LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, April 10, 2013

DLIR Conference Room 320
830 Punchbowl Street, Honolulu, Hawaii 96813

Agency on Elderly Affairs, Piikoi Building, Suite 330
4444 Rice Street
Lihue, Hawaii 96766

Maui District Health Office, State Office Building
54 South High Street, Room 415
Wailuku, Hawaii 96703

746 Hele Mauna Street
Hilo, Hawaii

MINUTES

The meeting was called to order at 9:40 A.M. with quorum by council Chair, Dominic Inocelda. The Neighbor Island council members from Kauai joined in via video and teleconferencing.

1. **Attendance**

Present:

– Dominic Inocelda	Language Access Advisory Council, Chair
– Gerald Ohta	Language Access Advisory Council, Vice Chair
– Serafin "Jun" Colmenares	Executive Director, Office of Language Access, Ex-officio
– Kristine Pagano for Francine Wai	Executive Director, Disability and Communication Access Board, Ex-officio
– Lito Asuncion	Language Access Advisory Council Member
– Melba Bantay	Language Access Advisory Council Member
– Jennifer Dotson	Language Access Advisory Council Member
– Mindy Emmons	Language Access Advisory Council Member
– Patricia Harpstrite	Language Access Advisory Council Member
– Margarita Hopkins	Language Access Advisory Council Member
– Dr. Ruth Mabanglo	Language Access Advisory Council Member
– Mary Santa Maria	Language Access Advisory Council Member

Excused:

– Livia Wang for Bill Hoshijo	Executive Director, Civil Rights Commission, Ex-officio
– M. Alohalani Boido	Language Access Advisory Council Member
– Dr. Tin Myaing Thein	Language Access Advisory Council Member
– Edelene Uriarte	Language Access Advisory Council Member

Guests:

- Angela Haeusler, UH doctorate student
- Geneva Watts, State Department of Human Services
- Susan Kroe-Unatia, ASL interpreter

Staff:

– Rebecca Gardner, OLA legal analyst
– Gail McGarvey, OLA secretary

2. **Welcome and Introductions**
   - The Chair welcomed all present including those participating by video and/or teleconferencing. Introductions were made by council members, staff and guests. The guests were: Geneva Watts, from the Department of Human Services, Susan Kroe-Unatia, ASL interpreter and Angela Haeusler, from Germany, a University of Hawaii doctoral candidate at the Department of Second Language Studies. She is working on her thesis relating to language access with a focus on how language is used by LEP individuals in accessing services in Hawaii.

3. **Approval of Minutes of March 6 and March 22, 2013 Meetings**
   - The March 6, 2013 meeting minutes were approved by the council.
   - The March 22, 2013, special meeting minutes were approved by the council.

4. **Executive Director's Report**
   - The Executive Director submitted a written report on updated OLA activities. Some highlights were as follows.
   - HB266 was passed by the Ways and Means Committee and approved by the Senate. Currently waiting to hear on the House action.
   - Attended the Legislative Breakfast on April 9, 2013 talked with various legislators about their support of HB266.
   - Executive Director and two LAAC members, Dominic Inocelda and Gerald Ohta, attended the "8th National Diversity Rx Conference" held March 11-14, 2013 in Oakland, California. Gerald Ohta will give a full report later in the meeting.
   - Lito Asuncion, Patricia Harpstrite and Mindy Emmons are receiving their confirmation this morning at the Governor's office. (Both Mindy and Patricia arrived at 10:25 a.m. after their confirmation.)
   - May 3, 2013 National Medical Interpretation Certification Forum, Portland, Oregon. The Executive Director was invited to participate on the panel and Mary Santa Maria, LAAC will also be attending. Kristine Pagano asked who the travel costs were being funded by. OLA will be paying for the travel.
   - While in California, the Executive Director met with Michael Leoz of the Office of Civil Rights in San Francisco. They are interested in giving outreach training on the Neighbor Islands regarding federal language access requirements with OLA as a co-sponsor.

5. **Report of the Chair**
   - The Chair attended the Legislative Breakfast and said there was a lot of support for HB266 from the Filipino organizations and community.
   - He attended the 8th National Conference on Quality Health Care for Culturally Diverse Populations in Oakland, California, sponsored by Diversity Rx, from March 11 to 14, 2013 with two other council members, Jun Colmenares and Gerald Ohta.

