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COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Sharon Y. Moriwaki, Vice Chair

RE: **Testimony in Support of HB 1419 What's in a name?**

Dear Chair, Vice Chair and Members of the Committee:

My name is Peter Fritz. I **support** this bill because it uses the term “low vision” and does not use the outdated and offensive term “vision impaired.” I am hard of hearing, I am not hearing impaired or damaged.

What's in a name? Plenty! Words and labels can have a profound effect on people. The change advocated by this bill shows respect for people by refusing to use outdated or offensive terms.

Impaired – Using ***impaired*** along with visually, hearing, mobility, and so-on, is negative. Impaired focuses on what people can't do. It establishes the standard as “hearing” or “vision” and anything different as “impaired,” or substandard, hindered, or damaged. **Impaired implies that something is not as it should be and ought to be fixed if possible.**

The people covered by this bill are low vision, not vision impaired.

I respectfully request that the committee pass and move this bill forward to change the name of the program to low vision. I also respectfully request that the legislature ask the LRB to submit a report about updating the Hawaii Revised Statutes to replace the term impaired, when the term is used in connection with a disability with the appropriate updated and non-offensive term.

Thank you for the opportunity to testify.

SB-1419-SD-1

Submitted on: 2/25/2025 10:36:06 AM

Testimony for WAM on 2/27/2025 10:26:00 AM

Submitted By	Organization	Testifier Position	Testify
ReBecca Bennett	Testifying for Big Island Deaf Club and Signs of Fun organization	Support	Written Testimony Only

Comments:

Sound, to most people, is synonymous with the ears. For those of us who are deaf or hard of hearing, sound has a different meaning than ears drawing sound and the brain processing it. For me, sound is a multisensory experience. The deaf brain uses all senses to determine sound. We “hear” differently, but we are not impaired. As such, we need to reconsider the wide use of the term “hearing impaired” to reflect on our difference, but not a false disability.

Some people reading this might think it is a foolish concern to change the label “hearing impaired” to hard of hearing. They may think what deaf people experience is in fact an impairment. However, I argue that one cannot miss what one has never had. When we focus on people who are prelingually deaf and hard-of-hearing, the word “impaired” is not an accurate description.

The term “hearing impaired” suggests that deaf people's lack of hearing is a pathological condition that needs to be fixed. Many Deaf people lead rich, productive lives and are not looking to be cured. We are proud to be deaf and part of Deaf culture.¹⁻⁶

The term “hearing impaired” can be compared with the word “snowflake,” which has had a rough ride in society. Snowflake can suggest something delicate, pure, and refreshing that brings the promise of newness and hope. However, it's also used as a derogatory term to demean anyone who thinks differently or is different from the norms of society. What was once non-offensive has become offensive.

Notably, the term “hearing impaired” was never a pretty word within the Deaf and hard-of-hearing community. It is a label that the hearing community uses to describe our differences. There is also an assumption among those with normal hearing that Deaf people would naturally want to take advantage of any method that could lead them to the hearing world.⁷ In reality, that assumption is far from the truth.⁸

In 2017, Utah became the first U.S. state to change all hearing-impaired references in its state laws. New Hampshire and New York followed suit, with a gentle nudge from the National Association of the Deaf (NAD). With Virginia being the original location of the country's first Deaf school (The Cobbs School), which was founded in 1815, Virginia changed their laws on Valentine's Day, 2019.

Imagine a world where you, the reader, couldn't speak the language of the community. You can walk, work, love, laugh, and do everything else—except speak the same language. Like everyone else, you take pride in who you are, where you have been, and what you will become. You take pride in your language, even though it is not the same language as the majority of the community. Does this mean you are impaired, weakened, or damaged? No. It just means you speak a different language. You can adapt, but it does not mean you need to be labeled as subordinate.

In a general sense, calling someone impaired is cruel and unwarranted. A person becomes stigmatized “[when he or she is] reduced in our minds from a whole and usual person to a tainted, discounted one.”⁹

“Hearing impaired” is outdated and demeaning terminology. It focuses on what people cannot do. It establishes the standard as “hearing” and anything different as “impaired,” or substandard, or damaged. It holds implications that we need to be fixed to be a part of society. As the deaf actress Marlee Matlin once said, “Barriers come from the minds of those who want to handicap you.” We all want to be treated with respect. We may be different, but we are not less.

References:

1. Butler, R., Skelton, T. & Valentine, G. (Fall, 2001). Language barriers: Exploring the world of the deaf. *Disability Studies Quarterly*, 21(4), 42-52.
2. Dolnick, E. (1993). Deafness as culture. *The Atlantic Monthly*, September, 37-53.
3. Lane, H. (1992). *The mask of benevolence*. New York: Alfred Knopf.
4. Lane, H. (1997). Construction of deafness. In L. Davis (Ed.), *The disability studies reader* (pp. 153-171). New York: Routledge.
5. Padden, C. & Humphries, T. (1988). *Deaf in America: Voices from a culture*. Cambridge: Harvard University Press.
6. Wilcox, S. (1989). *American Deaf Culture: An Anthology*. Burtonsville, MD: Linstock Press.
7. “Hearing Impaired Children Experience Difficulties in an Ordinary Classroom.” Hear-It, American Speech-Language-Hearing Association, Feb. 2008.
8. Ringo A Understanding Deafness: Not Everyone Wants to Be ‘Fixed’. *The Atlantic*. <https://www.theatlantic.com/health/archive/2013/08/understanding-deafness-noteveryone-wants-to-be-fixed/278527/>.
9. Goffman, E. (1997). Selections from stigma. In L. Davis (Ed.), *The disability studies reader* (pp. 203-215). New York: Routledge.

