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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON HEALTH

AND

TO THE HOUSE COMMITTEE ON HUMAN SERVICES

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Thursday, April 13, 2017
10:30 a.m.

**TESTIMONY ON SENATE CONCURRENT RESOLUTION NO. 32, S.D. 1,
REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING
GROUP OF STAKEHOLDERS TO EXAMINE THE NEED FOR POSSIBLE
REGULATION AND OVERSIGHT OF AMERICAN SIGN LANGUAGE
INTERPRETERS AND AMERICAN SIGN LANGUAGE INTERPRETER REFERRAL
AGENCIES IN HAWAII.**

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
TO THE HONORABLE DEE MORIKAWA, CHAIR,
AND MEMBERS OF THE COMMITTEES:

My name is Celia Suzuki, Licensing Administrator for the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to provide comments on S.C.R. No. 32, S.D. 1.

The concurrent resolution requests that the Department of Health's Office of Language Access and the Disability and Communication Access Board convene a working group to examine the need for possible regulation and oversight of American Sign Language ("ASL") Interpreters and ASL interpreter referral agencies in Hawaii. A representative or designee from the Department is listed as a member of the working group, however, the Department respectfully requests that the Committees amend Page 3, Line 21, to read "Professional and Vocational Licensing Division".

Thank you for the opportunity to provide comments on S.C.R. No. 32, S.D. 1.



DISABILITY AND COMMUNICATION ACCESS BOARD

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April 13, 2017

TESTIMONY TO THE HOUSE COMMITTEES ON HEALTH AND HUMAN SERVICES

Senate Concurrent Resolution 32, SD1 – Requesting the Department of Health to Convene a Working Group of Stakeholders to Examine the Need for Possible Regulation and Oversight of American Sign Language Interpreters and American Sign Language Interpreter Referral Agencies

The Disability and Communication Access Board (DCAB) supports Senate Concurrent Resolution 32, SD1 that asks the Department of Health to Convene a Working Group of Stakeholders to Examine the Need for Possible Regulation and Oversight of American Sign Language Interpreters and American Sign Language Interpreter Referral Agencies

Currently, DCAB administers a state credentialing test to determine skill levels of local interpreters. As the agency administering the local test, we have no formal grievance process to determine whether or not a locally credentialed interpreter has violated a professional code of conduct or abided by acceptable business practices. A consumer of a nationally certified interpreter may submit complaints to the national Registry of Interpreters for the Deaf (RID), if there are similar concerns about a violation of the RID's professional code of conduct.

There are two suggestions we request to amend the resolution:

1. Page 2, line 38, we ask that the Department of Health, Office of Language Access, and the Disability and Communication Access Board be the three co-convening agencies with the other stakeholders mentioned in the resolution as members of the working group; and
2. Page 3, line 21 change the word "Profession" to "Professional".

DCAB is willing to co-convene the working group with the Department of Health, and Office of Language Access and participate in the working group to examine the need for possible regulation and oversight of ASL interpreters and ASL interpreter referral agencies as outlined in the resolution and to report back to the Legislature with the group's findings.

Thank you for the opportunity to testify.

Respectfully submitted,


BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee


FRANCINE WAI
Executive Director



HAWAII REGISTRY OF INTERPRETERS FOR THE DEAF

Date: April 11, 2017

To: Representative Della Au Belatti, Chair, Representative Bertrand Kobayashi, Vice Chair;
Committee on Health, and
Representative Dee Morikawa, Chair, and Representative Chris Todd, Vice Chair;
Committee on Human Services

From: Hawaii Registry of Interpreters for the Deaf (HRID),
Executive Board:
Heather Benjamin, President
Kim Duncan, Vice President
DeWayne Berg, Treasurer
Devina Branch, Secretary

Re: HRID Testimony, SCR32, Comments Only

Aloha,

The Hawaii Registry of Interpreters for the Deaf (HRID) is a non-profit organization consisting of locally credentialed and nationally certified sign language interpreters, K-12 Educational Interpreters, Deaf interpreters, students who are studying ASL and the profession of interpreting, and other supporting members.

