

COUNTY OF KAUA'I
MAYOR'S ADVISORY COMMITTEE FOR EQUAL ACCESS
NOTICE OF MEETING AND AGENDA

Tuesday, April 21, 2015
12:30 p.m. or shortly thereafter
Mo'ikeha Building, Meeting Room 2A/2B
4444 Rice Street, Lihue, HI 96766

MACFEA'S MISSION IS TO ASSIST THE COUNTY OF KAUA'I
IN ITS COMPLIANCE WITH THE FEDERAL, STATE AND COUNTY LAWS
MANDATING EQUAL ACCESS

CALL TO ORDER

INTRODUCTION OF MACFEA MEMBERS AND STAFF

APPROVAL OF MINUTES

- Regular Open Session Minutes of January 20, 2015

BUSINESS

- MACFEA Goals for 2014/2015 (On going)
 1. Increasing Emergency Preparedness
 2. Increasing Employment of Persons with Disabilities in the County

REPORTS

- DCAB report for March 2015
- ADA Coordinator's report
- Updates / Announcements

NEXT MEETING

Tuesday, July 21, 2015 – 12:30 p.m., Mo'ikeha Building, Meeting Room 2A/2B

ADJOURNMENT

cc: Philip Dureza, Deputy County Attorney

PUBLIC COMMENTS AND TESTIMONY

Persons wishing to offer comments are encouraged to submit written testimony at least 24-hours prior to the meeting indicating:

1. Your names and contact information, position/title and organization you are representing (if applicable);
2. The agenda item that you are providing comments on; and
3. Whether you will be testifying in person or submitting written comments only.
4. If you are unable to submit your testimony at least 24-hours prior to the meeting, please provide 10 copies of your written testimony at the meeting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the meeting or improperly identified may be distributed to the members after the meeting is concluded.

The length of time allocated to persons wishing to present verbal testimony may be limited at the discretion of the chairperson or presiding member.

Send written testimony to:

MACFEA

Attn: Lani Agoot

Office of Boards and Commissions

4444 Rice Street, Suite 150

Lihue, HI 96766

e-mail: lagoot@kauai.gov.

Phone: 241-4917 Fax: 241-5127

If you need an alternate format or auxiliary aid to participate, please contact Linda Nuland-Ames at 241-4924 (V/TRS) at least (5) working days prior to the meeting.

Meeting Minutes – DRAFT

Mayor's Advisory Committee For Equal Access (MACFEA)

Tuesday, January 20, 2015

Mo'ikeha Building, Meeting Room 2A-2B

4444 Rice Street, Lihu'e, HI 96766

Members Present: Rita Manriquez – State Traumatic Brain Injury Advisory Board (STBIAB); Ellen Ching – Easter Seals Hawai'i; Roberta Eiben, Consumer; Dr. Lucy Miller – DCAB (Disability and Communication Access Board) Board Member; Kathy Sheffield – National Alliance on Mental Illness; Kathy English – Hawai'i Disability Rights Center; El Doi – Kaua'i Developmental Disability Council; Betty Bell – Kaua'i Federation for the Blind.

Members Excused: Suzie Woolway – 'Ohana Home Health Care.

Staff members also present: Linda Nuland-Ames – ADA/EEOC Coordinator; Lani Agoot, Administrative Specialist; Paula Morikami – Administrator; Philip Dureza, Deputy County Attorney. We used to list the interpreter for the record – this is up to you.

CALL TO ORDER

Chair Roberta Eiben called the meeting to order at 12:55 p.m. with 8 members present. (The meeting start time was delayed due to computer technical difficulties)

APPROVAL OF MINUTES

- Regular Open Session Minutes of November 18, 2014

Action: Ms. Ching moved to approve the minutes as circulated. Ms. Bell seconded the motion. Motion carried 8:0.

Ms. Ching asked to change the order of the agenda.

