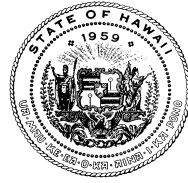


DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

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

**Testimony COMMENTING on SB 2883 SD 1
RELATING TO MEDICAL FACILITIES.**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS & MEANS

Hearing Date: 2/23/2022

Room Number: Via Vedioconference

1 **Agency Position:** The Office of Language Access (OLA) appreciates the intent of the SB 2883
2 SD 1, as it requests that the Hawaii Health Systems Corporation (HHSC) convene a task force to
3 facilitate improved, mission-driven hiring and training of culturally accepted interpreters and to
4 create culturally accepted educational materials on preventative care and early intervention to
5 assist non-English speaking populations seeking care at HHSC facilities.

6 **Agency Testimony:** OLA notes that the aspirational and exploratory goal of this measure are in
7 line with the mission of OLA, which is to address the language access needs of LEP persons.
8 OLA is task to provide technical assistance and coordinate resources to reduce the burden of
9 meeting language access obligations. OLA is charged with providing oversight, central
10 coordination, and technical assistance to all state and state-funded agencies in their
11 implementation of language access compliance.

12 In addition, OLA would like to note that covered entities have the flexibility to determine the
13 type of language assistance services that they provide, whether that be bilingual staff, staff
14 interpreters, contractors, telephone or video conferencing, or community volunteers, but must
15 ensure the quality and accuracy of such services. Thus, OLA would defer to the HHSC to
16 determine which language assistance services would be most appropriate for their operations.

- 1 OLA is committed to collaborating with the HHSC and other covered entities to ensure that
- 2 language access trainings are available and align with their operations and objectives.
- 3 Thank you for the opportunity to submit testimony on this measure.



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Quality Healthcare For All"

LATE

SENATE COMMITTEE ON WAYS AND MEANS

February 23, 2022
10:05 a.m.
Hawaii State Capitol
Via Videoconference

**Testimony Supporting the Intent of
S.B. 2883, SD1
RELATING TO MEDICAL FACILITIES**

Creates a task force focused on the hiring and training of culturally-accepted interpreters to assist non-English speaking populations seeking care at health care facilities. Appropriates funds. (SD1)

Linda Rosen, M.D., M.P.H.
President and Chief Executive Officer
Hawaii Health Systems Corporation

On behalf of the Hawaii Health Systems Corporation (HHSC) Corporate Board of Directors, thank you for the opportunity to present testimony **with concerns** regarding **S.B. 2883, SD1**.

This measure focuses on the hiring and training of interpreters, as well as the creation of culturally acceptable educational material on preventative care for all non-English speaking persons in **the State who seek care at all health care facilities in Hawaii**.

HHSC acknowledges that individuals with limited experience with complex healthcare systems and limited English proficiency (LEP) can have poor health outcomes as they may not heed preventive messages and avoid healthcare settings due to cultural differences and the barriers they encounter. The government has acknowledged the importance of these issues with Title VI of the Civil Rights Act which mandates that professional interpreter services be provided for patients with LEP, as well as Section 1557 of the Affordable Care Act, 45 C.F.R., Part 92 (2016), and Chapter 321C, Hawaii Revised Statutes. It should be noted that *professional interpreters* must be differentiated from ad hoc interpreters (i.e., family, friends, or untrained staff). Untrained interpreters are more likely to make errors, violate confidentiality, and increase the risk of poor outcomes. **Hospitals in Hawaii** provide medical interpretation by telephonic services or through MARTII services. MARTII stands for My Accessible Real-Time Trusted Interpreter that is a HIPAA-approved, video, and audio wireless connection to a skilled, certified medical interpreter. HHSC facilities employ the use of video monitors

for this face-to-face communication. These services are timely and effective, especially in an emergency health situation.

Off-site professional medical interpretation services are used by all hospitals across the state as the maintenance of employed on-site certified medical interpreters in all languages is not only cost prohibitive, it is unlikely that professional, trained medical interpreters in all languages could be secured for all healthcare facilities across Hawaii. Instead, the use of a professional, certified medical interpreter via phone interpretation services is a reasonable alternative and has been found to increase patient satisfaction, improve adherence and outcomes, and reduces adverse events.