We recently conducted two surveys to assess the HRID memberships' position on two bills that have been deferred: HB1106, Licensing of ASL Interpreters, and HB1107, Regulating ASL Interpreter Referral Agencies. We broke the survey up into two parts. Part 1: Licensing of ASL Interpreters, and Part 2: Regulating of ASL Interpreter Agencies.

The respondents to the survey are only HRID Members, those who have paid dues to HRID. We do not represent all ASL interpreters across the state.

Population Surveyed: HRID Active Members (39)
Survey sent on February 16, 2017
Survey closed on February 21, 2017
Total respondents: Part 1= 24 respondents (62%), Part 2= 18 Respondents (46%)



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Part 1: Licensing of ASL Interpreters, Survey Results:

Demographics:

Nationally Certified: 70%
State Credentialed: 35%
Educational Interpreter: 17%
Deaf Interpreter: 4%
Student: 9%

Length of time working as an interpreter:

0-5 years: 9%
5-10 years: 17%
10-20 years: 31%
20 or more years: 35%

With a total of 24 respondents, the survey results showed 66% are in support of some kind of regulation for ASL interpreters and 33% are opposed to regulation.

The type of regulation preferred, however, was less conclusive. When asked which type of regulation would be the most appropriate for ASL interpreters (choose all that apply), the responses were:

Licensure at 43%
Registration at 39%
State Certification at 34%
None at 8%
Other at 39%

For HRID Members in support of regulation, they feel regulation of ASL interpreters will:

- Provide more consumer protection
- Ensure interpreters are qualified
- Create a higher standard of accountability
- Incorporate a grievance procedure

For those that support regulation, they have the following concerns:

- An effective and neutral, grievance procedure must be in place.
- A thorough examination of what the true issues are in the Deaf community and interpreting community to determine the best type of regulation for our unique community.



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- A system that is more growth-oriented than punitive.

For HRID Members who oppose regulation of ASL interpreters, their reasons include the following:

- National and state certifications are already in place and regulation would be redundant.
- Regulation would create an excessive financial burden to interpreters
- It may cause more harm than good if the regulation is poorly designed.
- It may create an additional barrier to those entering the field of interpreting and for those who are not credentialed yet (for example, Deaf interpreters).

Part 2: Regulating of ASL Interpreter Agencies, Results:

Demographics:

Nationally Certified: 76%
State Credentialed: 29%
Educational Interpreter: 24%
Deaf Interpreter: 0%
Student: 6%

Length of time working as an interpreter:

0-5 years: 6%
5-10 years: 18%
10-20 years: 29%
20 or more years: 35%

With a total of 18 respondents, the survey results showed 61% are in support of some kind of regulation for ASL Interpreter Agencies and 39% are opposed to regulation.

When asked which type of regulation would be the most appropriate for ASL Interpreter Agencies (choose all that apply), the responses were:

Licensure at 47%
Registration at 41%
State Certification at 17%
None at 23%
Other at 17%



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For HRID Members in support of regulation for agencies, they feel regulation will:

- Encourage transparency from the agencies to ensure consumers' concerns/complaints are addressed
- Provide more consumer protection
- Ensure agencies are referring qualified interpreters for each assignment
- Prevent a monopoly
- Ensure agency accountability

For HRID Members who oppose regulation of agencies, their reasons include the following:

- Agencies are already subject to small-business regulations
- Some agencies already follow federal/state compliance requirements in order to maintain their contracts
- The bills are poorly conceived, include misinformation and an inherent lack of understanding of how referral agencies operate
- Existing laws, rules, contracts, and systems already in place ought to be reviewed to ensure consumer protection.