6. **Reports of Standing and Ad Hoc Committees**
   - **Permitted Interaction Group (PIG)** Jun Colmenares submitted a written report on the proposed language: "Maintain a publicly available roster of language interpreters and translators, listing any of their qualifications and credentials, *based on guidelines established by the Office of Language Access in consultation with the Language Access Advisory Council.*" It was reported to Senator Suzanne Chun-Oakland what was decided. Next step is to schedule approval of report by the LAAC.
   - **Legislative Committee.** HB266 is expected to go to Conference Committee, waiting to find out who will be on this committee.
   - **Special Projects Committee (Untold Stories Project).** Becky submitted edited stories of "anonymous" situations – there were twelve. She would like to include a story in each newsletter. She also sent copies to Senator Suzanne Chun-Oakland. Melba Bantay brought up a concern about possible lawsuits being filed, but, per Becky there was "no private cause of actions" for violations of language access. Per Geneva Watts DHS's 2008 settlement did not involve any court case. In response to Gerald Ohta's question if there were any success stories, Geneva responded there are partial success stories, many times the workers are so busy they do not have time to write outcomes and completions.
   - **Plans Review Committee.** Has not met yet. It was suggested to begin with a standing committee plans review. Jun Colmenares suggested starting with state agencies first by looking over the by-laws, purpose and function. Geneva Watts said she would like to get feedback and input from any advocacy groups on their language access plans. The Chair will ask at the next meeting who among LAAC members would like to participate on the Plans Review Committee.
   - **By-Laws Committee.** No report.

7. **Formation of Permitted Interaction Groups (PIG): Language Access Month, 6th Annual Hawaii Conference on Language Access.** Jun Colmenares made a motion to establish a PIG to plan Language Access month activities – August 2013 comprised of Jun Colmenares, Dominic Inocelda and Ruth Mablango, with anyone else who wished to join. Motion passed unanimously.
   Motion made by Jun Colmenares to create a PIG for 6th Annual Hawaii Conference on Language Access, to consist of the following members: Jennifer Dotson, Jun Colmenares, Dominic Inocelda, Melba Bantay, Dr. Tin Myaing and Gerald Ohta. Passed unanimously, motion carried.

8. **Report on the 8th Diversity Rx Conference, Oakland, CA, March 11-14, 2013.** Jun Colmenares, Dominic Inocelda and Gerald Ohta attended the conference which covered an entire range of language access topics and was attended by over 800 participants nationally and other countries. Jun met and personally spoke with speakers, inviting them to participate in our 6th Annual Hawaii Conference in August. Jun was also invited to participate as a

panelist at the International Medical Interpreters Forum May 3, 2013 in Portland, Oregon. The group met with Michael Leoz, OCR and Christina Perez, Office of Minority Health (OMH) to discuss the possibility of visiting the Neighbor Islands to talk with them about compliance with the language access law. They also met Dr. J. Nadine Gracia, Director of Minority Health at the conference and asked if she would be available to be our keynote speaker. Dominic Inocelda attended the "Simple English" workshop and said it was a new and innovative way of translating into other languages that made it more understandable/comprehensive.

9. **Report on Hawaii Language Summit, March 13, 2013.** Becky reported attending this all day summit, Ruth Mabanglo and guest Angela Haeusler were also there as well as a large list of directors, corporations, government, the private/ public sectors bringing employers and educators together to for a Think tank to providing multilingual workforce in the future.

10. **Discussion of strategies for improving conditions of the interpreter/translator professions. "**Hawaii has a dearth of competent language interpreters/translators**…"** but the issue is that it is difficult for these interpreters/translators to make a living. Becky wanted to bring ideas to the attention of the LAAC to see what the council can do to help address these issues. Ruth Mabanglo said the first priority is to professionalize interpreters/translators and inform the community. There was the beginning of discussion of creating a pool of interpreters/translators; Kristine Pagano suggested not to go in-house but go RFP (Request for Proposal) route as DCAB has done; Pat Harpstrite felt the most competent and professionally qualified interpreters/translator s should be in the pool, due to time limitation the Chair had to move on to the next item saving further discussion for a later time.

11. **Discussion of ASL requirements for posting on-line videos.** OLA has an online video available from the Language Access Law Forum we held in January 2013, however there is no close captioning. Were we required to have close captioning even if there was no special request submitted for the event? Per Kristine Pagano access to an event is different than access to a video. ADA (Americans with Disabilities Act) requires close captioning and according to federal laws, you must have close captioning for any state film or video. OLA could be in violation of the law.

12. **Agenda Items for Next Meeting.**
   - None provided.

13. **Announcements.**
   - Interagency Council Meeting, Wednesday, April 24, 2013 at 2:30 p.m. Susannah Wesley Community Center
   - Free ASL Workshop presented by The Disability and Communication Access Board and Kapiolani Community College Interpreter Education Program, "*The Value of Ethics*" on Friday, April 19, 2013 at 6:00 p.m. to 9:00 p.m., at Kapiolani Community College.
   - "*Interpreting in the Mental Health Environment*" on Saturday, April 20, 2013, all day, same location.
   - Next meeting Wednesday, May 08, 2013 same time, same location. Jennifer Dotson will not be able to attend.

14. **Adjournment.**
   - Meeting was adjourned at 11:20 AM