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February 25, 2025

TO: The Honorable Senator Donovan Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Ryan I. Yamane, Director

SUBJECT: **SB 1419 SD1 – RELATING TO ACT 253, SESSION LAWS OF HAWAII 2023.**

Hearing: Thursday, February 27, 2025, 10:26 a.m.
Conference Room 211 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this administration measure and provides comments.

PURPOSE: This bill updates the name of the Neighbor Islands Blind and Visually Impaired Service Pilot Program established by Act 253, Session Laws of Hawai'i 2023, by replacing the term "visually impaired" with the term "low vision" and clarifies the pilot program's implementation timeframes. Sunsets 6/30/2029. (SD1)

DHS appreciates the amendments of the Committee on Health and Human Services that amended the measure by:

- (1) Clarifying that the Department of Human Services shall submit a written implementation plan for the Neighbor Islands Blind and Low Vision Service Pilot Program to the Legislature prior to the convening of the regular session of 2026, rather than the regular session of 2025; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Act 253, Session Laws of Hawaii 2023 (Act 253), established the Neighbor Islands Blind and Visually Impaired Service Pilot Program within the Department of Human Services. The

goal of Act 253 is to bridge the gaps in services for blind and low vision residents across the State, particularly focusing on those living on the neighbor islands. DHS Division of Vocational Rehabilitation's (DVR) efforts to implement the Act were delayed until July 2024 as the staff were responding to the needs of staff and residents impacted by the August 2023 Maui wildfires.

Despite the delays, DVR engaged a consultant, posted a survey, and had several in-person and virtual meetings to gather information from blind and low vision neighbor island residents to discuss potential training and services that the pilot program may offer. A report to the legislature was submitted in December 2024 detailing DVR's efforts, findings, and recommendations of the working group that include requests for two additional temporary full-time equivalent positions within the department and appropriations to implement the pilot program. The report to the legislature may be found at https://humanservices.hawaii.gov/wp-content/uploads/2024/11/Ryamane_Act-253-2023_Neighbor-Island-Blind-Low-Vision-Pilot-Program.pdf.

This bill will allow DVR to continue to implement the pilot program. If successful, DVR will extend and supplement the existing services provided by the Ho`opono Services for the Blind Branch of the Division of Vocational Rehabilitation. The services, envisioned by Act 253 and recommended by the working group, will include: peer-to-peer outreach, sight loss adjustment, peer counseling support, transportation, technology access, enrichment activities, workforce development, mobility training, advocacy training, and other services. These services will support participants' goals to become and sustain their independence and improve their social integration. The pilot program would not require the participant to be seeking employment, though the skills gained would contribute to the participant's employability. The pilot program aims to serve 150 individuals in the first year (SFY 26) and 250 individuals in the second year (SFY 27).

For the state fiscal biennium 25-27, to implement the pilot program, State-funded positions are requested as DVR's current federal grant requirements do not allow the provision of services to individuals ineligible for Ho`opono's existing programs. Ho`opono's federal funding requires the participant to be seeking employment. DVR's Ho`opono program will need

one (1.00) FTE Program Specialist IV and one (1.00) FTE Administrative Assistant II for a total of \$193,230 in general funds over the biennium. Additional general funds are required for Implementation Support (\$70,000), Program Costs and Supplies (\$85,000), Contracted Providers of Services (\$1,625,000), Assistive Technology (\$325,000), and Travel (\$8,624) for a total of \$2,113,824 over the biennium.

Of note, the administration is currently reviewing DHS's request for a Governor's Message (GM) to include the above amounts in the executive budget.

Thank you for the opportunity to provide comments in support of this measure.

February 27, 2025

Testimony of Eleanor Macdonald
COMMITTEE ON WAYS AND MEANS

Honorable Senators Donovan M. Dela Cruz
Honorable Senator Sharon Y. Moriwaki, Vice Chair

Re: SB 1419, SD 1 RELATING TO ACT 253, Session Laws of Hawaii 2023, by replacing the term “visually impaired” with the term “low vision”

Dear Sens. San Dela Cruz & Moriwaki and Members,

I would like to whole heartedly support SB 1419, SD 1 to replace the term “visually impaired” with the term “low vision” and clarifies the pilot program’s implementation timeframes. Sunsets 6/30/2029. (SD1)

I would like to also support removing the use of the term “impaired” when referring to individuals with disabilities such as referring to people who are deaf or hard of hearing as “hearing impaired.”

Please pass this important bill.

Mahalo,

Eleanor Macdonald, M.Ed., CRC (ret.)