REPORTS

- Report on Independent Living on Kaua'i

Ms. Manriquez shared that Roxanne Bolton, a former member of Hawai'i Centers for Independent Living is now the Executive Director of a new organization called Aloha Independent Living Hawai'i, AILH. The organization has been in business for 6 years in Hawai'i, on O'ahu, Maui, and Hilo, and she is the new Independent Living Specialist for the Island of Kaua'i. The organization was started due to grants and support obtained from Title 7, part B, State of Hawai'i Independent Living Services, which allowed AILH services to people on O'ahu, Maui, and Hilo, and Title 7, part C, Federal Independent Living Services, which has allowed AILH services to expand to all neighbor islands. Friends of Hawaii, in partnership with the Harry and Jeanette Weinberg Foundation, have selected Aloha Independent Living Hawai'i as a recipient of their annual Christmas

in July project. The Nei Lei Aloha Foundation recently awarded AILH a generous grant to bring Independent services to Kaua'i. Ms. Manriquez handed out her card and said she would be starting her own clientele on Kaua'i, offering assistance and direction to consumers in need of services. She also said she is available to organizations who are interested in a presentation about the program. Ms. Manriquez said that Ms. Sheffield asked her earlier if she would be working with mentally ill clients, and she told her no because the AILH staff are not medical professionals, but that she would direct people to NAMI, which is Ms. Sheffield's organization. Ms. Sheffield responded that she is very disappointed that AILH has taken the position to not service those with mental illnesses because it is probably the highest group of homeless on the island. Ms. Manriquez said she would bring this issue up when she meets with the Department of Health. Ms. Bell asked if Mahelona has outreach for the mentally ill to which Ms. Sheffield replied that they generally only hold someone for 72 hours, and then they are released back into the community. Dr. Lucy asked if there was anyone who can communicate with the deaf to which Ms. Manriquez responded that she is currently seeking information regarding this issue. Ms. Doi invited Ms. Manriquez to give her presentation at the Developmental Disabilities Committee meeting on March 3, 2015, at 12:30 p.m., at the Department of Health Conference Room, and Ms. Manriquez accepted the invitation. Ms. Ching asked for clarification on whether the AILH was funded by the State to which Ms. Manriquez said that it is a 501(c)(3) grassroots organization.

Ms. Manriquez was excused from the meeting at 1:17 p.m.

BUSINESS

- MACFEA Goals for 2014/2015 (on going)
 1. Increasing Emergency Preparedness
 2. Increasing employment of Persons with Disabilities in the County

Ms. Nuland shared that she, Ms. English and Ms. Ching met before the regular MACFEA meeting today to continue discussions regarding summer internships within the county for young people with developmental disabilities. Also discussed was the Assisted Technology Resource Convention this summer that the Mayor's Office is very supportive of. She said the hope is to bring more resources to people to help them learn and become gainfully employed. Ms. Nuland added that before each MACFEA meeting they will meet from 11:30 a.m. to 12:30 p.m., and invited members who were interested to attend.

REPORTS

- DCAB
 - DCAB reports for December 2014 and January 2015

Ms. Ching asked if the committee could return to a previous agenda item, MACFEA Goals for 2014/2015, because she noticed that at the previous meeting there was a motion made to keep the goals the same but no second was made. She said she wanted to revisit this in order to do things properly.

Action: Ms. Ching moved to keep the goals the same for 2014/2015. Ms. Sheffield seconded the motion. Motion carried 7:0.

- Discussion on MACFEA Membership

Ms. Ching moved to amend the rules for the membership to be reduced to 9 and Ms. Doi seconded the motion. Ms. Ching explained that due to difficulty with quorum with 13 members, the idea was to lessen the membership so it would be easier to reach a quorum for meetings. Boards and Commissions Administrator Paula Morikami explained that if the committee does vote to amend the rules, the Office of Boards and Commissions will publish a public hearing notice in the newspaper for the meeting in April, regarding the amendment.

Action: Ms. Ching moved to amend the rules of the Mayor's Advisory Committee on Equal Access, to reduce the membership from 13 to 9. Ms. Doi seconded the motion. Motion carried 7:0.

- ADA Coordinator's report

Ms. Nuland-Ames followed up on a previous committee discussion regarding the double captioning issue with Hoike. She said the County Council did not ask Hoike to run the tapes, Hoike asked the Council for tapes of the meetings so they could put them on their show. She explained that the tapes of the Council meetings have the open captioning embedded in them. She spoke with J Robertson of Hoike and explained that he should be able to turn off the closed captioning since the meetings are already captioned, and this would eliminate the double captioning issue. Ms. Nuland-Ames also explained to Mr. Robertson that since he is a Title 3 under the ADA, he was the one in control of the tapes and it was within his power, and not the County, to remove the closed captioning. She said this week is when Hoike is supposed to take care of the issue. Ms. Nuland-Ames shared that the 25th anniversary of the ADA is coming up in July and she would like to celebrate with a large event for the community. She has been talking with several people about putting together an assisted technology fair with speakers, demonstrations, evaluations, increase education and employment opportunities, and work with people to help them live independently and participate more fully in island life.

