

LANGUAGE ACCESS ADVISORY COUNCIL

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

Wednesday, February 11, 2009
DLIR Conference Room 320

MINUTES

The meeting was called to order at 9:08 A.M. with quorum by Chairperson Dominic Inocelda.

1. Attendance

Present:

- Dominic Inocelda Language Access Advisory Council, Chairperson
- Gerald Ohta Language Access Advisory Council, Vice-Chair
- Dr. Suzanne Zeng Language Access Advisory Council Member
- Sr. Earnest Chung Language Access Advisory Council Member
- Serafin “Jun” Colmenares Executive Director, Office of Language Access, Ex-officio
- Livia Wang for Bill Hoshijo Executive Director, Civil Rights Commission, Ex-officio
- Jennifer Li Language Access Advisory Council Member
- Azi Turturici Language Access Advisory Council Member
- Dr. Tin Myaing Thein Language Access Advisory Council Member
- Mary Santa Maria Language Access Advisory Council Member
- Alohalani Boido Language Access Advisory Council Member

Excused:

- Lito Asuncion Language Access Advisory Council Member
- Canisius Filibert Language Access Advisory Council Member
- Kristine Pagano for Francine Wai Executive Director, DCAB, Ex-officio
- Nāmaka Rawlins Language Access Advisory Council Member
- Betty Brow Language Access Advisory Council Member
- Kendall Zukeran Research Analyst, Office of Language Access

Others Present:

- Frances Lum Department of the Attorney General
- Jeremy Low Research Analyst, Office of Language Access
- Uilani Pauole de Sa Senior Legal Analyst, Office of Language Access
- Gail McGarvey Clerk Typist, Office of Language Access
- Brenda Fagin Guest

2. Welcome and Introductions

- Brenda Fagin introduced herself. She works part-time for a non-profit, does interpretation in Ilocano and was attending the meeting as an interested private citizen.

3. **Approval of minutes of January 11, 2009 meeting**
 - Motion to approve the minutes made by Gerald Ohta. Seconded by Azi Turturici.
 - Minutes approved unanimously. Motion carried.

4. **Executive Director’s Report – See attached**
 - Executive Director Colmenares reported there is an additional 2% restriction on the budget.
 - U’i Pauole de Sa, is the representative and resource person for the Judiciary’s Language Access and Data collection trainings they had in early February.
 - OLA is seeking to involve neighbor island counties with Language Access and give help developing their plans.
 - Dr. Fred Magdalena had requested an extension of 2 more weeks to finish his report.
 - Regarding funding for state language access training, OLA will not be getting funding from DHS, reply still pending from DOH, and Executive Office of Aging.
 - Sr. Earnest Chung wanted to bring to the attention of the council the language access plan for county emergency services, that there is a system in place however work needs to be done to bring the LA plan/system procedures to the attention of the workers who come into contact with Limited English Proficient (LEP) individuals.

5. **Update on Language Access Conference Planning**
 - Jennifer Li, chair, has announced that she is pregnant and her expected due date is in July.
 - Outline has been made and they are waiting on budget outcome.
 - Dates available at the East-West Center are September 24, 25, 2009, pending a deposit.
 - Committee is continuing to seek outside sponsors.
 - Invitations for keynote speakers are being sent out.
 - Firming up conference topics.

6. **Legislative Matters**
 - Handout distributed, “2009 Legislative Session Legislations Relating to Language Access”
 - SB312 (HB813) Bill to designate the month of September as “Language Access Month” to promote awareness of language access for government services passed the second reading by the Committee on Human Services and referred to the Committee on Judiciary and Government Operations.
 - SB710 (HB1570) Language Access: Translation Bank Appropriation requires OLA to maintain a group of translators (in 5 of the most needed languages) that shall be available to departments. Appropriates funds. Referred to LBR and WAM committees.

7. **Recap on Committee Restructuring and Appointment of Language Access Month Sub-Committee Chair**
 - Dominic Inolcelda said the structure is not changed, just how it operates. Special Projects Committee assignment of chair as needed when the project comes up. Same as By Laws, as needed.
 - Language Access Month, sub-committee chair, need names and volunteers, co-chair must come from the council but members of the committee can come from outside.
 - Per Francis Lum, chair must be assigned at a council meeting first, and then sub-committee meetings will not fall under Sunshine Law rules and regulations.
 - Question on how to incorporate the neighbor islands as participants on committee

8. Updates on Language Access Complaints

- U'i reported that there were 2 informal complaints, one involving employment and Korean language interpretation, the other Hawaii Housing Authority and eviction and the language is Chukeese. Legal Aid is involved in the housing eviction and taking action regarding Language Access.
- Mary Santa Maria from the State, Department of Health, Maui District Health Office (MDHO) reported a situation that had occurred at a Maui hospital. This was not a formal complaint to the Office of Language Access (OLA) but it was a formal complaint to MDHO.

A female patient who does not speak English brought her interpreter with her to labor and delivery at the hospital. The interpreter needed to leave before the birth. The hospital did not at any time attempt to provide interpreter services for the patient. As a result, the incorrect name was recorded on the birth certificate and the mother thought she was signing a release form for pain medication for herself but instead had signed a release form for a shot for the baby.

The hospital did eventually recognize their error in not utilizing the phone interpretation service which they have available and have remedied the incorrect birth certificate. Mary did not know if the patient was going to file a formal complaint with OLA, but she did share the complaint procedure with the case worker.

9. Announcements

- Dominic Inocelda reported that the Inter-Agency Council supports the move of Office of Community Services (OCS) from Department of Labor and Industrial Relations to Department of Human Services. Three areas of concern are: 1. OCS should not use immigrants as a focus, 2. OCS to maintain reasonable milestones so the agencies can reach them and 3. OCS focus on employment, self-sufficiency and to include self employment.
- Next Language Access Advisory Council Meeting will be on Wednesday, March 11, 2009 at 9:00 A.M. in the DLIR Director's conference room 320.

10. Adjournment

- Meeting was adjourned at 10:20 A.M.