

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on SB1230
RELATING TO STATEWIDE HEALTH PLANNING.

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON HEALTH

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

Hearing Date: February 9, 2021

Room Number: N/A

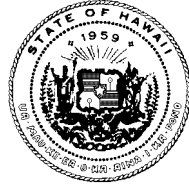
1 **Department Testimony:** The Governor's Executive Biennium budget proposes the elimination
2 of the Office of Language Access (OLA) and the transfer of certain resources to the Department
3 of Health (DOH).

4 The need for language competency has been magnified by the COVID19 pandemic, especially
5 among Pacific Islander communities. As a result, the department has been working with OLA
6 and other stakeholders to assure continuity for OLA's critical responsibilities and is making
7 certain recommendations to the Governor.

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

9

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 7, 2021

TO: The Honorable Senator Jarrett Keohokalole, Chair
Senate Committee on Health

The Honorable Senator Joy A. Buenaventura, Chair
Senate Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: **SB 1230 – RELATING TO STATEWIDE HEALTH PLANNING.**

Hearing: Tuesday, February 9, 2021, 3:05 p.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 the section 321C-6, Hawaii Revised Statutes, remains as is. DHS defers to the Office of Language Access (OLA), and the Department of Health.

PURPOSE: This bill provides flexibility to deploy statewide language access programs and resources.

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

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

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.

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.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 09, 2021

The Honorable Senator Jarrett Keohokalole, Chair
Senate Committee on Health
The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Human Services
The Thirty-First Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator Keohokalole, Senator San Buenaventura, and Committee Members:

SUBJECT: SB1230 Relating to Statewide Health Planning

The Hawaii State Council on Developmental Disabilities appreciates the **intent of SB1230**, which provides flexibility to deploy statewide language access programs and resources.

The Council respectfully requests the section 321-6, Hawaii Revised Statutes, remain in its current form ("shall") and not be diluted to become optional ("may"). The Office of Language Access (OLA) has always provided central coordination and technical assistance to the Council to translate vital health communication and information throughout the years, most importantly they were there for us during this time of the pandemic. They were able to immediately provide COVID-19 translations. They did this not only for the Council, but for other state agencies who requested it.

As state agencies had to go through budget cuts, we had to identify areas of State and Federal law requirements and the cost, we did not identify the requirements to maintain language access services for Hawaii's diverse population, because we knew we had OLA to turn to. The Council receives federal funds and we are subject to provisions of Title VI of the Civil Rights Act of 1964 and we must provide meaningful access to services, OLA has always assisted us with language access. We have streamlined our budget and are not prepared to address this cost. If OLA was not available to us, we are deeply concerned how we will meet that requirement.

Thank you for the opportunity to provide comments to **SB1230**.

Sincerely,

Daintry Bartoldus
Executive Administrator

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 7, 2021

TO: The Honorable Senator Jarrett Keohokalole, Chair
Senate Committee on Health

The Honorable Senator Joy A. Buenaventura, Chair
Senate Committee on Human Services

FROM: Terrina Wong, Chair
The Language Access Advisory Council

SUBJECT: SB 1230 – RELATING TO STATEWIDE HEALTH PLANNING.

Hearing: Tuesday, February 9, 2021, 3:05 p.m.

My name is Terrina Wong. I am the Chair of the Language Access Advisory Council (LAAC) and I am submitting this comment 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.

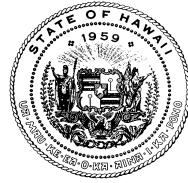
In Hawaii, the imperative for language access stems from our rich diversity. According to the 2019 State of Hawaii Data Book released by the Hawaii Department of Business, Economic Development & Tourism, Hawaii’s total population aged 5 years and older is 1,331,641 with 326,893 (25.4%) or roughly 1 in 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.

The proposed change from “shall” to “may” could undermine protections for LEP individuals by making the functions of OLA optional rather than mandatory. This could weaken nondiscrimination protections based on national origin and create significant harm to LEP residents and immigrants, many of whom face significant language barriers when accessing services, programs, and activities offered by the government or government-funded agencies.