- Updates / Announcements

Ms. Sheffield announced that the fourth Family to Family is beginning on February 5th, Thursday evenings, from 6:30 to 9:00 p.m. It is a free, twelve week class and encouraged anyone who has a loved one or family member with a serious mental illness to contact her for more information.

Dr. Miller said that the general public gets confused about service dogs, what questions you are allowed to ask or not ask, and what to do if someone says they have a service dog and the dog is misbehaving. She has made a simplified version of the ADA act that

relates to this issue for anyone interested. Dr. Miller also said she is available to give fifteen minute presentations to any private group regarding this matter that would include demonstrating what her service dog does, how you can tell she is a service dog, and how the dog helps with her own disability. Ms. Nuland-Ames asked Dr. Miller to let her know if she encounters any problems within the County to which Dr. Miller said she personally has not had any problems however she has heard of issues with bus drivers. Ms. Sheffield added that she feels there has been a lot of confusion between service animals and comfort animals and some people are misrepresenting that they have a comfort animal when it is not. Ms. Nuland-Ames said the Federal Transportation Agency has some rules that are different from ADA that are allowable because they have to do with public health and safety on a plane or bus. For example under the transportation agency, the bus can require that a dog must be on a leash even though the rules allow for the dog to be off the leash when providing service to the owner.

Ms. Bell voiced her concerns regarding the traffic on the island, in particular on the South Shore where she resides. She feels it would be prudent for the committee to consider infrastructure with regard to people with disabilities.

The next meeting will be on Tuesday, April 14, 2015 at 12:30 p.m., Mo'iukeha Building, Meeting Room 2A/2B.

Adjournment: Chair Eiben announced the meeting was adjourned at 1:50 p.m.

Respectfully submitted by: _____
Lani Agoot, Administrative Specialist

() Approved as circulated () Approved as amended



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 2015

Report from the Disability and Communication Access Board for
City and County of Honolulu, Maui, Kauai, and Big Island Mayors Committees
Maui, Kauai, and Big Island Developmental Disabilities Committees
Disability Rights Hawaii Big Island
State Council on Developmental Disabilities
State Independent Living Council

This issue of the DCAB Report is entirely focused on the 2015 Legislature. The following is a summary of key issues that impact the disability population. Please keep in mind that the Legislature is a very fluid process and bills change constantly with each hearing. By the time you read this, some of the bills will have died or morphed into a different-looking animal. Should you have any questions regarding legislation, please feel free to email Debbie Jackson at debra.jackson@doh.hawaii.gov.

Parking for Persons with Disabilities

Parking spaces for persons with mobility disabilities are used by persons who either require a parking space with an adjacent access aisle or a space that is closer to an entrance. Whether the mobility is through independent travel or offered by a family member or caregiver, the need for accessible parking spaces is very real and often limited in an island state with finite land mass. Parking spaces reserved for persons with disabilities are often at a premium and, as a result, often misused. This program is administered at the State level by the Disability and Communication Access Board (DCAB) and implemented in conjunction with the four (4) Counties. DCAB is proposing, through House Bill 1154, to increase the motor vehicle registration fee in an as yet unspecified amount, but no greater than \$1.00, to cover the costs of the program. The income would increase the ability of the program to issue placards with the highest level of quality assurance to reduce fraud, expand public education and enforcement, and update/automate the computer database for greater efficiencies.

Access for Persons Who are Deaf or Hard of Hearing

Deafness or diminished hearing is often considered a hidden disability. While many seniors experience a loss of hearing as a result of the aging process, there are many others who grow up with deafness or loss of hearing their entire lives. Services for that group of individuals is often very limited. In 2014 the community was successful in obtaining start-up money to establish a comprehensive center for the deaf, hard of hearing, and deaf-blind individuals. While working towards establishing this center, the advocacy efforts of the community are focusing on three (3) specific bills that increase access. House Bill 1272 proposes to require select movie theaters (those that have two or more locations) to offer a limited number of viewings of movies with open captioning and audio description. This bill, if passed, would set Hawaii ahead of the nation and the rules of the Department of Justice. Senate Bill 962 proposes an appropriation to the Department of Human Services, Division of Vocational Rehabilitation (DVR), to provide a robust, contracted American Sign

Language Interpreter Referral Service statewide. Although the service is currently offered now, the source of funds to support this effort has reduced direct client service money in DVR. Senate Bill 963 proposes to require health insurance coverage in Hawaii for hearing aids for people of all types of hearing loss and specify a minimum amount of coverage and frequency for replacement of hearing aids under this coverage. It includes that insurance companies will pay \$1500 per hearing aid for each ear and replace the aids every thirty six (36) months.

