



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

Administrative Office
3416 Goni Road, D-132
Carson City, NV 89706

ROMAINE GILLILAND
Director

JANE GRUNER
Administrator

BRIAN SANDOVAL
Governor

(775) 687-4210 • Fax (775) 687-0574
adsd@adsd.nv.gov

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Minutes

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Name of Organization: Interpreting Issues Work Group of the 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: Saturday October 18, 2014
1:30 p.m. to 3:30 p.m.

Location: American Sign Language Communications
70 East Horizon Ridge Parkway, Suite 140
Board Meeting Room
Henderson, NV 89002

Members of the public, who would like to join the meeting by phone, dial 1-888-251-2909 and enter the access code 8985078 when prompted. Persons in Nevada requiring sign language service can call their VRS providers; give them the dial in information in order to access the meeting.

Members present: Gary Olsen, Angela Greer

Public present: Tom Janny (NVAD), Mei Agliam (Deaf Paralegal), Harold Herbert, Alice Adamo, Joseph Adamo, Tim Smalley, Shannon Avellaneda, Jeff Beardsley, Caroline Taylor, Caroline Bass, Yolanda Ward, Jeremy Batson, Pat Dreher- Gutierrez, Linda Raymond, Laura Danbury, Libby Hathaway (NVAD), Sara Cordova, Michael Farnel, Bridget Taylor, Adrian Dawson, Mary Stack, Sammy Milburn, David Sandoval, LaQuida Wilson, Kenisha Harris, Mekaila Murdock, Joyce Pierce, MeridethAurs, Dalores Parrish, Rita Sullivan, Norma Lea Chrismon, Sharon Warren, Zelma Anderson

- I. Call to order and introductions
Angela Greer, Subcommittee on Communication Services

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Ms. Greer gave a short overview of what the Interpreting Issues Work Group Subcommittee is trying to accomplish during the public meeting.

- Focus on issues regarding NRS 565A. Related to the practice of interpreting and the practice of CART.
- The meeting is an open meeting with no hidden agenda.
- Gather information on how to make improvements and updates.

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.)

Sammy Milburn, a certified interpreter, stated he has parents who are deaf and has been in the deaf community for over twenty-five years. He asked if there are any members on the Subcommittee on Communication Services for Persons who are Deaf or Hard of Hearing and Persons with Speech Disabilities who are certified interpreters.

Mr. Olsen responded that it is in law to be able to appoint a certified interpreter on the Subcommittee. NRS 61 defines specific positions. The SOCS has two current vacancies. The law requires one person with speech impairment, but it has not been possible. It is possible to open the position up to an interpreter.

Mei Agliam, a paralegal, commented about the expenses for interpreters to take classes and the fees to become certified. The IRS has made it possible for interpreters to earn as independent contractors. If the agency is a non-profit organization, they can drop certain fees.

III. **Report and Public Discussion on Statutes and Legislative Intent NRS 656A**
Angela Greer, Subcommittee on Communication Services

Mr. Olsen stated that he is interested in gathering ideas and input from the public on what the issues are regarding communication access. He stated the deaf and hard of hearing community wants high quality interpreters and high quality programs. It is difficult to change legislation but it's not impossible. Collaboration on the same goal is important to make any changes. Mr. Olsen wants to focus on interpreters and how to expand services for deaf people. Deaf children and deaf adults are in completely different worlds. How do we bring those worlds closer together and have success in both groups? He stated that the NRS 656A is already a passed bill in place and has been there for at least ten years. There needs to be improvement in the interpreter profession and it is important to receive input from the public on how to make needed changes.

Caroline Taylor stated that she is from the Nevada Disability Advocacy and Law Center (NDALC), which provides disability advocacy for adults and children. NDALC receives state and federal funding. She stated that there is a significant problem with healthcare, mental healthcare services and healthcare providers in

85 the state. Problems include doctors providing appropriate interpreters. She also
86 believes that there are issues with deaf individuals who are incarcerated in jail.
87 Deaf clients in jail still have rights. They have issues dealing with TTY or inmates
88 are put in segregation because they are deaf. These are issues that need to be
89 highlighted to the Legislature.
90

91 Mei Agliam expressed concern about the PUC, what budget cuts are being made
92 and the data that is supporting those decisions.

