
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that children who are
2 deaf, hard of hearing, or deaf-blind have the same ability and
3 capability to learn language as their peers who do not have a
4 similar disability. The ability and right to develop language
5 are central to the human experience and necessary prerequisites
6 to literacy as well as cognitive, emotional, linguistic,
7 academic, and social growth and the chance for children to
8 evolve into healthy and productive members of society.

9 The legislature further finds that the department of health
10 and the department of education are committed to collaborating
11 to improve services for children who are deaf, hard of hearing,
12 or deaf-blind so that they begin kindergarten with the necessary
13 language skills to acquire the knowledge and academic
14 competencies that will allow them to be successful in school and
15 life.

16 The legislature further finds that under the Individuals
17 with Disabilities Education Act (IDEA), P.L. 108-446:



1 (1) The department of health, early intervention section
2 is responsible, under part C, for the provision of
3 early intervention services as identified in the
4 child's individualized family support plan to children
5 from birth to age three years with special needs and
6 their families;

7 (2) The department of education is responsible, under part
8 B, for the provision of special education and related
9 services as identified in the child's individualized
10 education program to children age three to five years
11 with special needs; and

12 (3) The executive office on early learning is responsible
13 for coordinating the early childhood education
14 services in the pre-kindergarten program within the
15 public school system.

16 The legislature further finds that children who are deaf,
17 hard of hearing, or deaf-blind are diverse and include children
18 with congenital or acquired hearing loss, unilateral and
19 bilateral hearing loss, all degrees of hearing loss from minimal
20 to profound, and all types of hearing loss.

21 The purpose of this Act is to:



1 (1) Enhance early language services for children from
2 birth to age five years who are deaf, hard of hearing,
3 or deaf-blind within the department of health to
4 support age-appropriate language development;

5 (2) Establish a working group for the purposes of
6 investigating issues related to resources and tools
7 for parents of children who are deaf, hard of hearing,
8 or deaf-blind and improvements on statewide system of
9 services that support age-appropriate language
10 development for children from birth to age five who
11 are deaf, hard of hearing, or deaf-blind; and

12 (3) Appropriate funds for two positions to support the
13 early language acquisition program and children from
14 birth to age three years who are deaf, hard of
15 hearing, or deaf-blind.

16 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
17 amended by adding a new section to part XXVII to be
18 appropriately designated and to read as follows:

19 "§321- Early language services for children who are
20 deaf, hard of hearing, or deaf-blind. Early intervention
21 services for infants and toddlers shall include, but not be



1 limited to, service providers and mentors of the deaf, hard of
2 hearing, or deaf-blind who use American Sign Language; service
3 providers and mentors of the deaf who use oral language;
4 American Sign Language teachers for families of young children;
5 family-to-family support; and training of early intervention
6 providers."

7 SECTION 3. (a) The department of health, department of
8 education, and executive office on early learning shall
9 establish and convene a working group for the purpose of making
10 recommendations to the legislature on issues related to
11 supporting age-appropriate development for children from birth
12 to age five years who are deaf, hard of hearing, or deaf-blind.
13 The working group shall include the following members to be
14 selected by the director of health:

- 15 (1) One parent of a child who is deaf, hard of hearing, or
16 deaf-blind who uses American Sign Language;
- 17 (2) One parent of a child who is deaf, hard of hearing, or
18 deaf-blind who uses oral language;
- 19 (3) One parent of a child who is deaf, hard of hearing, or
20 deaf-blind who uses cochlear implant device;
- 21 (4) One parent of a child who is deaf-blind;



