



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 28, 2023

The Honorable Representative Kyle T. Yamashita, Chair
House Committee on Finance
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Yamashita and Committee Members:

SUBJECT: HB1145 HD1 RELATING TO EQUITY

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB1145 HD1**, which requires all places of public accommodation and state building construction constructed after 12/31/23 to provide universal changing accommodations in public restrooms.

Families and caregivers of people with disabilities that require changing facilities want to participate in as many activities and outings as possible. At the same time, they must plan out or research their trip or daily activities to include accessible spaces along their path of travel, taking into consideration the disability-friendly rest areas that provides a safe and dignified toileting area along a certain route.

Implementing universal changing accommodations will ensure our Intellectual and Developmental Disability (I/DD) community members have more equity in access, removing barriers to travel that currently affect full participation and integration in daily activities. This will greatly benefit the I/DD community's access to public spaces.

Thank you for the opportunity to submit testimony in **support of HB1145 HD1**.

Sincerely,

Daintry Bartoldus
Executive Administrator

HB-1145-HD-1

Submitted on: 2/25/2023 2:30:29 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Hawaii Disability Rights Center	Support	Written Testimony Only

Comments:

We think this an excellent idea. Since 2016, federal law has required baby changing accommodations in both male and female restrooms in publicly-accessible federal buildings. Since then, some states have enacted laws creating Universal Changing Stations which allow changing accommodations to also include adults in public buildings. The problem quite simply is that many adults with disabilities are just too heavy for infant changing tables. Clearly, a person's inability to utilize conventional restroom facilities directly affects their ability to enjoy and fully participate in community based activities.

Many of Hawaii's restrooms have family bathrooms but these restrooms do not have adequate restroom facilities for larger children and seniors who need to change their incontinent supplies. The lack of access to accommodating changing stations limits a person's ability to leave home to engage and participate in daily activities. This legislation would really help to create a more inclusive environment in the community for those with disabilities.

HB-1145-HD-1

Submitted on: 2/25/2023 8:46:09 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family 808 supports HB1145. Please pass this bill.

Mike Golojuch, Sr., Secretary/Board Member

HB-1145-HD-1

Submitted on: 2/26/2023 12:23:26 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawaii	Support	Written Testimony Only

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports HB 1145.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH



Testimony to the House Committee on Finance
Tuesday, February 28, 2023
11:30 a. m.
State Capitol Conference Room 308 and via videoconference

Re: HB 1145 HD 1 Relating to Equity

Dear Chair Yamashita, Vice Chair Kitagawa, Honorable Members of the House Committee on Finance,

I am Gary Simon, a member of the board of the Hawaii Family Caregiver Coalition, whose mission is to improve the quality of life of those who give and receive care by increasing community awareness of caregiver issues through continuing advocacy, education, and training.

The Hawaii Family Caregiver Coalition supports HB 1145 HD 1, which requires all places of public accommodation and state building construction constructed after December 31, 2023 to provide universal changing accommodations in public restrooms.

Disabled children, adolescents, and adults — over the height and weight limits of baby changing tables — requiring help with toileting cannot use regular handicapped-accessible bathrooms. Instead, there must be a choice to stay home from public spaces, be laid down on a restroom floor to be changed by their caregiver, or leave the public place or event as soon as they need the restroom to be changed inside a vehicle or return home. Universal changing spaces have height-adjustable, adult-size changing tables that accommodate everyone. These are necessary for public areas such as restaurants, hotels, venues, movie theaters, and zoos so that disabled individuals can have equal opportunities to engage in activities and travel. All disabled Americans deserve a safe, private, and dignified changing space.¹

We urge you to support HB 1145 HD 1, we urge you to recommend its passage, and we thank you for seriously considering the Bill.

Very sincerely,

A handwritten signature in black ink that reads "Gary Simon".

Gary Simon



Email gsimon@aarp.org

1. Myers, Rebecca. Changing Spaces for People With Disabilities: Where to Find Them? healthnews. <https://healthnews.com/family-health/rehabilitation/changing-spaces-for-people-with-disabilities/>. February 20, 2023.