Navigating healthcare is daunting even for proficient English speakers. We commend the Legislature for its interest in addressing the adverse health outcomes associated with these difficulties. However, we respectfully submit that the hiring and training of interpreters and the development of educational materials for all healthcare facilities across Hawaii focused on prevention and early intervention are outside the scope of HHSC's expertise. We also would note that the level of training needed for medical interpretation along with the number of languages involved, and the fact that interpreter services are not reimbursed by health insurance, are daunting barriers to establishing a sustainable on-site service for all.

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

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 2883, S.D. 1

February 23, 2022
10:05 a.m.
Room 211 and Videoconference

RELATING TO MEDICAL FACILITIES

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2883, S.D. 1, requires the Hawai'i Health Systems Corporation (HHSC) to convene a task force focused on the hiring and training of culturally-accepted interpreters to assist non-English speaking populations seeking care at health care facilities; provides for the membership of the task force; and appropriates an unspecified amount of general funds to HHSC for FY 23 to support the work of the task force. The task force shall dissolve as of June 30, 2024.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

Maile Medeiros David
Council Chair
Council District 6
(Portion N. S. Kona/Ka'ū /Volcano)



Phone: (808) 323-4277
Fax: (808) 329-4786
Email: maile.david@hawaiicounty.gov

LATE

HAWAI'I COUNTY COUNCIL

County of Hawai'i
West Hawai'i Civic Center, Bldg. A
74-5044 Ane Keohokalole Hwy.
Kailua-Kona, Hawai'i 96740

February 22, 2022

Honorable Donovan M. Dela Cruz, Chair
Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Ways and Means
Via Videoconference

Re: S.B. No. 2883 – Relating to Medical Facilities

Honorable Chair Dela Cruz and Vice Chair Keith-Agaran:

On behalf of myself and as Councilmember representing the rural districts of South Kona, Ka'ū and Volcano Village (Council District 6), I express my strong support of SB 2883 relating to medical facilities.

As you may know, many of the Ka'ū residents face cultural, financial, and geographical barriers that prevent them from accessing health services in rural areas in my Council Districts of South Kona, Ka'ū, and portions of Volcano Village. Having a Hawai'i Health Services Corporation convene a task force to facilitate improved, mission-driven hiring and training of culturally-accepted educational materials on prevention and care to assist the non-English speaking population in these diverse and undeserved communities is much needed.

Mahalo a nui loa for your favorable consideration.

Very truly yours,

Maile David

Maile David, Council Member
Council District 6, S. Kona, Ka'ū, and Volcano Village



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

LATE

**Testimony in SUPPORT of SB 2883
RELATING TO MEDICAL FACILITIES**

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Hearing Date: 2/23/2022

Dear Committee Members,

We write to SUPPORT SB 2883, which convenes a task force to facilitate improved, mission-driven hiring and training of interpreters and to create culturally-accepted educational materials on preventative care and early intervention to assist non-English speaking populations seeking care at Hawai'i Health Services Corporation (HHSC) facilities. This bill works to advance social and economic justice for immigrants and addresses health concerns exacerbated by the COVID-19 pandemic.

COVID-19 exposed systemic inequalities in our healthcare services.¹ Numerous articles last year highlighted how our COFA communities have been disproportionately impacted by COVID-19 and did not receive the care or public health information needed to stop the spread of the virus in their communities.² With expanded Medicaid coverage to COFA residents of the United States, more than 25,000 individuals in our state could be accessing healthcare on a more regular basis.³ This is great news but needs to be met with equal action by the state.

This bill addresses some of the healthcare hurdles that immigrants and Limited-English Proficient (LEP) persons face. Medical care and public health information is best utilized when it is given in the native language of patients by members of their own community. That is why numerous states, such as Massachusetts, have passed more expansive medical interpretation laws that mandate in-person interpretation for patients.⁴ These interpreters become trusted partners not only to the community they serve but also to the medical providers that they work with. They recognize and address the barriers that the family they are speaking to might be facing.

