



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
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MINUTES

Standing Committee on Communication Access Meeting

Location: Kamamalu Building
1010 Richards Street, Room 118
Honolulu, HI 96813

Date: August 1, 2017
Time: 11:00 a.m.

PRESENT: Misella Tomita, Chairperson; Nikki Kepoo, Board Member; Francine Wai,
Kirby Shaw, Colin Whited, Staff

ABSENT: Ed Chevy, Board Member

SIGN LANGUAGE

INTERPRETERS: Mala Arkin, Sarah Comerford

GUESTS: Peggy Liang, Jan Fried, Ann Ito, Gisella Tomita, Diane Yamamoto

I. Call to Order

Chairperson Misella Tomita called the meeting to order at 11:02 a.m.

II. Introductions

The attendees introduced themselves.

III. Approval of July 20, 2017 Meeting Minutes

The Committee approved the July 20, 2017 minutes (M/S/P Kepoo/Tomita).

NOTE: The minutes were written in the order the items were shown on the agenda, not as they were discussed at the meeting.

IV. Old Business

A. Hawaii Quality Assurance System – Update

Due to time constraints, the Committee only discussed item B under Old Business.

B. Amend Hawaii Administrative Rules, Title 11, Chapter 218, "Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind" – Continued Discussion

Staff distributed a copy of a flow chart containing a revised draft of the functional descriptions for HQAS Levels III, IV, and V. Included in the flow chart were examples of other credentials that may correspond with the respective HQAS levels.

Focusing on the functional descriptions, feedback from the community included concerns about the use of adjectives such as “skilled,” “advanced,” and “master” to describe the three different HQAS levels. It was suggested that this terminology may be misleading because it might imply that an interpreter-transliterators with an “advanced” (HQAS Level IV) credential is more qualified for an assignment than an interpreter-transliterators with a “master” (HQAS Level V) credential. Instead, it was recommended that DCAB consider a more neutral approach, such as using alphabetical letters or numbers to distinguish between credential levels. Additionally, it was noted that only HQAS V included language indicating demonstration of professional judgment in accepting assignments. Since demonstrating professional judgment is expected of all interpreter-transliterators, this should be included in descriptions for all levels. Finally, DCAB was encouraged to develop a vlog about the functional descriptions.

The discussion then turned to interpreter-transliterators with credentials other than HQAS, and how the various credential levels would correspond with the different HQAS levels. Questions were raised regarding national credentials that do not have a continuing education program (CEP), specifically the Educational Interpreter Performance Assessment (EIPA). Staff shared that this is a subject still being discussed, and that different options are possible, including an “automatic transfer” where the EIPA-credentialed interpreter-transliterators is given a Hawaii (HQAS) credential that corresponds with their EIPA score.

The Committee and guests indicated that they would be uncomfortable with the concept of an “automatic transfer.” It was instead suggested that DCAB consider mechanisms to encourage interpreter-transliterators with only an EIPA to obtain another credential, such as HQAS. Furthermore, it was recommended that the Recommended Fee Schedule indicate differences between an educational (e.g., EIPA-credentialed) interpreter-transliterators and a community interpreter-transliterators. After further discussion, the following motion was made:

MOTION: For the purposes of the Administrative Rules, the Educational Interpreter Performance Assessment will not be recognized as a national credential (M/S/P Kepoo/Tomita).

Discussion continued regarding the overall functional descriptions. Since this has been an ongoing topic of discussion for the Committee, it was agreed that setting a deadline would be appropriate. DCAB was encouraged to work with industry groups such as the Hawaii Registry of Interpreters for the Deaf (HRID). Staff added that it will also be important to consider comments from other groups, such as the Deaf community and covered entities. After much discussion, staff gauged the Committee for areas where there is a consensus in opinion. The Committee agreed on the following parameters regarding interpreter-transliterators without an HQAS credential:

- DCAB will recognize an interpreter-transliterater who possesses a valid credential issued within the last two years.
- If an interpreter-transliterater does not possess a valid credential issued within the last two years, they will be granted a six-month grace period to obtain either a Hawaii or national credential. DCAB will establish a timeline for this process.