February 27, 2023

House Representative Kyle Yamashita, Chair

House Representative Lisa Kitagawa, Vice Chair

Testimony to the House Committee on Finance

Tuesday, February 28, 2023; 11:30 am. State Capitol, Conf. Room 308 & Videoconference

RE: House Bill 1145 HD1 – RELATING TO EQUITY

Aloha Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee on Finance:

On behalf of the Epilepsy Foundation of Hawaii (EFH), we urge your **SUPPORT of House Bill 1145 HD1, RELATING TO EQUITY**. This bill supports providing universal changing accommodations in all places of public accommodation and state building construction after 12/31/23.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans with epilepsy and seizures. Epilepsy Foundation of Hawaii, advocates and provides services for the almost 14,000 individuals living with epilepsy throughout Hawaii. Collectively, we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition characterized by seizures, which are sudden surges of electrical activity in the brain, that affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy, and approximately 1 in 10 people will experience a seizure, at some point in their lifetime.

Epilepsy is a chronic medical problem that for many people can be successfully treated. Unfortunately, treatment doesn't work for everyone. AT LEAST 1 million people in the United States have uncontrolled epilepsy, which is considered a disability by the Social Security Administration (SSA). Epilepsy does not discriminate. It can affect anyone at any age, gender, ethnicity, or size, and is often times a comorbidity with other disease states. For many, their epilepsy is debilitating.

Universal changing stations are height adjustable and support weights up to 300+ pounds, alleviating the challenge of caregivers having to navigate changing kupuna, adults and older children with disabilities either in their cars or unsafe and unsanitary spaces. Universal changing stations in state and federal buildings would establish equity for people who need a safe and sanitary space to change incontinent supplies and will ensure inclusion and continuity in community engagement in public spaces.

On behalf of the Epilepsy Foundation of Hawaii and our Board of Directors, we humbly thank you for the opportunity to testify and urge your **SUPPORT of House Bill 1145 HD1**.

Mahalo nui loa,

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**



Naomi Manuel

Naomi Manuel
Executive Director
Epilepsy Foundation of Hawaii

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 • FAX: 586-8655 • TDD: 568-8692

Tuesday, February 28, 2023
Rm. 308, 11:30 a.m.

To: The Honorable Kyle T. Yamashita, Chair
The Honorable Lisa Kitagawa, Vice Chair
Members of the House Committee on Finance

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 1145, H.D.1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights.

The HCRC offers these comments on H.B. 1145, H.D.1, which requires all new establishments, defined as public accommodations or state building construction constructed after December 31, 2023, to provide universal adult changing accommodations that are equally accessible to men and women.

The measure proposes a new part to the statutes, and places it within Chapter 489. Noting that the HCRC has jurisdiction over discrimination in public accommodations under Chapter 489, Part I, the HCRC appreciates the placement of this new adult changing station requirement in a new part, expressly excluded from HCRC jurisdiction. In this respect, the new statutory requirement would be similar to Chapter 489, Part II, relating to Breastfeeding in Public Accommodations, which is also expressly placed outside of HCRC jurisdiction.

This measure would significantly aid those with disabilities who need help with toileting, by providing safe and sanitary facilities, and would allow them to join friends

and family members on outings. The lack of access to changing facilities can limit those with disabilities from leaving home. This bill will aid them and their caregivers.

The measure defines universal changing accommodations as a “powered, height adjustable adult changing station that is either floor or wall mounted.” New Hampshire, California, and Arizona have enacted similar measures, that are more limited than this proposal. California’s statute is limited to places of public amusement such as sports arenas or theaters, and New Hampshire’s law is similarly limited to large establishments. Arizona’s statute is only applicable to buildings built with public monies. In comparison, this measure would require universal changing accommodations in a broader range of establishments.

HB-1145-HD-1

Submitted on: 2/25/2023 2:22:31 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jari S.K. Sugano	Individual	Support	In Person

Comments:

Chair Yamashita, Vice Chair Kitagawa and members of the House Finance Committee

A person’s inability to utilize conventional restroom facilities directly affects their ability to enjoy and fully participate in community based activities. As you plan and govern over new construction in public buildings, we ask for your support in installing universal changing stations so all individuals (keiki to kupuna) can attend to their sanitary and hygienic needs in a dignified way.

In 2016, the Bathrooms Accessible In Every Situation Act (BABIES Act) requires baby changing accommodations in both male and female restrooms in publicly-accessible federal buildings.

Since then, Arizona, California, New Hampshire, have enacted laws creating Universal Changing Stations which allows changing accommodations to also include adults in public buildings.

Many of Hawaii’s restroom have family bathrooms but these restrooms do not have adequate restroom facilities for larger children and seniors who need to change their incontinent supplies. The lack of access to accommodating changing stations limits a person ability to leave home to engage and participate in every day activities. Family restrooms on Kauai are limited.

