resource center. The bill states that purpose (1) is to "Maintain a publicly available roster of language interpreters and translators, listing their qualifications, certificates, certifications, agency or affiliations, and other credentials". This concern focuses on possible liability issues of a state office listing interpreters and translators who may not have the proper background and credentialing checks. Since the Office of Language Access will need to work through a process to select interpreters and translators who can or should be on a roster it would be well advised to provide the office the flexibility and freedom to obtain input and weigh options from various sources that would balance liability concerns and the serious lack of trained and qualified interpreters and translators in Hawaii. Therefore, I would suggest that purpose (1) be changed to "develop and maintain a process of seeking and selecting interpreters and translators that could be listed on a publicly available roster of language interpreters and translators that is maintained and regularly revised based on quality standards set by the Office of Language Access.

I fully support the continued development of the Office of Language Access and feel that the bill's initiative to create a language access resource center and a pilot project to create and test a multilingual website would be a great step to fully integrate Hawaii's limited and non-English speakers and to help government and public agencies to better serve the limited and non-English speaker. Thank you for the opportunity to provide my support for HB 266. Please feel free to call me if there are any questions.