Thank you for your consideration.



STATE OF HAWAII
DEPARTMENT OF HEALTH
OFFICE OF LANGUAGE ACCESS
1177 Alakea Street, Room B-100
Honolulu, HI 96801-3378
doh.ola@doh.hawaii.gov

**Testimony COMMENTING on S.B. 1230
RELATING TO STATEWIDE HEALTH PLANNING**

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

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

Hearing Date: 2/9/2021

Room Number: Via Videoconference

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

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

14 Act 290 and Act 201 also established OLA to address the language access needs of LEP
15 individuals and ensure their meaningful access to services, programs, and activities offered by
16 the executive, legislative, and judicial branches of state government, including departments,
17 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.

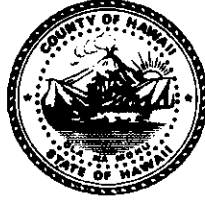
6 The proposed change from “shall” to “may” could have an unintended effect of
7 decreasing meaningful access for LEP individuals, especially during this COVID19 pandemic
8 where our LEP residents are facing significant language barriers when accessing vital health
9 information.

10 Therefore, OLA has been actively working with DOH and other stakeholders to assure
11 continuity for OLA’s critical responsibilities and is making certain recommendations to the
12 Governor.

13 **Offered Amendments:** To preserve the original intent and commitment to language access,
14 OLA respectfully requests the first paragraph of section 321C-6, Hawaii Revised Statutes,
15 remain in its current form of “shall” instead of “may.”

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

Mitchell D. Roth
Mayor



Douglass S. Adams
Director

Dr. Sulma Gandhi
Deputy Director

County of Hawai'i

DEPARTMENT OF RESEARCH AND DEVELOPMENT

25 Aupuni Street, Room 1301 • Hilo, Hawai'i 96720-4252
(808) 961-8366 • Fax (808) 935-1205
E-mail: chresdev@co.hawaii.hi.us

February 8, 2021

RE: Testimony in OPPOSITION to S.B. 1230
RELATING TO STATEWIDE HEALTH PLANNING

TO: SENATE JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON HEALTH

SENATOR JOY SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HUMAN SERVICES

Hearing: Tuesday, February 9, 2021

Room 225

Chair Keohokalole, Chair San Buenaventura, and Members of the Committees:

The County of Hawai'i respectfully opposes S.B. 1230.

The Office of Language Access has been a responsible, relevant and important partner in helping our island residents who have difficulty accessing government services.

The percentage of residents of the County who speak English less than "very well" is the lowest among the counties, according to a 2016 analysis by the Department of Business, Economic Development and Tourism. However, four rural Census Designated Places (CDPs)--Na'alehu, Pahala, Pahoa, and Kea'au--report that at least one in five residents fall into this category. If we have learned (or relearned) anything during this pandemic, it is that access to government support is tremendously difficult if one does not speak English well. Access to any government service, whether disaster response and recovery, education, health care, or other social services, is dependent on language access, a vital aspect of the level of equitable treatment that our friends and neighbors have a right to demand from their government.

Access defines equity and opportunity. Please maintain the efficacy of the Office of Language Access by supporting its operations and not moving this bill forward.

very respectfully,

A handwritten signature in black ink, appearing to read "Douglass S. Adams", written over a horizontal line.



**Testimony in OPPOSITION to S.B. 1230
RELATING TO STATEWIDE HEALTH PLANNING**

**SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON HEALTH**

**SENATOR JOY A.SAN BUENAVENTURA
SENATE COMMITTEE ON HUMAN SERVICES**

Hearing Date: 2/9/2021

Room Number: 225

Chair Keohokalole, Chair San Buenaventura and Members of the Committees:

The Hawai'i Friends of Civil Rights respectfully opposes S.B. 1230 as unnecessary and overbroad.

