



STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

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Minutes

Name of Organization: Subcommittee on **Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons with Speech Disabilities** (also known as the Communication Access Council) of the Nevada Commission on Services for Persons with Disabilities (CSPD) (Nevada Revised Statute [NRS] 427.750)

Date and Time of Meeting: June 12, 2014
9:00 a.m.

Location: Northern Nevada Center for Independent Living
999 Pyramid Way
Sparks, NV 89703
(775) 353-3599

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- I. Welcome, Roll Call and Introductions
Gary Olsen, Acting Chairperson

Members present: Gary Olsen, Julie Balderson, Mike Eifert, Angela Greer, Cynthia Roller, Greg Ivie

Guests: Maud Naroll; Department of Administration, Annie Urasky; Deaf and Hard of Hearing Resource Advocacy Center, Daniel Salace; Northern Nevada Center for Independent Living, Jamie Farrell Cafferata-Jenkins; Deaf and Hard of Hearing Resource Advocacy Center, David Daviton; Nevada Association of the Deaf, Linda Anderson; Attorney General's Office, Andrea Olvera-Juillerat; Interpreter, Kitty Edwards; Interpreter, Marcia Ferrell; CART provider, Jack Mayes

Staff: Laura Valentine, Tina Gerber-Winn, Desiree Bennett

- II. **Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Please state and spell your name for the record. Public comment may be limited to three minutes per person at the discretion of the chair.)

Mr. Olsen stated the CAC/SOCS has received a lot of good information about the PUC in the area of sign and communication. The committee needs to look carefully at the issues the PUC presents. Mr. Olsen stated in the last couple of meetings there were specific discussions focused mostly on interpreters and a regulatory board not services. They are two separate issues.

- III. **Approval of the Minutes from the April 17, 2014 meeting (For Possible Action)**
Gary Olsen, Acting Chairperson

Mr. Eifert stated two corrections to the minutes; NRS 656A defines Communication Access Realtime Translation and Realtime Captioning, not what money from the TTY surcharge is used for. Mr. Eifert would also like to add to the minutes that he stated he has possible conflicts of interest with discussions pertaining to 427A OR 656A.

Ms. Roller moved to approve the minutes with corrections. Mr. Eifert seconded the motion. Motion passed.

- IV. **Presentation on Strategic Planning**
Maud Naroll, Chief Planner- Research Planning Grants
Nevada Dept of Administration

Ms. Naroll presented a PowerPoint presentation on the tools needed to create and develop a Strategic Plan for the Subcommittee.

Mr. Olsen asked how to measure if services have a better outcome for its consumers than it has previously.

Ms. Naroll stated there are a few different ways “better” can be measured. Customer surveys, asking about service improvement and satisfaction, can be effective.

Mr. Eifert stated the entire process needs to be examined. It needs to be determined if the change was made for the better or if it was for the worse. A mission needs to be determined and then a strategy can follow.

- V. **Discussion and Draft Recommendations to CSPD on Proposed Changes to the Laws Relating to Services for the Deaf, Including Interpreters (For Possible Action)**
Julie Balderson, Aging and Disability Services Division (ADSD)

Ms. Balderson stated that the Commission on Services for People Disabilities (CSPD) asked the subcommittee to develop recommendations for them today, so they can have them by their next meeting date on July 29. The CSPD had

questions about improving access to the Legislatures or Legislative process, and then also increasing or improving access to government agencies and services. Mr. Olsen stated the committee needs to help deaf and hard of hearing groups, but also helping hearing people understand deaf people, it is a part of advocacy and it needs to be addressed.

Mr. Ivie asked the committee what the current situation is with respect to interpreters at legislative committees.

Mr. Olsen stated that there is a shortage of interpreters, which often causes the legislature to have a certain interpreter for a certain committee. The state itself does not have an interpreter of its own. There are some cases that interpreters are brought in from out of state. This has been happening for many years and causes deaf people to avoid going to legislative meetings or joining committees. Mr. Olsen stated this committee is looking for more ways to get deaf and hard of hearing people involved in the political level and demand equal access. The Department of Education also needs consideration when it comes to interpreter issues. Education is a child's fundamental right and language deprivation will cause them to fail. He commented that deaf-blind people are not being served well in the community. This committee, along with the help of the CSPD, needs to provide support to both deaf and hearing communities.

