

STAND. COM. REP. NO.

1270

Honolulu, Hawaii

MAR 30 2017

RE: S.C.R. No. 32
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.C.R. No. 32 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO
CONDUCT A STUDY REGARDING PROFESSIONAL LICENSURE OF AMERICAN
SIGN LANGUAGE INTERPRETERS AND REGULATION OF INTERPRETER
REFERRAL AGENCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Auditor to conduct a study regarding professional licensure of
American Sign Language interpreters and regulation of American
Sign Language interpreter referral agencies.

Your Committee received testimony in support of this measure
from the Disability and Communication Access Board and two
individuals. Your Committee received testimony in opposition to
this measure from Isle Interpret and three individuals. Your
Committee received comments on this measure from the Professional
and Vocational Licensing Division of the Department of Commerce
and Consumer Affairs, Hawaii Registry of Interpreters for the
Deaf, and one individual.

Your Committee finds that American Sign Language (ASL)
interpreters provide a critical service to deaf, hard of hearing,
deaf-blind, and hearing individuals and public agencies in the
State who wish to effectively communicate with each other in a



variety of settings and circumstances. The Disability and Communication Access Board has noted that there is an increased need statewide for communication access provided by ASL interpreters, as reflected in the number of requests made to local interpreter referral agencies. This measure therefore requests the Auditor to conduct a study on the licensure of ASL interpreters and ASL interpreter referral agencies.

However, your Committee has heard the concerns raised in testimony regarding the effects licensure may have on ASL interpreters and ASL interpreter referral agencies. Your Committee notes that there are different types of regulation available under state law, including registration, certification, and licensure, with licensure being the highest level of regulation. Your Committee also notes that Hawaii has a very small number of ASL interpreters and ASL interpreter referral agencies. According to testimony received by your Committee, there are about fifty ASL interpreters in the State. Some of the neighbor islands have fewer than five interpreters. Thus, there are concerns that requiring full-scale licensure of ASL interpreters and ASL interpreter referral agencies could increase costs of doing business, which could potentially have a negative impact on the provision of services to deaf consumers.

Your Committee has had discussions with interested stakeholders and concludes that requiring the Auditor to conduct a sunrise analysis of ASL interpreters and ASL interpreter referral agencies is not appropriate at this time. Rather, your Committee believes that further discussion regarding the need for possible regulation and oversight of ASL interpreters and ASL interpreter referral agencies in Hawaii is needed and establishing a working group composed of interested stakeholders is the most appropriate method to address these issues. Finally, your Committee notes that the State of Hawaii is the largest purchaser of ASL interpreter services in the State, and as a Title II entity under the Americans with Disabilities Act, it is imperative that the State strive to ensure individuals who are deaf, hard of hearing, or deaf-blind are receiving high quality services from professionals who provide ASL interpreter services.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language which:



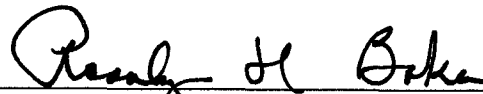
- (A) Requests the Department of Health's Office of Language Access and the Disability and Communication Access Board to convene a working group to examine the need for possible regulation and oversight of ASL interpreters and ASL interpreter referral agencies in Hawaii;
 - (B) Specifies the representatives or designees who shall be included in the working group;
 - (C) Requests the working group to determine the optimal level of any regulation of ASL interpreters and ASL interpreter referral agencies in Hawaii and determine the impact any such regulations would have on the availability of ASL interpreter services, including the impact on fees charged for services, credentialing, professional development for ASL interpreters, sanctions, and penalties for improper conduct if a professional licensing program were established in Hawaii;
 - (D) Specifies certain additional factors that the working group is requested to consider when conducting its review of the need for regulation and oversight of ASL interpreters and ASL interpreter referral agencies;
 - (E) Requests the working group to submit findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2018; and
 - (F) Specifies that the working group shall cease to exist on June 30, 2018; and
- (2) Updating the title of this measure to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee concurs with the intent



and purpose of S.C.R. No. 32, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 32, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,



ROSALYN H BAKER, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SCR 32	Committee Referral: CPH	Date: 3/22/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
KIDANI, Michelle N.	/			
RUDERMAN, Russell E.	/			
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes