

STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on HB728 HD1
RELATING TO STATEWIDE HEALTH PLANNING.**

REP. SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: March 2, 2021

Room Number: N/A

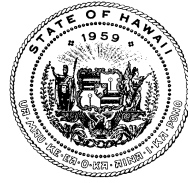
1 **Department Testimony:** The Department of Health, in coordination with the Office of
2 Language Access (OLA), has requested a Governor's Message that reduces OLA's budget and
3 position count but maintains it as an attached agency.

4 The department respectfully urges this measure pass as a vehicle for language access policy
5 discussion as the budget is deliberated and other resources are considered.

6 Thank you for the opportunity to testify.

7 **Offered Amendments:** N/A.

8



STATE OF HAWAII
DEPARTMENT OF HEALTH
OFFICE OF LANGUAGE ACCESS
1177 Alakea Street, Room B-100
Honolulu, HI 96801-3378
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APHIRAK BAMRUNGRUAN
EXECUTIVE DIRECTOR

**Testimony COMMENTING on HB 728 HD1
RELATING TO STATEWIDE HEALTH PLANNING**

REPRESENTATIVE SYLVIA LUKE, CHAIR
REPRESENTATIVE TY J.K. CULLEN, VICE CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 3/2/2021

Room Number: Via Vedioconference

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (DOH) appropriations and personnel
3 priorities.

4 **Department Testimony:** The Office of Language Access (OLA) appreciates the intent of this
5 measure, as it seeks to establish a more coordinated and cost-effective statewide language access
6 program, provided that the measure's passage does not replace or adversely impact priorities in
7 the Governor's Executive Budget Request, and offers the following comments.

8 During the 2006 legislative session, this legislative body recognized and acknowledged
9 that language is a barrier for those living in Hawaii who have identified themselves as being
10 Limited English Proficient (LEP) individuals. Consequently, the legislature passed Act 290,
11 Session Laws of Hawaii 2006, and Act 201, Session Laws of Hawaii 2012, to ensure that LEP
12 individuals have meaningful access to state-provided and state-funded services in Hawaii,
13 mirroring the language and consistent with the principles espoused by Title VI of Civil Rights
14 Act of 1964, Executive Order 13166, and implementing regulations.

15 Act 290 and Act 201 also established OLA to address the language access needs of LEP
16 individuals and ensure their meaningful access to services, programs, and activities offered by
17 the executive, legislative, and judicial branches of state government, including departments,
18 offices, commissions, boards, or other state-funded agencies.

1 OLA's task is to provide highly specialized technical assistance and to coordinate
2 resources to reduce the burden of implementing language access obligations. OLA is charged
3 with providing oversight, central coordination, and technical assistance to all state and state-
4 funded agencies in their implementation of language access compliance – a civil right under both
5 state and federal law.

6 This measure reaffirms the original intent and commitment of this legislative body to the
7 law and to language access, a civil right for all LEP individuals, by maintaining the existence of
8 OLA and continuing its operation. OLA has been actively working with DOH and other
9 stakeholders to assure continuity for OLA's critical responsibilities and is making certain
10 recommendations to the Governor to reconsider elimination of OLA.

11 This measure also adds additional language, under Section 321C-6 (8)(F), giving OLA
12 the authority to explore other revenue sources or funding opportunities for language access
13 resource centers. This will allow OLA to work closely with other partners in the community to
14 further improve language access in our state.

15 Thank you for the opportunity to comment on this measure.

THE LANGUAGE ACCESS ADVISORY COUNCIL

State of Hawaii Office of Language Access

1177 Alakea Street, Room B-100, Honolulu, HI 96813, (808) 586-8730

February 27, 2021

TO: The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice-Chair
House Committee on Finance

FROM: Terrina Wong, Chair
The Language Access Advisory Council

SUBJECT: Support of HB 728 HD1 – RELATING TO STATEWIDE HEALTH PLANNING.

Hearing: Tuesday, March 2, 2021 at 11:00 a.m.

My name is Terrina Wong. I am the Chair of the Language Access Advisory Council (LAAC) and I am submitting this testimony in support of this measure, on behalf of the council members who represent by statute a broad spectrum of those individuals and entities (government and non-profit) directly involved with providing meaningful language access to our community. This Council has statutory duties to advise OLA and to provide input on implementation and compliance of the language access law.

Language access is a civil right. This right derives from Title VI of the Civil Rights Act of 1964 which provides that, “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

In Hawaii, the imperative for language access stems from our rich diversity. According to the 2019 State of Hawaii Data Book released by the Hawaii Department of Business, Economic Development & Tourism, Hawaii’s total population aged 5 years and older is 1,331,641 with 326,893 (25.4%) or roughly 1 in 4 of our population speaking a language other than English at home. Among that population, 159,497 (12%) or roughly 1 in 9 indicated that they speak English “less than very well,” classifying them as Limited English Proficient (LEP) individuals.

For LEP individuals, language access is a significant barrier for them in accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, and understanding complex information provided by government and government-funded programs and activities; especially during the COVID19 pandemic where language access is more important than ever as those LEP individuals have historically faced challenges in seeking meaningful access to health information and supportive services.

Moreover, success and effectiveness of the State of Hawai‘i’s communications – both plans and

protocols, related to all aspects of Covid-19 depend upon the community acquiring and understanding accurate information.

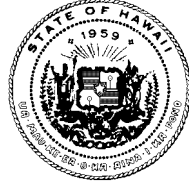
The pandemic has exposed marked disparities in Hawai'i's delivery of meaningful language access related to health care, unemployment benefits and other essential services. Meaningful language access becomes imperative to avoid mis-information or no information to our most vulnerable with limited to no English proficiency.

During this pandemic, OLA plays a vital role in supporting state agencies to effectively communicate with LEP. Specifically, OLA has stepped in to coordinate and to provide much-needed multilingual written materials and VDO messages on its website with an aggregate total of more than 230,000 views for those who depend on meaningful and effective communication.

The LAAC appreciates the intent of this bill as it demonstrates the commitment to language access by maintaining the existence of the Office of Language Access and its operations to ensure meaningful access to our LEP population.

Thank you for your consideration and for this opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 27, 2021

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **HB 728 HD1 – RELATING TO STATEWIDE HEALTH PLANNING.**

Hearing: March 2, 2021, 11:00 a.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, offers comments, and respectfully requests that section 321C-6, Hawaii Revised Statutes, remains as is. DHS defers to the Office of Language Access (OLA), and the Department of Health. The Committee on Health, Human Services, and Homelessness defected the effective date.

PURPOSE: This bill provides flexibility in the administering of the statewide language access resource center. Effective 7/1/2060. (HD1)

The disparate impact of the pandemic on Pacific Islander communities highlights the necessity for the Office of Language Access (OLA) and its role providing central coordination and technical assistance to state agencies to translate vital health communication and information regarding COVID-19.¹

State and federal law require DHS and others government entities to maintain language access services for Hawaii's culturally diverse population regarding all public benefits and

¹ See OLA website, at <https://health.hawaii.gov/ola/>.

services. All entities receiving federal funds are subject to provisions of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), that prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance and must provide meaningful access to services.

The DHS Language Access Coordinator works closely with OLA and relies on OLA's technical assistance procuring translation services, coordinating interpreting services, and developing outreach materials to improve access to public benefits and health and well-being information.

DHS respectfully requests that the section 321C-6, Hawaii Revised Statutes, remain in its current form ("shall") and not be diluted to become optional ("may"). Especially in the current pandemic condition where additional federal assistance is necessary to address the tremendous needs of Hawaii's residents and businesses, government agencies need the services and technical expertise that OLA provides to maintain meaningful access to benefits and services for Hawaii's residents with limited English language proficiency.

Thank you for the opportunity to provide comments on this measure.

HB-728-HD-1

Submitted on: 2/27/2021 11:33:10 AM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Ordonez	Ethnic Education Hawai'i	Support	No

Comments:

Testimony in support HB 728 hd1

submitted by Ethnic Education Hawai'i, Larry Ordonez President

Ethnic Education Hawai'i (EEH) is a non-profit organization founded in 1994. Our mission is to provide equal access to information in English and languages spoken in our community. We support successful participation and integration of our multi-ethnic and multilingual community in Hawai'i.

