

JAN 22 2016

A BILL FOR AN ACT

RELATING TO THE OFFICE OF LANGUAGE ACCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature recognizes and acknowledges
2 that language can be a barrier for limited English proficient
3 persons in accessing important benefits or services,
4 understanding and exercising important rights, complying with
5 applicable responsibilities, or understanding other information
6 provided by state-funded programs and activities. Act 290,
7 Session Laws of Hawaii 2006, as amended by Act 201, Session Laws
8 of Hawaii 2012, sought to ensure that limited English proficient
9 persons have meaningful access to state-provided and state-
10 funded services in Hawaii.

11 The office of language access provides oversight, central
12 coordination, and technical assistance to twenty-six state
13 agencies and approximately one hundred fifty state-funded
14 agencies in implementing the requirements of Hawaii's language
15 access law.

16 The technical assistance provided to agencies by the office
17 of language access include: needs assessments, assistance with



1 language access plans, training of agency staff, work with
2 interpreters and translators, data collection, reporting, and
3 more. The office of language access also conducts periodic
4 compliance monitoring, provides complaint resolution, and
5 reports annually to the governor and the legislature.

6 Due to the State's reduction-in-force in 2009, the office
7 of language access's staff of six was eliminated, leaving only
8 the executive director position. Although two of the six
9 positions were restored in 2013, critical staff positions remain
10 unfilled.

11 Furthermore, Act 217, Session Laws of Hawaii 2013, also
12 created the statewide language access resource center within the
13 office of language access. The delay and timing of the
14 executive branch's release of funds to staff the resource center
15 made it impossible to fill the positions established by that
16 Act. The objectives of the statewide language access resource
17 center are laudable, but require significant time and resources
18 for planning, coordination, and management. The existing office
19 of language access staff expended great efforts and resources to
20 get the statewide language access resource center off the ground



1 -- work that was envisioned to be the responsibilities of new
2 center staff who have yet to be hired.

3 As a result, the office of language access has not been
4 able to fully perform its original statutorily-mandated
5 compliance and technical assistance functions. Accordingly,
6 many state agencies have been unable to implement important
7 aspects of their language access plans because of lack of
8 oversight and technical assistance, and many limited English
9 proficient individuals in Hawaii continue to lack meaningful
10 access to government services, programs, and activities.

11 The purpose of this Act is to establish three full-time
12 equivalent (3.0 FTE) permanent positions within the office of
13 language access, as originally specified in the office's
14 implementing legislation, to assist state agencies and state-
15 funded agencies in implementing the requirements of Hawaii's
16 language access law.

17 SECTION 2. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$200,000 or so much
19 thereof as may be necessary for fiscal year 2016-2017 for three
20 full-time equivalent (3.0 FTE) permanent positions within the
21 office of language access to assist state agencies and state-



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1 funded agencies in implementing the requirements of Hawaii's
2 language access law. Of these three positions:

3 (1) \$ shall be for two full-time equivalent (2.0
4 FTE) permanent researcher positions; and

5 (2) \$ shall be for one full-time equivalent (1.0
6 FTE) permanent office assistant position.

7 The sum appropriated shall be expended by the department of
8 health for the purposes of this Act.

9 SECTION 3. This Act shall take effect on July 1, 2016.

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INTRODUCED BY: *Shianne Chun Cleveland*

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Report Title:

Office of Language Access; Employee Positions; Appropriation

Description:

Appropriates funds for three full-time equivalent permanent positions within the Office of Language Access.

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