Ms. Gerber-Winn stated the CSPD is hoping that the CAC/SOCS can give feedback about how to effect Legislation. She supplied the committee with a statement sheet drafted by Jon Sasser from Washoe Legal Services and a CSPD member. The document is a recommendation from Mr. Sasser on amending the 427A.797 on how to distinguish what the Deaf and Hard of Hearing Centers should do.

Ms. Anderson stated that the Public Utilities Commission had ruled there should be some limitations on the funding for the deaf and hard of hearing, which went to the District Court level where the District Court Judge agreed. It is now at the Supreme Court. She stated that there will hopefully be clarification of how to interpret NRS 427A.797 once a decision from the court is made. She commented that everyone agrees that the Deaf and Hard of Hearing Centers should be funded, but the PUC decided they only want to pay a portion of it. It would then be up to the Legislature to decide how to fund it.

Ms. Anderson suggested the committee prepare a bill draft, so the Legislature can be informed of the issue and can decide if they need to clarify.

Ms. Gerber-Winn stated there is a work session of this committee on seniors, veterans, and adults with special needs who works on a session document. They suggest the committee do certain things, such as setting the amount of the surcharge.

Mr. Olsen stated that the Legislature wouldn't set the surcharge; the PUC would and recently has.

Ms. Gerber-Winn stated that it sounds like this committee does not want to mess with the surcharge amount in the statute. The next part is to define the activities of the Deaf and Hard of Hearing Centers. In the past when a grantee applied for funding such as, the DHHARC, ADSD gave them a scope of work and asked how much it would cost for them to complete that work. Definitions for access to

services, information and referrals, and advocacy were included in the application to the grantee as well. Ms. Gerber-Winn suggested that that could be one way to add more definitions to the law about the activities of the center.

Mr. Olsen stated that if the committee does this right there is an opportunity to help ADSD stay in budget and provide services to others; including hearing people, the deaf-blind population, and people with sensory issues. It is not only focused on people with visual impairments

Ms. Balderson stated that the committee agrees the amount of the surcharge should not be stated in the statute.

Mr. Olsen stated he believes deaf centers should have a role in helping parents become more involved in understanding the culture of the deaf.

Ms. Roller stated the deaf centers need to have a variety of groups who understand different components of the system. Ms. Roller stated that as a parent of a deaf child, walking into a center can be scary if there is no one that can speak to you or has the same communication mode. The center needs to be unbiased and giving of information.

Ms. Anderson stated that the Legislature defines what the centers are going to do by the budget they approved. She stated that it is important for the committee to assess what the community needs and define what the centers should do to address those needs and then put the budget together. The Legislature then decides if they want to fund it and the amount that will be necessary to do that.

The committee agreed that a deaf center should be a provider of services for the deaf and hard of hearing. The centers should incorporate advocacy, empowerment, community development, and training, parents support and outreach, interpreter issues and accessibility.

Mr. Daviton would like to add sensitivity training and access to education.

Ms. Cafferata-Jenkins stated that perhaps the center could provide more recreation to create a higher quality of life for the entire deaf community. She would also like to have classes that are specifically catered to the newly deafened, including veterans or people who have been deafened through illness or by an accident. They need to understand the new ways to navigate the world; they are no longer necessarily a hearing person. It's very frightening to suddenly lose your hearing.

Ms. Gerber-Winn stated all the input about what a Deaf Center should do, can be used as a part of the services specifications to clarify the scope of work being done when applying for grant funding. She also commented on the multiple issues regarding interpreters. One issue is what kind of trainings should be funded for interpreters to improve their level of service and if the state should be funding it. Should ADSD oversee the compliance of other state agencies with the ADA, including the Legislature. Another issue that was previously brought up was the creation of an interpreter regulatory board.

Ms. Gerber-Winn stated there are many issues that could use the attention and opinion of the committee before they are brought to the legislature.

Ms. Balderson stated the way the NRS 656A is written, there is a lot of authority given to ADSD, but there is a shortage of staff. The existing law provides many solutions but there is no staff to follow up.

Ms. Balderson stated that the current region registry may have interpreters that are not certified; an interpreter can either be an apprentice or in an intermediate category and there is no limit on how long someone is in that category. She suggested making a legislative recommendation to amend that law and limit the amount of time an interpreter can stay in a certain category. This may also slim down the already small group of existing interpreters in the state. Nevada does have fairly high expectations for educational interpreters compared to other states, there are just not many people meeting those expectations.