EEH supports hb728 hd1 which provides flexibility for the budget adjustments but maintains OLA as Deptment of Health attached agency with an executive director. For your information, we submitted testimony in opposition to sb 1230 sd 1. Clearly language access expertise and technical assistance should be performed by the Executive Director. HB728 hd1 recognizes the continuing need for the agency and the executive director to meet language access needs in our state.

EEH advocates for language access compliance with federal and state laws. EEH is committed to making communication accessible for all people in Hawai'i, including those who are limited English proficient. The Office of Language Access has been a critical government agency partner to EEH in providing bilingual information. OLA performs a critical function for the state and the thousands of individuals who are do not speak English adequately. For example OLA partnered with EEH and various ethnic media (eg. KNDI radio which has programs in 16 languages) to provide numerous timely and correct bilingual information about COVID 19 protocols and announcements. Access to information and government services should be equally accessible to all, including Filipino and Pacific islander immigrant communities who have been hardest hit by the pandemic.

We strongly support hb 728 hd. OLA is a very small agency that helped the state pre-COVID 19, helped during the pandemic and can help us recover from the pandemic. Now is the time to support OLA and its executive director. The legislature should reaffirm the importance of OLA which it established in 2006 to address the responsibility of the state to comply with Title VI of the Civil Rights Ace of 1964 and the Executive

Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 2000.



TESTIMONY IN SUPPORT OF H.B.728, H.D 1

Representative SYLVIA LUKE, Chair
Representative TY J.K. CULLEN, Vice-Chair

HOUSE COMMITTEE FINANCE

Hearing Date: 3/2/2021 Room Number: 308

Chair Luke, Vice-Chair Cullen, and Members of the Committee:

The Hawai'i Friends of Civil Rights supports H.B.728, H.D.1 which provides the Office of Language Access (OLA) with flexibility in hiring and allows OLA to explore funding opportunities to enhance its language access resource center.

The critical need for OLA's services has been highlighted over the course of the pandemic where the State's failures to provide language accessible information and services to Hawai'i's limited English proficient (LEP) residents has impacted their health, safety, and welfare. Since 2006, numerous federal lawsuits, federal complaints and consent agreements have directed State departments and agencies to comply with existing federal and State Civil Rights laws. Yet, a cursory review of essential State websites reveals:

- An LEP person seeking information from the Department of Health, (DOH) related to COVID-19 found none, in the early days of the pandemic. OLA intervened and developed 19 COVID-19 related handouts and translated those handouts to 16 different languages commonly found in Hawai'i, including Hawaiian. OLA quickly became the community-wide "go-to" agency for multilingual COVID-19 materials.

Recently, the DOH embedded a machine-based translation program in the <http://hawaiiicovid19.com> website. Despite the DOH's best intentions, the program does not provide COVID-19 vaccine registration information in Ilocano, Marshallese, Chuukese, Tongan and other critical languages found in Hawai'i. Moreover, a limited review of the machine-based translations of the vaccination registration page, in Chinese and Vietnamese, found the page filled with grammar errors and a confusingly formal and complex language structure, making the webpage difficult to read and making clear that this information was not translated by a human.

The use of machine-based translation programs is disfavored by the federal Department of Health and Human Services and are only permitted where a qualified translator reviews the translations for accuracy and edits documents as appropriate. See, Non-Discrimination in Health Programs and Activities; Final Rule, Department of Health and Human Services, Federal Register, Vol. 81, No. 96, May 18, 2016. Regrettably, the DOH appears to be non-compliant with this federal regulation.

Recently, the DOH also initiated translation of multiple COVID-19 handouts in multiple languages commonly found in Hawai'i. This information is not readily accessible and can only be found by clicking on the "Resources" link. A better alternative would be for the DOH to place Babel Notices at the top of its page – a standardized practice – utilized by the federal, state, and municipal governments.

- An LEP person seeking Unemployment Compensation or Pandemic Unemployment Assistance is afforded no vital information in a language other than English and, during the pandemic, calls for assistance went unanswered or when answered many LEP persons were advised that the Department of Labor and Industrial Relations (DLIR) did not provide interpreters, or asked to have their children interpret for them, or simply disconnected. As a result of these failures, complaints have been filed with the Federal Department of Labor, Civil Rights Division against the DLIR.
- An LEP person seeking information on how to register on the State's emergency alerts system or how to prepare for hurricanes or other natural disasters finds only information in English at the Department of Defense, Hawai'i Emergency Management Agency's website.