Yes, the installation of these units would increases the cost of new building constructions. However, I reached out to a company called Max Ability back in December 2022 for a quote on a unit called the Pressalit 3000. This unit is comparable to units used in airports around the country. With ocean freight, a unit into Hawaii would run \$12K. This would not include mounting and electrical connection by way of licensed contractors. I share these figures, with the

hope that it provides an estimate of the cost involved. Units could be placed in gender neutral family restrooms in newly constructed buildings to be inclusive for all.

Appreciate the opportunity to provide testimony in strong support of this bill. These accommodations would greatly improve the lives of those with disabilities and our kupuna.

Much aloha, Jari Sugano

HB-1145-HD-1

Submitted on: 2/26/2023 6:38:40 AM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Horikami	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in support of HB1145 to establish accommodations for individuals to be clean and hygienic as they engage in daily transactions within our community. By offering accommodations where they can be cleaned and dressed it alleviates the stress on caregivers and clients to minimally enjoy the opportunity to be a part of the community. Let us continue to keep Hawaii a place of caring, acceptance and responsiveness

Mahalo, Wendy

HB-1145-HD-1

Submitted on: 2/26/2023 11:12:41 AM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of HD1. Thank you.

HB-1145-HD-1

Submitted on: 2/26/2023 8:45:18 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Austen Kaneshiro	Individual	Support	Written Testimony Only

Comments:

Chair Yamashita, Vice Chair Kitagawa and members of the House Finance Committee

My name is Austen Kaneshiro and I am 17 years old. This bill is important because children like my sister MJ are heavier than babies who use the infant changing tables. So, without a place her to change her diaper, she's not able to be out for long periods of time and she doesn't like to stay home. So this bill will help children like my sister as well as people like grandparents who need a private place to use the bathroom.

Austen Kaneshiro

HB-1145-HD-1

Submitted on: 2/26/2023 10:04:18 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Teves	Individual	Support	Written Testimony Only

Comments:

My name is Jennifer Teves and I am a middle school teacher here on the island of Kauai and a parent of an adolescent young male who has special needs. I am in need of your support to pass HB1145 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

People who have multiple and complicated disabilities need universal changing stations in our public restrooms. As my son and his peers become young teenagers we are limited when it comes to using a bathroom that can accommodate our needs. Especially for our wheelchair bound friends because there are no bathrooms to change incontinent supplies.

Please help support HB1145.

Sincerely,

Jennifer Teves

HB-1145-HD-1

Submitted on: 2/27/2023 7:49:17 AM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Kern	Individual	Support	Written Testimony Only

Comments:

February 27, 2023

Aloha Chair Yamashita, Vice Chair Kitagawa, and Committee Members,

My name is Sarah Kern and I am a resident of Lihue, Kauai. I am testifying in strong support of HB1145 which requires all places of public accommodation and state building construction after 12/31/23 to provide universal changing accommodations that are equally accessible to men and women.

People who have multiple and complicated disabilities as well as our kupuna around the state need universal changing stations in our public restrooms. Those with physical disabilities are limited when it comes to using a bathroom that can accommodate their needs. The baby changing tables that currently exist in many public facilities are too small for elderly or wheelchair-bound adults and adolescents who may need to have their incontinence supplies changed. This bill would ensure that going forward, future restrooms are built to be more inclusive and accessible to all.

Thank you for the opportunity to testify in support of this bill.

Mahalo nui loa,

Sarah Kern

HB-1145-HD-1

Submitted on: 2/27/2023 10:15:52 AM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaili	Individual	Support	Remotely Via Zoom

Comments:

i stand in support of Hb 1145 universal changing accommodations restrooms to support adults with disabililty who needs changing facilities.

HB-1145-HD-1

Submitted on: 2/27/2023 4:07:45 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Garner Shimizu	Individual	Support	Written Testimony Only

Comments:

I support this bill.

thank you!

HB-1145-HD-1

Submitted on: 2/27/2023 8:28:28 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lacey Shimabukuro	Individual	Support	Written Testimony Only

Comments:

In support of increasing equity and improving the quality of life for families needing changing accommodations to more safely enjoy and participate in community activities.

HB-1145-HD-1

Submitted on: 2/27/2023 8:37:54 PM

Testimony for FIN on 2/28/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Alivado	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Yamashita, Vice Chair Kitagawa and Committee members,

Public accomodations for seniors and children with special needs is essential for their ability to live full and productive lives. This bill will bring equity to their personal needs, which is not something that most are able to appreciate. Please pass this bill. Thank you.