The current system, even with current laws, is not enough. Not only patients but also health care providers often feel like they have few options. They can call a number which may or may not connect them with language services through the phone, a helpful tool but one insufficient to the task of soliciting sensitive medical information, reading the apprehension or confusion on a

¹<https://www.civilbeat.org/2020/08/health-officials-knew-covid-19-would-hit-pacific-islanders-hard-the-state-still-fell-short/>

² <https://www.civilbeat.org/2020/09/covid-magnifies-health-disparities-for-micronesians/>

³<https://www.civilbeat.org/2020/12/how-decades-of-advocacy-helped-restore-medicare-access-to-micronesian-migrants/>

⁴ <https://www.mass.gov/interpreter-services-at-health-care-facilities>



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patient's face, and addressing dynamics that may only be apparent in-person. We have also heard stories of providers using the family member with the greatest English-language skills, which may often be a minor, and relying on them to do the job of a professional. None of these options have proven robust enough to provide immigrants and LEP persons of Hawai'i with the care that they are entitled to. In addition, without taking this step forward we will continually frustrate our already strained medical providers and cripple them by denying them the resources they need to meet the task they have been given.

Notably, the University of Hawai'i Community College System is exploring the establishment of a program to certify interpreters, including medical interpreters. This program, if established, will boost the limited number of trained medical interpreters residing in Hawai'i.

The pandemic has shone a light on the ways in which language access, which can only be achieved through training and hiring community interpreters and community healthcare workers to bridge the gaps, is a critical component of any public health response. Let us take what we have learned from COVID-19 and make positive steps forward so all of our people can live healthy and productive lives.

We SUPPORT SB 2883. 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



Community Association

Mission: "To Do What It Takes To Keep Ka'u Healthy"
P.O.Box 878 Pahala, Hi 96777
Website: krhcai.com
Phone: (808) 928-0101

LATE

February 23, 2022

To: Senator Donovan M. Dela Cruz, Chair;
Senator Gilbert S.C. Keith-Agaran, Vice Chair;
Senate Committee Members on Ways and Means

From: Jessanie Marques, Executive Director
Ka'u Rural Health Community Association, Inc.

Re: Testimony in support of SB 2883 Relating to Medical Facilities

My name is Jessanie Marques, Ka'u Rural Health Community Association, Inc.,(KRHCAI) Executive Director and assisted with Covid 19 Vaccine and Testing community outreach events to Pacific Islanders (Marshallese, Micronesians etc), in Oceanview, Naalehu and Pahala; and strongly support SB 2883 Relating to Medical Facilities; creation of a task force focused on the hiring and training of culturally accepted interpreters to assist non English speaking population seeking care at health care facilities. .

Over the past 5 years KRHCAI has been working with Pacific Islanders families, church and community leaders regarding access to healthcare, social services, public health / safety, chronic disease, mental health, drug use and Corona Pandemic (vaccinations/testing, outreach, education, information). Most individuals and families are frustrated because of communication barriers i.e. not having interpreters, trusted and compassionate healthcare provider, staff and community resources. Their inability to speak or understand English impacts their activities of daily living i.e. employment, school, grocery shopping, doctor appointments or getting medications. Many Pacific Islander end up in the emergency room, hospitalized or dying because they didn't get help from someone who could speak their language and understand their culture.

It would be in the best interest of families, communities and healthcare systems to ensure access to interpreters both inpt. and outpt. are available in our remote, rural, underserved vulnerable populations. Creation of a task force should also include Pacific Islander Community Health Workers and interpreters to assist with outreach, education, information and prevention.

Mahalo, for providing me the opportunity to share my experience and ask for your support of SB 2883.