Ms. Roller stated her concern that Nevada doesn't have places where interpreters can go to improve their skills. There is no way for interpreters to get their continuing education credits (CEU) to improve their skills.

Ms. Balderson stated the issue of CEUs in the law is 75 hours every three years which may need to be bumped up. If an interpreter is in a lower skilled category, they also need 40 hours every three years of mentoring. It is difficult to find interpreters in the state but it is even more difficult to find mentors.

Ms. Roller stated that Nevada needs to develop and grow our own interpreters, which means making changes with the Department of Education to create quality programs and high level degrees.

Ms. Balderson stated that in addition to writing a letter to the Board of Regents encouraging a Bachelors program, maybe a letter to the Department of Education asking them to re-examine the way they view interpreters in schools will help.

Ms. Balderson stated there are two different models when it comes to an interpreter registry board. The first one is that the state agency provides the regulation. The second is the regulation is done by an occupational regulatory board, just like there are for teachers or lawyers. That would be an independent board, not under ADSD and a funding source would need to be identified.

Ms. Gerber-Winn stated ADSD has allocation methods for things like IT services, or for attorneys, the agency has to pay a fee to access the services, the concept exists. That same concept could be used here and part of an allocation could be used to hire or assist state agencies with interpreter services.

Ms. Balderson stated that if ADSD were to have its own interpreters, small businesses would lose money. The committee will need to make sure that its accounted for that in a small business impact statement when addressing the CSPD with the recommendation.

Mr. Olsen stated that the first step is to create the demand of four to six interpreters for a state pool.

Ms. Balderson stated she will make a recommendation to the CSPD to establish a statewide interpreter pool, which would be funded by a budget allocation.

Ms. Balderson motioned that that the Subcommittee will support ADSD in creating additional staff positions to regulate interpreters and to coordinate an interpreter pool that will be paid for through agency budget allocations. The Subcommittee will also support a limitation on how long sign language interpreters can stay in an under skilled category. A letter asking the Department on Education to re-examine its policy on deaf education, and a letter to the Board of Regents recommending they create a four year program for interpreting will also be sent out on behalf of the Subcommittee.

Ms. Greer seconded the motion. Motion passed.

VI. Discussion and Approval of Bylaws **(For Possible Action)**

Gary Olsen, Acting Chairperson

Mr. Olsen stated agenda item six, discussion and approval of bylaws will be moved to the next Subcommittee meeting.

VII. Discussion and Possible Recommendations on Communication Access Services Program and Interpreter Registry at ADSD Planning and Program Budget **(For Possible Action)**

Julie Balderson, ADSD

Ms. Balderson stated item seven is a standing agenda item from January. Ms. Balderson is looking for feedback and input on what a budget proposal should include. ADSD has less than a month left on the contract with Sprint, and then the agency will be moving to Hamilton Relay services. Hamilton Relay's proposal included a full time outreach coordinator in the state who will partner with ADSD's equipment distribution programs. She also stated that the equipment distribution program grantee went out for a bid; ADSD received two proposals and will be funding both. It is a joint application from the Southern Nevada Center for Independent Living and the Northern Nevada Center for Independent Living, then also the DHHARC for equipment distribution.

Ms. Balderson wanted to remind everyone that the next meeting will be held in Reno, in September. She will be soliciting lots of input as to what is included in the budget proposal to the PUC for fiscal year 16. She also commented that she is working toward putting the interpreter registry online, making it interactive on a website, instead of a paper-based system. Anybody who is interested in helping test that system before it goes live, please email Julie Balderson.

VIII. Discussion and Possible Draft of Goals and Objectives for Telecommunication Equipment Distribution Program **(For Possible Action)**

(Open Discussion)

Mr. Olsen stated it is important to establish goals for groups under the equipment distribution program. Each group needs a plan that can be monitored and measured for the validity of the program.

Ms. Urasky stated that a good starting place in developing these goals would be to look at the exact requirements of the RFP. The required amount of equipment that needs to be distributed was lowered; right now the amount being distributed is 600 ancillary communication devices. We need to also provide Cap Tel phones for consumers, to give them a choice. It has been the goal to train 450 individuals on equipment and relay services.

Ms. Balderson stated that the equipment distribution program through ADSD, grants funding to organizations like the DHHARC and they report back numbers to ADSD.