COVID-19 has shined a spotlight on the reoccurring language access inequities – often a matter of life and death- confronting LEP individuals and families in Hawai'i. As we leverage this moment in time to create a better Hawai'i it is imperative that the State address the lack of language access with urgency.

If miscommunication during the pandemic has been a problem, imagine no information at all.

We fully support H.B.728, H.D.1 and are grateful to the Finance Committee for hearing this measure.

Thank you for your consideration,

Amy Agbayani, Co-chair, Hawai'i Friends of Civil Rights
Pat McManaman, Co-chair, Hawai'i Friends of Civil Rights

HB-728-HD-1

Submitted on: 3/1/2021 7:31:32 AM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Liza Ryan Gill	The Legal Clinic/ Justice for Our Neighbors Hawaii	Support	No

Comments:

Aloha Chair Luke, Vice-Chair Cullen and Members of the Committee,

I am writing to support HB728 HD1. The Office of Language Access serves a critical function for the state by providing resources and helping agencies maintain their compliance with Language Access law. Throughout the last year we have seen how critical it is that public health and public benefit information is provided in the native languages of all of our residents. Failure to do this has caused wide spread disparities in the communication of disease, at one point 30% of all COVID-19 cases were among our Non-NH PI communities, despite the fact they are only 4% of the population.

I am sympathetic to the current crisis our state budget is in and the need to cut from programs across the board. However, I think that we cut OLA, reduce staffing, or combine its functions with the DOH at our own peril. OLA needs to remain independent and able to assist all agencies within the state government to provide accurate information in the common languages of our state. There have been countless examples throughout the last year of various communities unable to access critical health, services, and benefits due to poor translation or no translation of state websites at all.

If our state economy is to recover financially we need to keep our virus-levels down, in order to do that we need to make sure communities that have had the greatest community spread continue to receive the information on vaccination and other resources that they need. If OLA is not there to make sure this happens, in a meaningful way, we could be crippling our own best efforts. Mahalo for you consideration.

Best,

Liza Ryan Gill

Chair, The Legal Clinic Advocacy Committee

**Testimony in SUPPORT of H.B. 728
RELATING TO STATEWIDE HEALTH PLANNING**

Representative SYLVIA LUKE, Chair
Representative TY J.K. CULLEN, Vice-Chair

HOUSE COMMITTEE ON FINANCE

Hearing Date: 3/2/2021

Room Number: 308

Chair Luke and Vice-Chair Cullen:

The Hawai'i Coalition for Immigrant Rights SUPPORTS HB 728 which provides the Office of Language Access (OLA) with flexibility in hiring during the COVID-19 pandemic and allows OLA to explore funding opportunities to enhance its language access resource center.

Created by Legislature in 2006, the Office of Language Access (OLA) was a bold step that reaffirmed Hawai'i's commitment to Civil Rights and inclusive access to services regardless of national origin. Despite OLA's significant advocacy on behalf of limited English proficient (LEP) persons, the Governor's proposed budget would strip away OLA's independence, leave it without an Executive Director and render all its statutory functions optional.

I. Language Access is a Legally-Mandated Civil Right, and Hawai'i's State Agencies Have a History of Non-Compliance

Language accessible service for limited English proficient (LEP) persons is a civil right that finds its origins in Title VI of the Civil Rights Act of 1964. See, Lau v. Nichols, 414 U.S. 563 (1974). In furtherance of this Civil Right, President Clinton issued Executive Order 13166 on August 11, 2000, directing all federal agencies and entities that receive federal funding to implement meaningful access to services for LEP persons. And in 2006, the Legislature created OLA, which essentially codified in State law the LEP mandates found in Executive Order 13166. Despite clear federal and State mandates, Hawai'i has been cited repeatedly by the federal Department of Justice and the federal court for its failure to take reasonable steps to ensure meaningful access to services by LEP persons.¹

¹ Hawai'i Department of Human Services, Consent Decree (2008); Hawai'i Office of Elections, United States District Court for the District of Hawai'i, Settlement Agreement (2010); Hawai'i Department of Transportation, FACE v. DOT, United States District Court for the District of Hawai'i Settlement Agreement (2015); Hawai'i Judiciary, Technical Assistance Agreement (2015); Hawai'i Public Housing Authority, Settlement Agreement with the Hawai'i Civil Rights Commission (2016). Additionally, multiple language access complaints were filed in 2020 against the Hawai'i Department of Labor and Industrial Relations Unemployment Insurance

