

**[CHAPTER 348F]**  
**DISABILITY AND COMMUNICATION ACCESS BOARD**

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" **[§348F-1] Definitions.** As used in this chapter, unless the context clearly requires otherwise:

"Board" means the disability and communication access board.

"Members" means the members of the disability and communication access board. [L 1999, c 282, pt of §2]

" **[§348F-2] Disability and communication access board.**

There is established a disability and communication access board within the department of health for administrative purposes, to be composed of seventeen members to be appointed by the governor for staggered terms pursuant to section 26-34. The members of the board shall include at least nine persons with various types of disabilities, or parents or guardians of persons with disabilities. Other members shall include individuals knowledgeable in areas for which the board has rulemaking authority. The members appointed shall include at least one resident from each of the counties of Honolulu, Hawaii, Maui, and Kauai.

The members shall serve without compensation, but shall be reimbursed their necessary and reasonable expenses incurred in the performance of their duties, including travel expenses. [L 1999, c 282, pt of §2]

" **[§348F-3] Duties and functions of the board.** The board shall perform the following duties and functions:

- (1) Establish guidelines for the design of buildings and facilities by or on behalf of the State and counties in accordance with section 103-50;
- (2) Provide review and recommendations on all state and county plans for buildings and facilities, in accordance with section 103-50;
- (3) Establish guidelines for the utilization of communication access services provided for persons who are deaf, hard-of-hearing, or deaf-blind in state programs and activities. Guidelines include, but are not limited to, determining the qualifications of interpreters who may provide services, the amount of payment to interpreters, and the credentialing of interpreters who do not hold national certification via a state screening process;
- (4) Administer the statewide program for parking for disabled persons, in accordance with part III of chapter 291;
- (5) Serve as public advocate of persons with disabilities by providing advice and recommendations on matters relating to access for persons with disabilities, with

emphasis on legislative matters, administrative rules, policies, and procedures of the state and county governments;

- (6) Review and assess the problems and needs relating to access for persons with disabilities in the State in order to provide recommendations in the improvement of laws and services;
- (7) Serve as the designated state agency to coordinate the efforts of the State to comply with the requirements of the Americans with Disabilities Act for access to services, employment, telecommunications, and facility and site design;
- (8) Provide technical assistance and guidance to, but not limited to, state and county entities in order to meet the requirements of state, federal, and county laws providing for access for persons with disabilities through public education programs and other voluntary compliance efforts; and
- (9) Administer funds allocated for its work, including disbursement and allocation of funds that may be available from public and private sources; provided that such disbursement and allocation shall be consistent with the specific requirements and purposes of this chapter. [L 1999, c 282, pt of §2]

" **[§348F-4] Annual report.** The board shall report on its activities to the governor and the legislature at the end of each fiscal year, and may include recommendations consistent with the purposes of this chapter. [L 1999, c 282, pt of §2]

" **[§348F-5] Staff.** The board may hire an executive director, who may hire staff to assist in the performance of the board's duties. The staff shall be hired without regard to chapter 76; provided that the executive director and staff shall be eligible for participation in state employee benefit plans. [L 1999, c 282, pt of §2; am L 2000, c 253, §150]

" **[§348F-6] Rules.** The board may adopt rules pursuant to chapter 91, to implement this chapter, section 103-50, and part III of chapter 291. [L 1999, c 282, pt of §2]

" **§348F-7 Disability and communication access board special fund.** (a) There is established the disability and communication access board special fund to be administered by the disability and communication access board. All moneys received by the disability and communication access board shall be deposited into the special fund. All interest earned or

accrued on moneys deposited into this special fund shall become part of the special fund.

(b) Moneys in the disability and communication access board special fund shall be expended to defray costs of administering this chapter.

(c) All moneys collected as application fees or fees for continuing education units for credentialing of interpreters shall be deposited into the disability and communication access board special fund. [L 2001, c 192, pt of §2; am L 2012, c 272, §1]

" **[§348F-8] Fees.** The board may establish fees, pursuant to chapter 91, for applicants seeking state credentialing of interpreters. [L 2001, c 192, pt of §2]