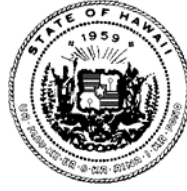


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

April 1, 2023

TO: The Honorable Representative Kyle T. Yamashita, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: [SB 814 SD2 HD1](#) - RELATING TO ELECTRONIC INFORMATION TECHNOLOGY
ACCESSIBILITY FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY.

Hearing: April 3, 2023, 2:30 p.m.
Conference Room 308 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, defers to the Office of Language Access and the Office of Enterprise Technology Services, and provides comments.

PURPOSE: This bill requires the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group comprising stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities. Appropriates funds for one full-time equivalent (1.00 FTE) position. Effective 6/30/3000. (HD1)

The SD1 amended the measure by:

- (1) Amending the definition of "electronic information technology";
- (2) Appropriating \$100,000 for the establishment of one full-time Program Manager position;
- (3) Inserting an effective date of July 1, 2112, to encourage further discussion; and

- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

The SD2 amended the measure by:

- (1) Changing the amount of the appropriation from \$100,000 to an unspecified sum to facilitate further discussion on the measure; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

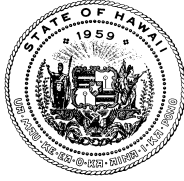
The HD1 further amended the measure by defecting the effective date.

DHS appreciates the Legislature's investment in supporting the development of multilingual accessibility standards for the State to improve language access needs for Hawaii's multigenerational and ethnically diverse residents. Developing the statewide capability to provide real-time and accurate translation of government websites and programs will help residents navigate government programs and improve residents' engagement with public services. In addition, establishing accessibility standards will improve procurement options for government agencies and perhaps lead to more shared services.

DHS notes that the Department provides access to language interpreters by request and provides numbers for various language interpreters on the DHS program websites.

The Department's Limited English Proficiency Program Manager and the Office of Language Access also provide essential services during emergency management incidents that would benefit from a more robust Statewide language access infrastructure.

Thank you for the opportunity to testify on this bill.



**STATE OF HAWAII
OFFICE OF LANGUAGE ACCESS**

1177 Alakea Street, Room B-100
Honolulu, HI 96801-3378
Phone: (808) 586-8730 / Fax: (808) 586-8733
doh.ola@doh.hawaii.gov

**Testimony COMMENTING on SB 814 SD2 HD1
RELATING TO ELECTRONIC INFORMATION TECHNOLOGY
ACCESSIBILITY FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY.**

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
REPRESENTATIVE LISA KITAGAWA, VICE CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 4/3/2023

Room Number: 308 & Videoconference

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request.

3 **Purpose and Justification:** The purpose of this measure is to require the Office of Enterprise
4 Technology Services (ETS), in consultation with the Office of Language Access (OLA) and a
5 working group composed of stakeholders, to develop and publish, and periodically review and
6 update, electronic information technology multilingual accessibility standards to be implemented
7 by all state entities. Appropriate funds for one full-time equivalent (1.00 FTE) within ETS.

8 **Agency's Testimony:** OLA appreciates the intent of this measure, provided the measure's
9 passage does not replace or adversely impact priorities in the Governor's Budget Request and
10 offers the following comments.

11 The aspirational and exploratory goal of this measure are in line with the mission of OLA, which
12 is to address the language access needs of persons with Limited English Proficiency (LEP).
13 OLA is task to provide technical assistance and coordinate resources to reduce the burden of
14 meeting language access obligations. OLA is charged with providing oversight, central
15 coordination, and technical assistance to all state and state-funded agencies in their
16 implementation of language access compliance.

1 Hawaii is one of the most culturally diverse states and has one of the highest proportions of non-
2 English speakers in the nation. According to the U.S. Census Bureau, 2017-2021 American
3 Community Survey (ACS) 5-year estimates, an estimate of 25.9% or 353,663 of Hawaii
4 residents, 5 years and older, speak a language other than English at home. Of those, 152,929 or
5 11.2% indicated that they speak English “less than very well.” English proficiency (or a lack of)
6 has a great impact on people's economic and social activities, and health literacy and wellness. It
7 effects their ability to successfully access education, employment, and important public
8 assistance, benefits, programs and services.

9 Many state agencies are currently using their websites, portals, and digital platforms to provide
10 information and services to our residents, to accept applications for services and benefits, and to
11 access and manage online accounts. Providing persons with LEP with easy-to-find government
12 digital information could encourage their participation in government services, programs, and
13 activities. Establishing electronic information technology multilingual accessibility standards will
14 provide a critical link to communication and make government services accessible to persons
15 with LEP.