- 1 (5) One individual who is deaf, hard of hearing, or deaf-
2 blind who uses American Sign Language;
- 3 (6) One individual who is deaf, hard of hearing, or deaf-
4 blind who uses oral language;
- 5 (7) One credentialed teacher who uses American Sign
6 Language for children under age six years who are
7 deaf, hard of hearing, or deaf-blind;
- 8 (8) One credentialed teacher who uses oral language for
9 children under age six years who are deaf, hard of
10 hearing, or deaf-blind;
- 11 (9) One early intervention specialist who works with
12 infants and toddlers using American Sign Language;
- 13 (10) One early intervention specialist who works with
14 infants and toddlers using oral language;
- 15 (11) One audiologist or speech language pathologist with
16 knowledge of language assessment and intervention for
17 children who are deaf, hard of hearing, or deaf-blind;
- 18 (12) One representative from the English as a Second
19 Language community;
- 20 (13) One representative from the disability and
21 communication access board;



- 1 (14) One representative from the department of health
2 newborn hearing screening program;
- 3 (15) One representative from the department of health early
4 intervention section;
- 5 (16) One representative from the department of education;
6 and
- 7 (17) One representative from the executive office on early
8 learning.

9 Excluding the members who are parents of children who are
10 deaf, hard of hearing, or deaf-blind, the majority of the
11 remaining members shall be deaf, hard of hearing, or deaf-blind
12 and represent the diversity of their community which includes
13 deaf culture, hard of hearing, cochlear implant and hearing aid
14 users, unilateral hearing loss, auditory neural hearing loss,
15 and cultural diversity. At least one member shall be a
16 representative from the county of Hawaii, Maui, or Kauai. At
17 least one parent member shall be deaf, hard of hearing, or deaf-
18 blind. Two parent members shall have children who are deaf,
19 hard of hearing, or deaf-blind who are under six years of age at
20 the time of appointment by the director of health.



1 (b) The working group shall examine, research, and make
2 recommendations to the following:

3 (1) A resource guide for parents of children who are deaf,
4 hard of hearing, or deaf-blind that may include
5 milestones of age-appropriate language development,
6 websites related to deafness and hearing loss,
7 national and state organizations and resources for
8 families, terms and definitions related to deafness
9 and hearing loss, and communication choices;

10 (2) Tools used to assess and plan language development
11 services for children from birth to age five years who
12 are deaf, hard of hearing, or deaf-blind;

13 (3) Data and the availability of data on the language and
14 literacy development for children from birth to age
15 five years who are deaf, hard of hearing, or deaf-
16 blind;

17 (4) Improvements concerning the statewide system of
18 services that support age-appropriate language
19 development for children from birth to age five years
20 who are deaf, hard of hearing, or deaf-blind; and



1 (5) Improvements concerning the transition of children at
2 age three years from the department of health early
3 intervention services to the department of education
4 services.

5 (c) All activities of the departments of health and
6 education in implementing this section shall be consistent with
7 federal law regarding early intervention and the education of
8 children with disabilities.

9 (d) The working group shall submit an interim report of
10 its findings and recommendations, including any proposed
11 legislation and a proposed extension of the working group, to
12 the legislature no later than twenty days prior to the convening
13 of the regular session of 2017, and a final report of the
14 working group's findings and recommendations, including any
15 proposed legislation, to the legislature no later than twenty
16 days prior to the convening of the regular session of 2018.

17 (e) The working group shall cease to exist on June 30,
18 2018.

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so much
21 thereof as may be necessary for fiscal year 2016-2017 to carry



1 out the purposes of this Act, for operating expenses and the
2 establishment, hiring, and filling of two permanent full-time
3 equivalent (2.0 FTE) positions to provide early language
4 services for children from birth to three years of age who are
5 deaf, hard of hearing or deaf-blind.

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

8 SECTION 5. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Deaf; Hard of Hearing; Deaf-blind; Early Language Services;
Working Group; Appropriation

Description:

Enhances early language services for children who are deaf, hard of hearing, or deaf-blind. Establishes a working group for the purposes of investigating issues related to resources and tools for parents of children who are deaf, hard of hearing, or deaf-blind and improvements to the statewide system of services that support age-appropriate language development for children from birth to age five who are deaf, hard of hearing, or deaf-blind. Requires working group to report to legislature. Appropriates funds for two positions to support the early language services within the Department of Health. (SB2476 HD1)

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