Ms. Urasky stated that because the previous RFP was eliminated for DHHARC,

from now on the consumer comes to the agency to just get some information or to get specific help. DHHARC will document what those issues are and send them to Julie. ADSD will be aware of the issues that are out there among the deaf and hard of hearing that DHHARC deals with. She commented that as far as accessibility issues; clients who want to get video phones, they are free to use in the DHHARC office. DHHARC will be researching other options for funding that might be feasible for the State of Nevada. It could be useful to compare other distribution programs across the country and see what they're doing.

Ms. Balderson stated that it is important to keep track of the kinds of calls that are coming in. If the agency is getting calls or walk-ins that need assistance with something other than equipment and they are referred to another organization, keep a tally of the resources being used and what kind of places clients are being referred to.

Ms. Urasky recommended that the grantee and ADSD make a consumer survey about any issues related to communication access, it would assist in finding out what the issues might be.

Ms. Balderson stated that the DHHARC already has a survey in existence but it needs to be updated now that there are new grantees and a new grant year is starting.

Mr. Olsen would like to add the discussion and development of new surveys to the next meeting's agenda.

Mr. Olsen stated he wants to further discuss the goals of equipment distribution through DHHARC.

Mr. Eifert suggested the discussion of equipment distribution be moved to the next meeting agenda to give Ms. Urasky time to give the committee an update on final figures. He stated the agency already has objectives for 2015, which went out with the RFP. The committee needs to consider objectives for 2016.

IX. Relay Traffic Report on Calls Received
Julie Balderson, ADSD

Ms. Balderson stated that the Relay traffic is consistent with what it has been all year. She will forward the report to the members. Captioned Telephone (CapTel) is more than Telecommunications Relay Service (TRS). Migration to an internet based relay service is still in process, which is paid for through an SDC interstate fund not through state funding. ADSD is winding down on the relay contract with less than a month left on it.

X. Annual Report from Deaf and Hard of Hearing Advocacy and Resource Center (DHHARC)
Anne Urasky, DHHARC

Ms. Urasky presented a PowerPoint presentation on the quarterly report from the DHHARC and the equipment program report. She stated that the quarterly report encompasses what the state monitors like program services and goals related to the RFP.

Mr. Olsen asked that future reports from the DHHARC include more details about a number breakdown of the service programs.

XI. Consider Agenda Items for Next Meeting **(For Possible Action)**
Gary Olsen, Acting Chairperson

Mr. Olsen would like to add the approval of bylaws to the next meeting agenda and the election of officers as it is the first meeting of the new fiscal year. Discussion of budget is another standing item that will be moved to the next meeting.

Ms. Balderson is also hoping to have a representative from Hamilton join the meeting in September. She would also like to add the review and discussion of the new surveys.

Ms. Balderson would like a discussion about a wireless option for the equipment distribution program to the agenda.

XII. Confirm Date of Next Meeting, September 11, 2014 in Northern Nevada
(For Possible Action)
Gary Olsen, Acting Chairperson

The next CAC/SOCS meeting will be held in Reno on September 11.

XIII. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Please state and spell your name for the record. Public comment may be limited to three minutes per person at the discretion of the chair.)

Mr. Daviton stated he would like to see the CAC/SOCS membership grow and have 51 percent deaf. There needs to be more of an effort made to make the membership grow.

XIV. Adjournment
Gary Olsen, Acting Chairperson

Meeting was adjourned at 2:26 p.m.

Current Subcommittee on Communication Services Members

Gary Olsen (Acting Chairperson), Julie Balderson, Angela Greer, Cynthia Roller, Michael Eifert, Greg Ivie, and Robert Lucas

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

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Agenda Posted at the Following Locations:

1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
3. Aging and Disability Services Division, Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104, Elko, NV 89801
5. Southern Nevada Center for Independent Living, 6039 El Dora Street, Suite H-8, Las Vegas, NV 89101
6. Deaf and Hard of Hearing Advocacy Resource Center, 2575 Westwind Rd., Suite C, Las Vegas, NV 89146
7. Northern Nevada Center for Independent Living, 999 Pyramid Way, Sparks, NV 89431
8. Deaf and Hard of Hearing Advocacy Resource Center, 999 Pyramid Way, Sparks, NV 89431
9. Nevada State Library and Archives, 100 North Stewart Street, Carson City, NV 89706

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