Hawai'i has one of the highest relative proportions of non-English speakers in the nation. And that population has been steadily increasing. In 1990, Hawai'i's limited English proficient population (LEP) numbered 124,000 persons and by 2015 it had grown to 166,700 persons. In 2016, approximately one in five or 18.4% of Hawai'i's population were foreign born, ranking it sixth among all states. National census data reported that 22% percent of these individuals speak English "less than well" or "not well at all." Under existing federal and State regulations and law, individuals who speak English "not very well" are LEP and accorded protection by our Civil Rights laws.

The Office of Language Access (OLA) was created by this Legislature in 2006, in part, to address Hawai'i's failure to come into compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 2000. OLA's essential mandate is to provide oversight and central coordination to state agencies, (the executive, legislative and judicial branches of Hawai'i's state government) as well as technical assistance to state and covered entities, in developing and implementing their Language Access Plan as required by law. It also monitors and reviews state agencies for compliance and provides language access complaint resolution.

Despite OLA's best efforts and numerous federal language access lawsuits, federal complaints, and settlements across a broad array of state entities, Hawai'i continues to fail its LEP residents seeking access to state and state-funded services. By way of example:

- An LEP person seeking information related to hurricane safety or how to sign up for emergency alerts is met with English only advice from the Department of Defense, Hawai'i Emergency Management Agency website.
- An LEP person seeking Unemployment Compensation or Pandemic Unemployment Assistance is afforded no information in a language other than English and, as we have witnessed in the pandemic, calls for assistance have gone unanswered or when answered many LEP persons have been advised that the DLIR does not provide interpreters, or asked to have their children interpret for them, or simply disconnected.
- An LEP person wishing to register for the COVID-19 vaccination sees only instructions and registration forms in English, apart from Kaiser Permanent which provides this information in Spanish.

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

Rather than look for the means to reduce OLA's staff by amending Chapter 321-C, Hawai'i Revised Statutes, to render its Executive Director dispensable and its services optional it is incumbent upon the state to convene the immigrant community and its supporters to discuss and remedy Hawai'i's language access failures. Use this moment to move Hawai'i forward as the nation's leader in affording its residents protection under our Civil Rights laws.

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

**Testimony COMMENTING on S.B. No. 1230
RELATING TO STATEWIDE HEALTH PLANNING**

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

SENATOR JOY A.SAN BUENAVENTURA
SENATE COMMITTEE ON HUMAN SERVICES

Hearing Date: 2/9/2021

Room Number: 225

Chair Keohokalole, Chair San Buenaventura, and Members of the Committees:

The Hawai'i Coalition for Immigrant Rights respectfully opposes S.B. 1230.

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. As proposed, however, S.B. 1230 undermines OLA's very existence by making optional the appointment of an Executive Director and OLA's statutorily authorized duties.

As early as 1974, the United States Supreme Court held that failure to ensure meaningful access to services for Limited English Proficient (LEP) persons is a form of discrimination prohibited by Title VI of the Civil Rights Act of 1964 (Title VI). See, Lau v. Nichols, 414 U.S. 563 (1974). In furtherance of Title VI, Executive Order 13166 of August 11, 2000, directed all federal agencies and entities that received federal funding to examine their services and to develop and implement systems to provide meaningful access to LEP persons. See, Federal Register, Vol 65, No159, August 16, 2000.

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: 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 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.

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 soon 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 and that the DOH and other Departments have failed to leverage the Internet to better serve the public, including limited English proficient persons (LEP). The State's failure to translate vital health care information, and applications and instructions for accessing unemployment benefits are but two examples.

The Internet has changed the way the public and government entities interact with each other and allows programs and services to be offered in more dynamic, interactive, and cost-efficient ways. Embedding a machine translation program, like Google Translate, in webpages does not, however, resolve the language divide. See, for example, hawaiiicovid19.com. Because machine translated programs are highly unreliable for certain languages and content, federal Department of Health and Human Services' regulations provide that these tools will only satisfy federal language access rules where a qualified translator review 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. Additionally, the utilization of many common machine translation programs is illusory as they do not provide for translations in Ilocano, Marshallese, Chuukese, Tongan and other critical languages commonly found in Hawai'i. Finally, it must be noted that DOH has yet to post any multilingual vaccine registration information in Ilocano, Marshallese, Chuukese and Tongan.