LATE

HIPHI Board

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Kathleen Roche, MS, RN, CENP
Kaiser Permanente

Dina Shek, JD
Medical-Legal Partnership
For Children in Hawai'i

Garret Sugai
Pharmacare Hawai'i

Titiimaea Ta'ase, JD
State of Hawai'i, Deputy Public Defender

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community Health
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Food Security Coalition

Date: February 23, 2022

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Re: Support for SB 2883, SD1, Relating to Medical Facilities

Hrg: February 23, 2022 at 10:05 AM via videoconference

The Hawai'i Public Health Instituteⁱ is in **support of SB 2883, SD1**, which establishes a task force focused on the hiring and training of culturally-accepted interpreters to assist non-English speaking populations seeking care at health care facilities.

Despite being routinely named one of the healthiest states in the nation, Hawai'i sees stark racial disparities in myriad health outcomes, including life expectancy. These disparities long preceded the COVID-19 pandemic but were thrown into sharp relief as Pacific Islander and Filipino communities experienced disproportionately high rates of infection and hospitalization.ⁱⁱ Discrimination in the healthcare system against Hawai'i residents from the Republic of the Marshall Islands, the Federated States of Micronesia within, and the Republic of Palau is especially pervasive and creates a serious barrier to care.

HIPHI strives to eliminate racism, disparities and injustices to improve the health and wellness of all people. For us, this translates to moving beyond advocating *for* equity, but rather amplifying our work *against* inequity.

Addressing health equity is integral to the 10 Essential Services of Public Health, and enabling equitable access to care necessarily requires making treatment and information about health care and services available in a language that people understand. One in nine people living in Hawai'i has limited English proficiencyⁱⁱⁱ and a task force to facilitate improved hiring and training of culturally-accepted interpreters and culturally-accepted educational materials on preventative care is a step forward in eliminating existing barriers and improving the state of health equity in Hawai'i.

Thank you for the opportunity to provide testimony.

Mahalo,

A handwritten signature in black ink, appearing to read "Amanda Fernandes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amanda Fernandes, JD
Policy and Advocacy Director

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ Hawai'i State Department of Health (2021). COVID-19 in Hawai'i: Addressing Health Equity in Diverse Populations. Disease Outbreak Control Division: Special Report. Honolulu, Hawai'i.

ⁱⁱⁱ Department of Business, Economic Development and Tourism, State of Hawai'i Non-English speaking population in Hawai'i, Tbl.6, Non-English speaking at home in Hawai'i by age, education, and race. Published April 2016.

LATE

SB-2883-SD-1

Submitted on: 2/23/2022 9:06:25 AM

Testimony for WAM on 2/23/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Liza Ryan Gill	Testifying for HI Coalition for Immigrant Rights	Support	No

Comments:

We fully support the intent of this bill.

SB-2883-SD-1

Submitted on: 2/21/2022 9:59:53 PM

Testimony for WAM on 2/23/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lea Minton	Individual	Support	No

Comments:

Dear Senate Committee on Ways and Means,

I am writing in **STRONG SUPPORT of SB2883SD1** and encourage you to ensure that adequate funds are appropriated for the task force for this important issue. I work directly with clients from Chuuk, the Marshall Islands, Pohnpei, Samoa, Palau and other countries who experience difficulty in access to appropriate care because interpreters are not always available in person or by phone. Additionally, despite me specifically requesting interpreter services for clients I have witnessed healthcare providers decide a client speaks "good enough" English. This is not acceptable. English speaking clients often do not understand all that healthcare providers are saying to them about their health conditions - we cannot expect people who are fluent in their mother language with minimal English fluency to understand what we're saying to them in English. As a state we need to do better to have more materials available in a variety of languages spoken in Hawai'i so that healthcare is more equitable. The joy a Chuuk client had on her face when I provided a Safe Sleep brochure to her in Chuuk was the demonstration of her feelings when her human dignity was honored. It matters to our community to have education provided and easily available in their mother language so that they can participate as fully as any English speaker in their own health care. As they should be able to.

Thank you for your time and attention to this important matter. I ask that you ensure that adequate funds are appropriated and that you pass SB2883SD1.

Mahalo,

Le'a Minton, MSN, APRN, CNM, IBCLC