93 Mr. Olsen stated that the Legislature is above the PUC and are authorized to
94 make regulations and provide funding. The CAC has a responsibility of
95 overseeing performance of the DHHARC or any agency that receives money
96 from ADSD who serves the deaf.
97

98 Tim Smalley, a deaf consumer expressed concern about the PUC making
99 budget cuts to the advocacy of some agencies.
100

101 Linda Raymond commented the deaf community needs more interpreters and a
102 strong interpreter training program. It is difficult as an individual who is retired to
103 always get an interpreter when one is needed. She also stated that there are
104 interpreters working in the state with no certification. Interpreters sometimes
105 accept jobs that they are not qualified to interpret for.
106

107 Libby Hathaway commented that interpreters in Nevada are pretty poor quality
108 compared to other states. She believes there should be several deaf people on
109 the interpreter board to check the skills and quality of the interpreters.

110 Mr. Olsen stated that there needs to be flexibility in regulations with the State of
111 Nevada because of its geological aspects. It is difficult to get an interpreter in the
112 north but not as difficult in the south. There are state Boards and Commissions
113 that have very little representation from the deaf community. The oppression of
114 deaf people is a serious issue and continuously frustrates the deaf community.
115 Mr. Olsen asked the public if they think it is important for interpreters to have
116 licensure.

117 Linda Raymond commented that most interpreter oversight boards in other states
118 do not have over 51 percent. The boards ensure that interpreters are licensed. If
119 any interpreter violates their professional code of ethics, it would automatically go
120 to the RID (Registry of Interpreters for the Deaf). She stated she has one CDI
121 and one deaf interpreter on the board of 9. In Indiana and Alabama, it is called a
122 licensure Board. She believes it is important for interpreters to receive a licensure
123 to work, just like a teacher or an administrator and many professions. The license
124 protects the interpreter and the deaf community.

125 Mr. Olsen stated that it is important to get everyone together to come up with
126 meaningful recommendations to the Legislature.
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128 Dalores Parrish, certified sign language interpreter, commented that she has
129 been in the state for five years and noticed a threefold problem. One, is the
130 hearing public is not aware of how to use interpreters, how to know if an

131 interpreter is qualified or have a lot of knowledge about the ADA (Americans with
132 Disabilities Act). They need to be educated. The second problem is with
133 interpreters and interpreter agencies. Interpreters accept jobs they are
134 unqualified for. Interpreters need to self-assess and follow their code of
135 professional conduct. Interpreter agencies seem to leave the certification up to
136 the interpreter alone. An agency should have a higher responsibility and know
137 who is a qualified interpreter. Those agencies have ethical responsibilities. The
138 third is the most important thing is the value of the deaf consumer's way of life
139 and importance of having a quality interpreter. The deaf community in Nevada is
140 not very cohesive and strong, and don't advocate for themselves well. Deaf
141 education is weak and is not teaching deaf students to advocate for themselves.
142 Mr. Olsen added that deaf consumers also hold some responsibility.

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144 Mei Agliam commented that deaf consumers need to advocate and speak up on
145 this issue.

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147 Jeff Beardsley stated the deaf community needs to take control, not the
148 interpreters. If you decide an interpreter is not a good match for you then you
149 need inform them of it and the agency. The deaf community needs to collaborate
150 for change.

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152 IV. Report and Public Discussion on Current Bill Draft Request of the Legislative
153 Committee on Seniors, Veterans, and Adults with Special Needs Regarding the
154 Establishment of an Interpreter Advisory Board.