In the early days of the Pandemic, the Department of Health (DOH) regrettably let down Hawai‘i’s LEP communities, denying the existence of health care disparities and making no effort to reach the linguistically isolated Hawai‘i Pacific Islander or Filipino communities. To address the communication void, OLA created 19 different COVID-19-related educational handouts and translated them to the 16 most common languages in Hawai‘i. OLA broadcast these handouts to immigrant leaders and rapidly became a key source of information in the community-led education efforts to defeat COVID-19. While the DOH is to be credited for its recent outreach efforts to the LEP community, we cannot forget that Hawai‘i’s Pacific Island and Filipino communities have suffered the highest disproportionate rates of infection, hospitalization, and death during the pandemic.

II. Lack of Language Access Remains Among Departments

Currently, there are still critical shortcomings in DOH’s language access for LEP persons. For example, the DOH vaccination pages contain no translated materials in Ilocano, Chuukese, Marshallese, and Tongan. For several other languages where a translated version is available, the website relies upon Google Translate, an artificial translation program. See COVID-19 State of Hawai‘i Portal, <http://hawaiiicovid19.com/> (last accessed Feb. 24, 2021). Because machine translated programs are highly unreliable for certain languages and content, federal Department of Health and Human Services’ regulations provide that artificial translation will only satisfy federal language access laws and rules where a qualified translator reviews the translations for accuracy and edits the documents as appropriate. See Non-Discrimination in Health Programs and Activities; Final Rule, Department of Health and Human Services, Federal Register, Vol. 81, No. 96, May 18, 2016.

It does not appear that DOH is in compliance with this standard. By way of very brief example, the Chinese translation of the vaccination registration webpage, <http://hawaiiicovid19.com/vaccination-registration/>, is filled with grammar errors and uses a confusingly formal and complex language structure, making the webpage difficult to read and making clear that this information was not translated by a human. There are also multiple instances in which the translated meaning was erroneous:

- **“Who is being vaccinated and how do I sign up?” Section:**
 - “Who is being vaccinated” is translated so that it can be read as “Who is giving the vaccination?” rather than who is allowed to receive it;

Division for its failure to translate vital documents, including applications for Unemployment Insurance (UI) and Pandemic Unemployment Assistance (PUA), and its failure to provide interpreters. These complaints remain pending with the federal Department of Labor, Civil Rights Division.

- The pre-vaccination checklist is a PDF that has no Google Translate option;
- **“Kupuna Registration” Section:**
 - Proper nouns are directly translated, to poor effect. For example, CVS/Longs Drugs becomes CVS/“Longevity Medicine”;
 - The instructions, “CVS cannot administer vaccinations to walk-in customers without an appointment” is translated to say that people who walk to CVS will not get service (i.e. implying that one needs to drive);
 - The instruction under CVS/Longs for “both required doses” is translated to mean two types of doses (e.g., that you may get 10 milligrams of one thing, 20 milligrams of another). It is NOT clear that you need to make two separate appointments on separate days;
 - At the bottom of the “Kupuna Registration” Section, it asks readers to go to each county’s vaccine website for the most up-to-date information, but those county sites are not translated at all.
- **“What to expect at a vaccination POD (Point of Dispensing)” Section:**
 - “What to expect” translates to what to expect value-wise (i.e. a mathematical value), not the intended meaning of what kind of experience to expect.
 - The video explaining what to expect is in English only.

This is not limited to Chinese; a review of this same webpage in other languages revealed similar confusing results. For example, in Vietnamese, errors included the following: essential workers were translated to workers who work in factories, “Kupuna” failed to translate, Long Drugs was translated as medication for lengthening body parts, and “CVS cannot administer vaccinations to walk-in customers without an appointment” did not translate.

III. It is Critical to Maintain OLA’s Independence During This Critical Juncture of Hawai‘i’s Pandemic Recovery

COVID-19 has shined a spotlight on the reoccurring inequities – often a matter of life or death – confronting LEP individuals and families in Hawai‘i. If our communities are to overcome and recover from COVID-19, we must ensure that everyone has access to needed health care and vaccination information, rental assistance, UI benefits, and other social services in a language they understand. We hope this bill will foster discussions within the Legislature and prompt a renewed commitment to ending racial and national origin disparities as we collectively carve a path forward for Hawai‘i’s future.