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. Now is not the time to strip OLA's staff of its ability to advise Departments on best practices in compliance with federal and State law. Rather, it is a time for the Legislature to address racial disparities and recalibrate its priorities as it carves a path forward for Hawai'i's future.

Thank you for your consideration,

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



CATHOLIC CHARITIES HAWAI'I

TO: Senator Jarrett Keohokalole, Chair Senator Joy A. San Buenaventura, Chair
Senator Rosalyn H. Baker, Vice Chair Senator Les Ihara, Jr., Vice Chair
Committee on Health Committee on Human Services

FROM: Rob Van Tassell, President and CEO

DATE: Tuesday, February 9, 2021 (3:05 p.m., Conference Rm. 225)

RE: **IN OPPOSITION TO SB 1230, Relating to Statewide Health Planning**

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been serving people in need in the State of Hawaii since 1947.

CCH opposes SB1230, which would essentially eliminate the Office of Language Access (OLA) by making optional the appointment of an Executive Director and OLA's statutorily authorized duties.

CCH provides services for many Limited English Proficient (LEP) clients through many of our programs and we are aware of the challenges that the State of Hawaii has had in complying with the federal requirement for meaningful access to services to LEP persons.

During the current Pandemic, our staff have had experience trying to help LEP persons access Unemployment Insurance and the Pandemic Unemployment Assistance as they have tried to survive and pay for basic necessities. Also, we have welcomed the COVID-19-related educational handouts that OLA had taken the initiative to translate in the most common languages in Hawai'i. These became vital resources for us as we tried to ensure that LEP populations had the information they needed about COVID-19 to help protect themselves, their families and their community.

We are concerned that without the Office of Language Access, there will be no coordinating body to assist State entities to meet their federal obligation to providing meaningful access to services by LEP individuals, and no central body to provide the necessary education and outreach tools that are needed statewide for the health and safety of our entire community.

Catholic Charities Hawai'i asks for your support to oppose SB 1230. For more information or questions, please feel free to email Diane Terada, Division Administrator, at diane.terada@catholiccharitieshawaii.org or call her via phone at 527-4702.

Thank you for this opportunity to provide testimony.



SB-1230

Submitted on: 2/8/2021 9:28:22 AM

Testimony for HTH on 2/9/2021 3:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Strauss	Individual	Oppose	No

Comments:

Though this is a personal testimony, I do work in public health and work directly with many of the first and second-generation immigrant families here in Hawaii that need more access, not less, to interpretive services. In fact, if there is one thing this pandemic has made acutely obvious is the need for more interpreters within the HI DOH, as well as streamlining the hiring process for the Easy Access Program and the Bilingual Health Aide Program. Many of the immigrant communities have been impacted the greatest during this pandemic and also suffer many of the largest health inequities in the state. It is critical that we do more not less to strengthen the Office of Language Access (OLA) in order to improve the State's ability to assist the most vulnerable populations, especially during this pandemic.



**Testimony in OPPOSITION to S.B. 1230
RELATING TO STATEWIDE HEALTH PLANNING**

**SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON HEALTH**

**SENATOR JOY A.SAN BUENAVENTURA
SENATE COMMITTEE ON HUMAN SERVICES**

Hearing Date: 2/9/2021

Room Number: 225

Chair Keohokalole, Chair San Buenaventura and Members of the Committees:

The Hawai'i Friends of Civil Rights respectfully opposes S.B. 1230 as unnecessary and overbroad.

Hawai'i has one of the highest relative proportions of non-English speakers in the nation. And that population has been steadily increasing. In 1990, Hawai'i's limited English proficient population (LEP) numbered 124,000 persons and by 2015 it had grown to 166,700 persons. In 2016, approximately one in five or 18.4% of Hawai'i's population were foreign born, ranking it sixth among all states. National census data reported that 22% percent of these individuals speak English "less than well" or "not well at all." Under existing federal and State regulations and law, individuals who speak English "not very well" are LEP and accorded protection by our Civil Rights laws.