155 Angela Greer, Subcommittee on Communication Services

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157 Mr. Olsen stated that BDRs 419 and 420 were approved in regards to
158 interpreters needing to set up a board. A BDR is not set in stone and is open to
159 interpretation. It is up to these work group and committee meetings to decide
160 what kind of a board is put in place, whether it will be an advisory or a regulatory
161 board. Secondly equipment type must be included in 427A , such as cell phone
162 use. There have been discrepancies between the Public Utilities Commission
163 (PUC) and ADSD on the interpretation of interpreter services. A lawsuit was filed,
164 and the PUC won the first round. ADSD appealed, filed again and lost. The case
165 is now at the Supreme Court. The two BDR's that were previously mentioned are
166 to the advantage of deaf community.

167 An issue surrounding the deaf community is the deaf service centers and what it
168 is. Mr. Olsen stated the PUC says a deaf center is for telecommunications. He
169 stated that a center is not only telecommunications but also communication. He
170 stated that through a collaboration of different agencies such as, DHHARC, a list
171 of 22 different things that deaf services should mean and then provide, has been
172 developed.

173 Mr. Olsen opened the floor to the public on any input they had on deaf service
174 needs.

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177 V. Report and Public Discussion on Current Recommendations from the
178 Subcommittee on Communication Services to the Commission on Services for
179 Persons with Disabilities

180 Gary Olsen, Chair, Subcommittee on Communication Services

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182 Mr. Olsen stated that in February reports were received from people in Nevada
183 from various meetings. Six goals were established for what is wanted for deaf
184 people from the Legislature.

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- 186 • More jobs in the government
- 187 • Better interpreters, who have various skills
- 188 • Mental health, many deaf people lack mental health assistance
treatment.
- 189 • Improvement of school systems
- 190 • Improvement of phone systems, it is limited to TTY, Cap Tel, and
191 VRI. California has more than seventeen choices available. Access
192 to cell phones is extremely important.

193

194 These goals have been submitted to the SOCS for consideration, and have
195 received support. Progress is being made, and issues are being brought to the
196 CSPD. The system is made up of first; the State of Nevada, then the Department
197 of Health and Human Services (DHHS), and Aging and Disability Services
198 Division (ADSD) is a branch of DHHS. The Commission on Services for Persons
199 with Disabilities (CSPD) is under ADSD and has a line of communication to the
200 Governor to gain support on issues brought up by the CSPD and its
201 subcommittees. It is at the Legislature where disagreements are made about
202 certain changes moving forward. It is sometimes up to the SOCS to write letters
203 and recommendations on what issues need to be addressed. An example of
204 matters that have been brought to the legislature is the lack of captioning
205 services and available interpreters at legislative meetings. It is an issue that has
206 gained the attention of the CSPD and is moving toward change.

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208 VI. Report and Public Discussion on State Agency Interpreter Pool Budget Concept,
209 and Financing

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Gary Olsen, Chair, Subcommittee on Communication Services

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212 The stated that an interpreter pool would be used as way to fill in the gaps for
213 requested interpreter services in state agencies. There is no intent to create
214 competition with private interpreter agencies. If an assignment cannot be filled by
215 the agency, the state will be able to provide one from the pool. The people within
216 the pool would be highly qualified interpreters and trainers in different disciplines.
217 There are agencies such as the DMV that has deaf clients but do not have
218 available interpreters. It causes those deaf clients to wait months for service. It
219 would create opportunities for deaf and hearing communities to work together
220 instead of separate. Another reason behind this is to create a Commission and
221 advise the legislature to provide policies and make improvements as a neutral
222 body. The pool would lead to many good things in Nevada.

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VII. Discussion on Deaf Consumer's Right to Choice in Interpreting Services
Gary Olsen, Chair, Subcommittee on Communication Services

Mr. Olsen stated that often times while testifying at legislative meetings, interpreters have misspoke on his behalf. He stated that although it is unfair, it is all that is available. It is easier in the south to find appropriate interpreters. He stated that he has been told that it is too expensive for him to travel to the south to testify at meetings. He asked the public to become involved in the deaf community and to add input on how to create better interpreters. Mr. Olsen suggested inviting the Alexander Graham Bell Association for the Deaf and Hard of Hearing. The Association has a strong influence politically and are good people. There are some disagreements regarding their oral system, but that is not the issue. It is difficult to fund everything that is needed, like additional training for interpreters.