Thank you for your support and consideration,

Catherine Chen, Co-chair, Hawai‘i Coalition for Immigrant Rights
 Liza Ryan Gill, Co-chair, Hawai‘i Coalition for Immigrant Rights

HB-728-HD-1

Submitted on: 3/1/2021 8:46:48 AM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darrin Sato	Interagency Council	Support	No

Comments:

As Chair of the Interagency Council I write in support of HB 728

HB-728-HD-1

Submitted on: 2/26/2021 6:20:02 PM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christy MacPherson	Individual	Support	No

Comments:

I am in strong support of HB728, HD1.

HB-728-HD-1

Submitted on: 2/26/2021 8:48:56 PM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha Finance Committee Members,

I am writing in support of HB278. As a public health professional working with low English proficiency (LEP) people and the son of Vietnamese refugees, I have witnessed firsthand the need for culturally competent language access for many local communities. The COVID-19 pandemic continues to highlight the stark disparities in healthcare access, especially for LEP communities, and this is not the time to remove/change essential infrastructure like the Office of Language Access.

Thank you for your consideration of this testimony.

Thaddeus Pham (he/him)

February 28, 2021

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

The Honorable Representative Ty J.K. Cullen, Vice-Chair
House Committee on Finance

FROM: Cristina Arsuaga, Spanish Interpreter
Language Access Advisory Council Member

SUBJECT: Support of HB 728 HD1 – RELATING TO STATEWIDE HEALTH PLANNING.

Hearing: Tuesday, March 2, 2021 at 11:00 AM.

My name is Cristina Arsuaga, and I am a member of The Language Access Advisory Council representing professional interpreters. I am submitting this testimony in my personal capacity.

As a federally certified Spanish interpreter in Hawai'i, most of my work here centers on the Judiciary where all LEP criminal defendants have a right to an interpreter. The system is not perfect and there are many of us working on raising the standards and improving the quality of available interpreters, but one thing is for certain - no one would think about subjecting a defendant to a proceeding, let alone a trial, without the ability to fully understand what is being said. I strongly believe the same philosophy and standard should apply to all government (local, state, federal) business. In a state as diverse as ours no one should be penalized or deprived of important information that could be lifesaving because of limited or lack of understanding of English.

The idea that language could be literally lifesaving was never so evident for me as a couple of years ago when I was hired to work on a translation project for the Department of Emergency Management of the different counties of Hawai'i. One of my tasks was to translate basic emergency terminology, such as lava flow, flash flooding and high winds into Spanish. Another was translating a brochure of tsunami facts. It struck me how vulnerable population with little understanding of English would be in catastrophic events such as these, and how important it was to provide them with information and guidance in their own language. In the case of my particular target audience, I knew that many of these Spanish speaking Hawai'i residents had come from inland rural areas in their countries of origin where they had never had to think of a tsunami, much less prepare for one. I knew this information would be invaluable for them, and it gave me great satisfaction to know that someday my words could help save a life.

For LEP individuals, language access is a significant barrier for accessing important benefits or services, understanding and exercising important rights, complying with applicable

responsibilities and understanding complex information provided by government and government-funded programs and activities; especially during Covid-19 pandemic where language access is more important than ever as those LEP individuals have historically faced challenges in seeking meaningful access to health information and supportive services. Meaningful language access becomes imperative to avoid misinformation or no information to our most vulnerable with limited to no English proficiency.

During this pandemic, OLA plays a vital role in supporting state agencies to effectively communicate with LEP.

In my personal role as someone who strongly believes in a level playing field for all, I support this bill as it demonstrates the commitment to language access and the Office of Language Access needed by our community.

Thank you for your consideration and for this opportunity to provide testimony.

HB-728-HD-1

Submitted on: 3/1/2021 9:49:25 AM

Testimony for FIN on 3/2/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Serafin P Colmenares	Individual	Support	No

Comments:

This bill reaffirms the importance of and the need for language access in Hawaii. As a former executive director of the Office of Language Access and as an immigrant, I strongly support this bill and urge the committee to pass it.