16 This measure will allow OLA to work closely with other partners to further improve language
17 access in our state government. If the measure is passed, OLA will collaborate with ETS in
18 providing our expertise in the area of language access to support the creation of the standard.

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



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

**Testimony in SUPPORT of SB814
RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY
FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY
COMMITTEE ON FINANCE**

Hearing Date: April 3rd, 2023

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee,

The Hawai‘i Coalition for Immigrant Rights is in **full support of SB814 SD2 HD1**, which requires the Office of Enterprise Technology Services in consultation with the Office of Language Access and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities.

SB814 is vital in ensuring that all residents in Hawai‘i, regardless of their language proficiency, have equal access to the electronic information technology provided by the State. Electronic information technology plays a critical role in our daily lives: from accessing government services and programs to finding employment. With this role in our society, we have to ensure equal access and for many Limited English Proficiency individuals, this technology can be a barrier.

As we saw during the COVID-19 pandemic, the landing pages of key departmental offices like DLIR’s Unemployment Insurance and the Hawai‘i Med-QUEST division offices are essentially their public-facing connection. When these pages do not have consistent language accessibility it hampers the ability of those that need them most to access them.¹ Language access is not just a “nice” idea for Hawai‘i’s large Limited-English Proficient communities, it is federal law. Under the 1964 Civil Rights Act Title VI and the Social Security Act any entity receiving federal funds is required to make their services accessible to speakers of other languages.² Websites like www.lep.gov offer excellent resources for state and local governments to get in compliance with federal law and avoid potential lawsuits.

This legislation will require uniform standards addressing language access and ensure that all State entities are proactively addressing this issue in their communications and technology

¹ <https://www.civilbeat.org/2021/06/why-is-it-still-so-hard-to-reach-hawaiis-unemployment-office/>

² <https://www.civilbeat.org/2020/07/advocates-lack-of-interpretor-services-at-unemployment-office-is-illegal>



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process. I strongly urge you to pass SB814 and assure that all Hawai'i residents, including Limited English Proficiency individuals, have equal access to technology and the benefit it provides in our daily lives.

Thank you for your support and consideration,

Liza Ryan Gill

Coordinator/Refounder, Hawai'i Coalition for Immigrant Rights



ALOHACARE

To: Representative Kyle T. Yamashita, Chair
Representative Lisa Kitagawa, Vice Chair
House Committee on Finance

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Public Policy Manager

Hearing: Monday, April 3, 2023, 2:30PM, Conference Room 308

RE: **SB814 SD2 HD1 Relating to Electronic Information Technology Accessibility for Persons with Limited English Proficiency**

AlohaCare appreciates the opportunity to provide testimony in **support of SB814 SD2 HD1**. This measure will require the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group comprising stakeholders, to develop and publish electronic information technology standards for multilingual accessibility to be implemented by all state entities. This measure further requires that within six months of the publication of the standards, each state entity shall review the standards and revise the entity's existing procurement and development rules, policies, and procedures to incorporate the standards.

Founded in 1994 by Hawai`i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. Approximately half of our membership are keiki. We are Hawai`i's only safety net health plan exclusively dedicated to serving Medicaid and Medicaid-Medicare dually-eligible beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality health care for all. We believe that health is about supporting whole-person health needs.

AlohaCare's commitment to whole person care includes addressing a variety of social determinants of health, including housing, economic stability, and nutrition among other factors. AlohaCare has identified language access as a top ten health-related social needs affecting our members' health. Compared to other states, Hawai`i has one of the highest proportions of non-English speakers in the nation. According to the 2021 Hawai`i State Data Book¹, approximately 1-in-4, or 26%, Hawai`i residents ages 5 and older speak a language other than English at home. Of those, nearly 1-in-2, or 44%, speak English less than "very well." For our members with limited-English proficiency, AlohaCare provides free language services, such as qualified interpreters and information written in other languages. These languages include Cantonese, Chuukese, French, German, Hawaiian, Ilocano, Japanese, Korean, Mandarin, Marshallese, Samoan, Spanish, Tagalog, Tongan, Vietnamese, and Visayan.

AlohaCare believes the State, too, should ensure equitable language access. For these reasons, we support this measure. Mahalo for this opportunity to testify in **support of SB814 SD2 HD1**.

¹ [Research & Economic Analysis | 2021 STATE OF HAWAII DATA BOOK](#)

SB-814-HD-1

Submitted on: 4/2/2023 8:42:20 PM

Testimony for FIN on 4/3/2023 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB814 SD2 HD1.