Ms. Greer asked the public to speak up on what issues the CAC can bring up to the Legislature. She stated that it is important that the whole community works together; old, young, deaf and hearing. Change means that everyone has a part.

Mei Agliam stated it is important to motivate the people at this meeting and to put power into their leadership roles.

Michael Farnel, staff interpreter, stated that Utah has a strong deaf community. There is a deaf center that is run by a group of people that certify. There are a couple of levels of interpreters. Interpreters who are on the first level are more limited to working in k-12 schools or have a higher level interpreter to oversee their work. The certification has a limit of four years. In Nevada an EIPA is a national certification for educational interpreting only. In Utah k-12 is the limit, you cannot work anywhere else with an EIPA. He suggested that make a licensure more affordable.

VIII. 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.)

Caroline Taylor commented that from a hearing person's perspective; she does not understand what an interpreter is translating and if it is exactly what she is saying, just like a deaf person cannot be sure. It is also uncomfortable for hearing people to not know what is being translated to a deaf person. It is unfair to hearing people as well, to not know if they are being taken advantage of by an interpreter or if they are glossing over important issues.

Ms. Greer stated it is important that an interpreter is open and honest about what they do or do not understand during a conversation.

270 Joseph Adamo commented that interpreters he has talked to who have worked
271 for the school district, become frustrated on how deaf children are being taught.
272 They feel like there is nothing they can do to help these children besides strictly
273 translate.

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275 Mr. Olsen stated it is difficult to change those policies in schools.

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277 Libby Hathaway commented that there are many deaf schools all over the
278 country, Nevada has no deaf schools. The question is what we can do for
279 Nevada, what we can do for the children.

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281 Jeff Beardsley stated that there needs to be focus put on the prison system.
282 Interpreters are contracted with the prison and communication is not always very
283 successful.

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285 Mr. Olsen stated that we need to be careful where we decide to pour our limited
286 resources into, if it is between our children or prisoners. We need to get the state
287 legislatures to get the prison and department of corrections to react to those
288 issues.

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290 IX. Adjournment

291 Angela Greer, Subcommittee on Communication Services

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293 Mr. Olsen thanked everyone who joined the meeting, the interpreters and ASL
294 Comm.

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296 **Current Subcommittee on Communication Services Members**

297 Gary Olsen (Acting Chairperson), Julie Balderson, Angela Greer, Cynthia Roller, Michael Eifert, Eli Schwartz, and
298 Greg Ivie

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

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305 **NOTE:** We are pleased to make reasonable accommodations for members of the public who have disabilities and
306 wish to attend the meeting. ASL Interpreters will be available at the meeting. If special arrangements for the meeting
307 are necessary, please notify Desiree Bennett at (775) 687-0586 as soon as possible and at least **ten** days in advance
308 of the meeting. If you wish, you may e-mail her at dabennett@adsd.nv.gov. Supporting materials for this meeting are
309 available at 3416 Goni Road, D-132, Carson City, NV 89706, or by contacting Desiree Bennett at 775-687-0586, or
310 by email dabennett@adsd.nv.gov.

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312 ***Agenda Posted at the Following Locations:***

- 313
314 1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
315 2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
316 3. Aging and Disability Services Division, Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
317 4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104, Elko, NV 89801
318 5. Southern Nevada Center for Independent Living, 2950 S. Rainbow Blvd, Ste. 220 Las Vegas, NV 89146
319 6. Deaf and Hard of Hearing Advocacy Resource Center, 3120 South Durango Drive, Suite 301, Las Vegas, NV 89117
320 7. Northern Nevada Center for Independent Living, 999 Pyramid Way, Sparks, NV 89431

- 321 8. Deaf and Hard of Hearing Advocacy Resource Center, 1150 Corporate Blvd, Reno, NV 89502
322 9. Nevada State Library and Archives, 100 North Stewart Street, Carson City, NV 89701
323 Notice of this meeting was posted on the Internet at: <http://www.nvaging.net/> and <https://notice.nv.gov/>
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