For HRID Members who are undecided about both regulation of ASL Interpreters and regulation of ASL Interpreter Agencies, they gave the following reasons:

- It would be more valuable to see the results from the audit and then make a decision as to how to move forward
- Need more information as to how this will actually look and how the regulation of agencies can and will affect the work of interpreters

In addition, HRID Members would like to add to the list of stakeholders listed in the Resolution:

- Hiring entities such as, the Division of Vocational Rehabilitation, major medical facilities (Queen's Medical Center, Hawaii Pacific Health, Hawaii Health Systems Corporation, Kaiser Permanente Hawaii), Department of Education,
- Kapiolani Community College, Interpreter Education Program
- Deaf interpreters
- Grassroots Deaf individuals
- Other spoken language interpreter referral agencies
- All individual interpreters who provide their email address since not all interpreters are HRID members
- Office on Equality and Access to the Courts (OEAC)



HAWAII REGISTRY OF INTERPRETERS FOR THE DEAF

In conclusion, based on the results of these two surveys, it appears that a majority of HRID members support the idea of some kind of regulation for both ASL Interpreters and Agencies if their concerns are addressed.

Mahalo for your time,

Hawaii Registry of Interpreters for the Deaf
HRID Executive Board,
Heather Benjamin, President
Kim Duncan, Vice President
DeWayne Berg, Treasurer
Devina Branch, Secretary

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 12, 2017 10:22 PM
To: HLTtestimony
Cc: musicmind75@yahoo.com
Subject: Submitted testimony for SCR32 on Apr 13, 2017 10:30AM

SCR32

Submitted on: 4/12/2017

Testimony for HLT/HUS on Apr 13, 2017 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Safranski	Hand Ninjas (ASL Interpreting)	Support	No

Comments: I support the study to determine what kind of regulations, if any, are needed. I do suggest that OLA be removed as they don't have anything to do with ASL or the Deaf community and be replaced by an Interpreter from the community who may or may not be a member of any of the above organizations listed.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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kobayashi1- Oshiro

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 12, 2017 12:16 PM
To: HLTtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SCR32 on Apr 13, 2017 10:30AM*

SCR32

Submitted on: 4/12/2017

Testimony for HLT/HUS on Apr 13, 2017 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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E-mail: KevinB.Online.Contact@gmail.com

Kevin Bernadt, MBA,DI

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LATE

TO: SCR32,SD1,(SSCR1270) TESTIMONY TO THE HOUSE COMMITTEES ON HEALTH, and HUMAN SERVICES; AND COMPANION RESOLUTION HCR43

Representative Della Au Belatti, Chair & Representative Bertrand Kobayash, Vice Chair
Committee on Health
Hawaii State Capitol
Room #402
415 South Beretania Street
Honolulu, Hawaii 96813

Representative Dee Morikawa, Chair & Representative Chris Todd, Vice Chair
Committee on Human Services
Hawaii State Capitol
Room #442
415 South Beretania Street
Honolulu, Hawaii 96813

FROM: Kevin Bernadt, Deaf Community Member

HEARING: Thursday, April 13, 2017, 10:30 a.m. PLACE: Conference Room 329

RE: **SUPPORT, SCR32,SD1,(SSCR1270) (companion resolution, HCR43)**, Relating to REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO EXAMINE THE NEED FOR POSSIBLE REGULATION AND OVERSIGHT OF AMERICAN SIGN LANGUAGE INTERPRETERS AND AMERICAN SIGN LANGUAGE INTERPRETER REFERRAL AGENCIES IN HAWAII.

Dear Representative Au Belatti and Representative Morikawa,

As a Deaf interpreter working in Hawaii, and as a member of the Deaf Community voters whom are directly impacted by this Resolution, I do agree that a comprehensive working group to evaluate the needs and impacts of licensure is essential to learning how to supporting our unique population. The participants listed in this resolution are well versed our daily needs as voters and are, by far, more than capable of contributing their voices to the legislature in examining the possible regulation and oversight of American Sign Language interpreters and American Sign Language interpreter referral agencies. One of the challenges we, the voters, face simply is the inability to make our multiple complex needs know in one comprehensive effort. The working group's report will make this possible. **I strongly support SCR32,SD1,(SSCR1270) (companion resolution, HCR43)**, establishing the working group of stakeholders to examine the need of possible regulation and oversight of American Sign Language interpreters and American Sign Language interpreter referral agencies in Hawaii.

I ask the committee to vote in **support SCR32,SD1,(SSCR1270) (companion resolution, HCR43).**

Mahalo,
Kevin Bernadt, MBA, Deaf Community Member

Honolulu, Hawaii