Staff will further edit the functional descriptions before asking the Committee for a vote.

At the January 20, 2016 Communication Access Committee meeting, the Committee voted to remove the Recommended Fee Schedule from the administrative rules and place it a separate document. Therefore, staff proposed amended language to be inserted in the administrative rules, taking the place of the existing fee schedule language. The Committee voted to adopt the following amended language.

MOTION: Section §11-218-5.1 relating to fee schedule guidelines shall be amended to read as follows: “(a) The board shall issue a recommended fee schedule to guide state agencies in determining the cost of hiring communication access service providers. The recommended fee schedule may include recommendations for mileage, travel, cancellation, and other allowable provider fees. The guidelines shall be advisory only and state agencies may negotiate fees with the providers. (b) In developing the recommended fee schedule, the board shall seek advice from consumers, providers, and state agencies. (c) The board shall publish the recommended fee schedule on the board’s website. (d) The recommended fee schedule shall be reviewed periodically and may be amended as needed” (M/S/P Kepoo/Tomita).

Staff noted that Section §11-218-6 of the administrative rules relates to the cancellation of services. The way the section is currently written, questions came up involving whether it is too prescriptive. Moreover, staff acknowledged that cancellation policies are a part of regular business practices, and that caution should be exercised when specifying cancellation procedures in the administrative rules. Staff then proposed amended language to be inserted in Section §11-218-6 of the administrative rules. The Committee voted to adopt the following amended language.

MOTION: Section §11-218-6 relating to the cancellation of services shall be amended to read as follows: “(a) State agencies shall follow the cancellation policies and procedures of a referral agency when contracting for the services of a communication access provider. State agencies are encouraged to review such policies and procedures prior to contracting with a referral agency. (b) When a state agency contracts with a provider without the use of an interpreter referral agency, the state agency is responsible to confirm the cancellation fee policies and procedures with the provider at the same time the

communication access service fees are confirmed. If a provider does not have cancellation fee policies and procedures, it is recommended that the state agency and provider follow the cancellation fee guidelines that accompany the recommended fee schedule issued pursuant to §11-218-5.1" (M/S/P Kepoo/Tomita).

- Staff will provide new language in the next draft.

V. New Business

A. Communication Access Fact Sheets

DCAB practicum student Peggy Liang distributed copies of two fact sheets she has been developing as part of her projects: "Demographic Information on People Who are Deaf or Hard of Hearing in Hawaii," and "Open Captioning (OC) at Movie Theaters." The overall response to the fact sheets was positive. There was some feedback, including consistent capitalization and formatting of "deaf and hard of hearing." It was also recommended that vlog versions of the fact sheets be developed for the community. For the OC fact sheet, it was suggested that DCAB include a visual representation of the difference between open and closed captioning.

DCAB was encouraged to consider developing a fact sheet on persons who are deaf-blind. The Hawaii and Pacific Deaf-Blind Project was named as a local reference should any information be needed.

VI. Next Meeting

To be determined and announced.

VII. Announcements

Staff made two announcements:

- 1) Regarding DCAB's continuing education training fund, the application form for funding a workshop will be available online at DCAB's web site: health.hawaii.gov/dcab. The submission deadline for applications is September 30, 2017.
- 2) The DCAB-Hawaii Registry of Interpreters for the Deaf continuing education workshops will be held on September 16, 2017 (6:00 p.m. – 9:00 p.m.) and September 17, 2017 (9:00 a.m. – 12:00 p.m.; 1:00 – 4:00 p.m.) at Kapiolani Community College.

DCAB practicum student Peggy Liang announced that in North Carolina, new legislation (HB 84) was enacted that allows persons who are deaf and hard of hearing to have a symbol on their driver's license that designates their hearing challenges. The symbol is optional, and the law also includes training for current and incoming officers on how to appropriately interact with individuals who are deaf and hard of hearing. The Committee was asked to inform DCAB staff if they are interested in learning more about this law and similar efforts in other states.

VIII. Open Forum: There were no comments from the public.

IX. Adjournment

The meeting adjourned at 1:07 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Colin M. White", with a stylized flourish at the end.

COLIN M. WHITE