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March 27, 2021

TO: The Honorable Senator Joy San Buenaventura, Chair
Senate Committee on Human Services

The Honorable Senator Jarett Keohokalole, Chair
Senate Committee on Health

FROM: Cathy Betts, Director

SUBJECT: **SCR 95/SR 74** – REQUESTING THE GOVERNOR TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR EFFECTIVE COMMUNICATIONS WITH LIMITED ENGLISH PROFICIENT PERSONS AND PERSONS WITH DISABILITIES BEFORE, DURING, AND AFTER EMERGENCIES AND NATURAL DISASTERS.

Hearing: March 29, 2021, 1:00 p.m.
Via Videoconference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports these resolutions. DHS agrees with testimony of the Department of Labor & Industrial Relations in the House versions that more time will likely be needed to meet and prepare a report. DHS respectfully requests continued support of the Legislature so that identified agencies have the requisite staff and fiscal resources to address this and other systemic needs whose importance is magnified by the pandemic. Proposed cuts to staff and other operational resources will reduce the agency's ability to do this necessary work.

PURPOSE: These resolutions request the governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities before, during, and after emergencies and natural disasters.

DHS will participate on this working group. The disparate impact of the pandemic on Pacific Islander communities highlights the necessity for additional work to be done to improve coordination and prioritization of resources towards a range of communication strategies.

This experience also reinforces the importance of the ongoing work of the Office of Language Access (OLA) and its role to provide central coordination and technical assistance to state agencies to translate or interpret information to improve access to benefits and services for all Hawaii residents.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 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.

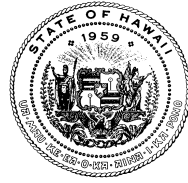
Similarly, the value and importance of the work and contribution of the Disability and Communication Access Board (DCAB) are highlighted particularly during this legislative session as greater access and participation by individuals with disabilities to legislative and other meetings are greatly improved. DCAB is a vital resource to agencies and the communities at all times to maintain access to services and remain compliant with provisions of the Americans with Disabilities Act.²

Especially in the current pandemic and other emergency management events 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 and DCAB provide to maintain meaningful access to benefits and services for Hawaii's residents with limited English language proficiency and or who have disabilities.

Thank you for the opportunity to provide testimony on these resolutions.

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

² See DCAB website at <https://health.hawaii.gov/dcab/about-us/>.



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Testimony COMMENTING on SCR 95/ SR 74

REQUESTING THE GOVERNOR TO CONVENE A WORKING GROUP
TO DEVELOP RECOMMENDATIONS FOR EFFECTIVE COMMUNICATIONS WITH
LIMITED ENGLISH PROFICIENT PERSONS AND PERSONS WITH DISABILITIES
BEFORE, DURING, AND AFTER EMERGENCIES AND NATURAL DISASTERS.

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HUMAN SERVICES

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date: 3/29/2021

Room Number: Via Vedioconference

1 **Agency's Position:** The Office of Language Access (OLA) appreciates the intent of the Senate
2 Concurrent Resolution 95/ Senate Resoulution 74, as it seeks to establish a working group to
3 develop recommendations for effective communications with limited English proficient persons
4 and persons with disabilities before, during, and after emergencies and natural disasters, and
5 offer the following comments.

6 **Purpose and Justification:** The agency notes that the aspirational and exploratory goal of both
7 resolutions are in line with the mission of OLA which is to address the language access needs of
8 Limited English Proficient (LEP) persons and ensure their meaningful access to services,
9 programs, and activities offered by the executive, legislative, and judicial branches of state
10 government, including departments, offices, commissions, boards, and other state-funded
11 agencies.

12 The lack of English proficiency has strong impacts on people's economic and social
13 activities, safety, health literacy and wellness, access to education, employment, and important
14 public assistance, benefits, programs and services. Languages barriers are known to be an

1 important contributor to the ineffectiveness of emergency information dissemination and related
2 problems, especially in multicultural communities.

3 As the recent events demonstrate, disaster/emergency can strike our state anywhere,
4 anytime, and often without warning. With so many of Hawaii's residents speaking a language
5 other than English at home, it is critical that all our communities have access to service and
6 information to help them prepare for and respond to emergencies.

7 The establishment of a working group is an important step toward information-sharing
8 and the development of ideas and action steps to address the language needs before, during, and
9 after emergencies and natural disasters.

10 Thank you for the opportunity to submit testimony on these resolutions.

SR-74

Submitted on: 3/25/2021 11:13:41 PM

Testimony for HMS on 3/29/2021 1:00:00 PM

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

Comments:

I am in strong support of SR74. Input from the LEP and disabled communities are critical before, during, and after emergencies, disasters and always.

SR-74

Submitted on: 3/28/2021 9:29:48 AM

Testimony for HMS on 3/29/2021 1:00:00 PM

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

Comments:

Aloha HMS amd HTH Committees,

I am writing in support of SR74. As a public health professional working with low English proficiency (LEP) people and the son of refugees, I have witnessed firsthand the need for culturally competent and in-language access for many local communities, especially during a disaster. The COVID-19 pandemic continues to highlight the stark disparities in healthcare access, especially for LEP communities.

Thank you for your consideration of this testimony.

Thaddeus Pham (he/him)