The Office of Language Access (OLA) was created by this Legislature in 2006, in part, to address Hawai'i's failure to come into compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 2000. OLA's essential mandate is to provide oversight and central coordination to state agencies, (the executive, legislative and judicial branches of Hawai'i's state government) as well as technical assistance to state and covered entities, in developing and implementing their Language Access Plan as required by law. It also monitors and reviews state agencies for compliance and provides language access complaint resolution.

Despite OLA's best efforts and numerous federal language access lawsuits, federal complaints, and settlements across a broad array of state entities, Hawai'i continues to fail its LEP residents seeking access to state and state-funded services. By way of example:

- An LEP person seeking information related to hurricane safety or how to sign up for emergency alerts is met with English only advice from the Department of Defense, Hawai'i Emergency Management Agency website.
- An LEP person seeking Unemployment Compensation or Pandemic Unemployment Assistance is afforded no information in a language other than English and, as we have witnessed in the pandemic, calls for assistance have gone unanswered or when answered many LEP persons have been advised that the DLIR does not provide interpreters, or asked to have their children interpret for them, or simply disconnected.
- An LEP person wishing to register for the COVID-19 vaccination sees only instructions and registration forms in English, apart from Kaiser Permanent which provides this information in Spanish.

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

Rather than look for the means to reduce OLA's staff by amending Chapter 321-C, Hawai'i Revised Statutes, to render its Executive Director dispensable and its services optional it is incumbent upon the state to convene the immigrant community and its supporters to discuss and remedy Hawai'i's language access failures. Use this moment to move Hawai'i forward as the nation's leader in affording its residents protection under our Civil Rights laws.

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

SB-1230

Submitted on: 2/8/2021 12:06:40 PM

Testimony for HTH on 2/9/2021 3:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Philios Uruman	Individual	Support	No

Comments:

OLA's role with the state is vital to our LEP community. We need OLA to stand in it's position as it helped LEP's voices heard and served the LEP's need. OLA has translated and published materials in our languages. We have been viewing their websites for COVID updates since the closure of our government has information are readily available in our langauges and the time frame of publishing information is readily available than many departments within the sate. OLA also hears our complaints. The department also make sure that our complaints were filed and resolved appropriately.

SB-1230

Submitted on: 2/8/2021 12:16:47 PM

Testimony for HTH on 2/9/2021 3:05:00 PM

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

Comments:

HTH/HMS Committee Members,

I am writing in strong opposition to SB 1230. 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)

SB-1230

Submitted on: 2/8/2021 2:10:34 PM

Testimony for HTH on 2/9/2021 3:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dina Shek	Individual	Oppose	No

Comments:

Dear Committee Members,

I strongly **OPPOSE** S.B. 1230 that deeply undercuts the Office of Language Access (OLA). This vital yet chronically underfunded agency serves as the main conduit to address Hawaii's language access compliance, ongoing challenges, and technical supports for government agencies and communities.

As an attorney and advocate in Hawai'i, I witness the daily needs—and the inadequate state responses—that people with limited English proficiency face in all sectors of life, including accessing lifesaving healthcare and emergency services and navigating the Unemployment Insurance Benefits to which they have contributed and are entitled to receive. During the pandemic, the Office of Language Access has responded to the language access needs of communities, and the OLA staff has been critical to addressing numerous problems when state agencies have failed to provide adequate interpretation and translation.

Advancing this bill would send a painful message to immigrant communities and to all of Hawai'i that their civil rights don't matter. Rather than gutting this essential service, now is the time for the state to increase its support for the Office of Language Access.

Thank you for your consideration,

Dina Shek.

LATE

SB-1230

Submitted on: 2/8/2021 10:47:51 PM

Testimony for HTH on 2/9/2021 3:05:00 PM

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

Comments:

I oppose this bill. Our community can ill afford any reduction in OLA's ability to provide language access. It is so important to ensure that everyone in Hawai'i is able to understand critical information and obtain the assistance that they need.