Access for Persons Who are Blind

In addition to the above-mentioned bill on movie theaters that requires audio description for blind patrons, House Bill 1008 and Senate Bill 608 would require drivers of vehicles to exercise due care to ensure the safety of blind or visually handicapped persons on any roadway. It would also require the examination for a driver's license to test the applicant's knowledge of operating a vehicle in a manner that ensures the safety of blind or visually impaired pedestrians.

Access to Buildings, Facilities, and Sites

The design and construction of accessible buildings, facilities, and sites is paramount to offering equal access to individuals with disabilities to the built environment, particularly those with mobility disabilities. Although the Americans with Disabilities Act has been in effect for twenty-five (25) years, there are still many barriers to the physical environment due to the large inventory of old or aging facilities. House Bill 946 and Senate Bill 1115 propose to amend Hawaii Revised Statutes §103-50 to provide clarification on the types of construction projects that must be submitted to DCAB for review. Senate Bill 762 and House Bill 721 propose to require mandatory access to beaches at locations where the public is invited through the creation of public parking and restrooms.

Service Animals

Senate Bill 760 and House Bill 738 propose to establish a misdemeanor for knowingly misrepresenting oneself as the owner or trainer of a service dog. A similar bill, Senate Bill 644, proposes to establish the offense of false presentation of an animal as a necessary reasonable accommodation in housing.

Enhanced Community-Based Services

A variety of bills have been introduced to augment the current service delivery system for individuals with disabilities or to ensure that services are provided in a manner that offers more choice and quality. Many are part of the aging network and kupuna package already described elsewhere in this Report. The following are additional bills not previously discussed. House Bill 1236 and Senate Bill 481 propose to establish a Medicaid Buy-In Program within the Department of Human Services for workers with disabilities. House Bill 119 proposes to establish the Hawaii ABLE Savings Program with the Department of Budget and Finance, modeled after the federal legislation, by creating the Hawaii ABLE Savings Program Trust Fund that houses savings accounts to help support individuals with disabilities and their families. Senate Bill 1318 repeals the requirement that qualified community rehabilitation centers pay their employees, who are persons with disabilities, less than minimum wage. House Bill 580 proposes to establish licensure requirements for durable medical equipment suppliers participating in the nationwide competitive bidding program through the Office of Health Care Assurance and requires a physical presence in Hawaii. House Bill 491 makes an appropriation to the Department of Health to implement the recommendations of the Task Force on Mobility Management for persons with

disabilities or who are elderly. House Bill 1108 requires health insurance carriers to cover autism spectrum disorder diagnosis and treatment, with coverage for individuals to age eighteen. A related bill, Senate Bill 791 provides for autism coverage for individuals under the age of eleven.

Education and Related Services

Educational services for children with disabilities have focused on adequate funding for classroom teachers. In addition to obtaining adequate funding, several issues are being monitored as impacting children with disabilities. They include a multitude of bills relating to bullying and cyber-bullying, as children with disabilities are often the target of bullying activities in the school system (House Bill 819 and companion Senate Bill 845, House Bill 396 and companion Senate Bill 978, and Senate Bill 865). Efforts to establish the Early Learning Prekindergarten Program to be administered by the Executive Office on Early Learning through House Bill 820 and companion Senate Bill 844, Senate Bill 863, House Bill 821 and companion Senate Bill 843 will also be of benefit to young children with disabilities in obtaining a jump start on their education. Medically, House Bill 10 and Senate Bill 846 allow Department of Education employees with training to volunteer to administer epi-pen injections to a student with anaphylaxis and assist in testing and management of student diabetes. Finally, Senate Bill 900 proposes to establish a state seal, similar to a certificate, of bi-literacy to verify students who have bilingual capability. This bill includes American Sign Language as one of the languages that can be used in the program.

Don't forget to sign up for DCAB's four (4) E-Bulletins
For the *Emergency Preparedness for People with Disabilities E-News*,
contact debbra.jackson@doh.hawaii.gov
For the *Facility Access E-Bulletin*, contact laurie.palenske@doh.hawaii.gov
For the *Communication Access E-Bulletin*, contact kristine.pagano@doh.hawaii.gov
For the *SPIN News*, contact spin@doh.hawaii.gov