

**Kentucky Commission on the Deaf and Hard of Hearing**  
**136<sup>th</sup> Quarterly Commission Meeting**  
**February 22<sup>nd</sup> 2013**  
**Transportation Cabinet, Frankfort, KY**

**MEMBERS PRESENT:** Ms. Michelle Niehaus, Mr. Joe Scott, Ms. Marilyn Fenwick, Mr. David Bayersdorfer, Ms. Sharon White, Ms. Becky Bush, Ms. Nina Coyer, Ms. Becky Crawford, Ms. Barbie Harris, Mr. John Horsley

**MEMBERS ABSENT:** Ms. Susan Brown, Ms. Amy Hatzel, and Ms. Edie Ryan

**STAFF PRESENT:** Ms. Virginia Moore, Ms. Row Holloway, and Mr. Blake Noland

**COMMUNICATION FACILITATORS:** Ms. Rachel Morgan, Ms. Rachel Payne, and Ms. Laura Kogut

**VISITORS:** Mr. Ron Hayes, Ms. Jean Hayes, Mr. Ed Schickel Ms. Rebecca Horsley, Mr. Dale Horsley, and Mr. Johnny Horsley

The meeting was called to order at 1:09 p.m. by Ms. Fenwick, Secretary, as the Chair Ms. Coyer was delayed in arriving at today's meeting. Ms. Fenwick called roll, welcomed everyone to the 136<sup>th</sup> Quarterly Commission Meeting, and as there was a quorum, the meeting continued. She asked if there were any correction to the minutes of the 135<sup>th</sup> Commission Meeting, held on October 27<sup>th</sup>, 2012 in Louisville. A few technical corrections were submitted from Mr. Bayersdorfer.

**MS. SHARON WHITE (MR. BAYERSDORFER) MOVED TO ACCEPT THE MINUTES WITH CORRECTIONS. THE MOTION CARRIED.**

## **REPORTS**

### **Executive Board Report:**

Ms. Coyer arrived at today's meeting and summarized the Executive Board meeting held on December 13<sup>th</sup>. EBoard members discussed the various study groups, which will provide reports later in today's meeting. Ms. Moore provided an update on the Telecommunications Access Program (TAP) which will also be discussed today and the date was set for the KCDHH 30<sup>th</sup> anniversary celebration. May 18<sup>th</sup> was chosen and the event will be held at the Salado Wildlife farm in partnership with the Kentucky Association of the Deaf, the Hearing Loss Association of Kentucky (HLAK) and the Kentucky Registry of Interpreters for the Deaf. We will have an ice cream social, picnic, and old fashioned games. Time will be allotted for KCDHH to receive input on

community issues of concern. KCDHH's website is renovated, the financial report was discussed and accepted and the partnership with KCDHH and the HLAK for their upcoming conference was discussed. Ms. Moore will provide additional details during her agency report.

## **THE EXECUTIVE BOARD REPORT WAS ACCEPTED AS READ.**

### **Agency Report:**

The Executive Director discussed current Personnel changes and the approval of a 14<sup>th</sup> position, Document Processing Specialist II, which will primarily support TAP. A twenty day posting will be appearing soon and all individuals are encouraged to apply. The Interpreter I position will be vacant effective March 1<sup>st</sup> and will also be posted as soon as the paperwork is submitted and accepted. Ms. Huber will be greatly missed.

Ms. Moore provided updates on the legislative session, including Senate Bill 9, a concern of some of our constituents as it would impose another layer of administration before a complaint could be filed in a nursing home. The bill passed the Senate, although Senator Ray Jones gave a compelling argument and has gone to the House Judiciary subcommittee where it is expected to die. We are closely watching SB 9 and other legislation that could possibly impact our community, including the Medicaid reductions in child care payments. A bill has been proposed to extend the terms of the Executive Office an additional year to coincide with Presidential elections to encourage more turn out at the polls for local elections.

Ms. Moore recognized that members of the Hearing Loss Association of Kentucky (HLAK) are here today and gave the Board an update on the July 19-20, 2013 conference that we are partnering to host. Publicity materials are ready, including registration forms, and HLAK subcommittee members are working on obtaining workshop presenters, keynote speakers and vendors and KCDHH and HLAK are working on sponsorships. Ms. Moore has also contacted a keynote speaker that will give her overarching story of being raised oral, learning sign language, working in a hearing environment, and recently acquiring a cochlear implant. Entertainers/speakers such as Kathy Buckley (hard of hearing) and Jason Osborne (deaf/oral) are also being negotiated with to appear at the conference. A link to the conference registration forms and more information can be found on the KCDHH website.

The Kentucky Association of the Deaf (KAD) conference will be held Sept 12-14, 2013 at Eastern Kentucky University. KCDHH is also sponsoring and partnering with the KAD conference planners and more information will be available closer to the date.

As part of the Telecommunications Access Program (TAP) update, Ms. Moore commented that at the Telecommunications Equipment Distribution Program Administrators (TEDPA) and the National Association for State Relay Administrators (NASRA) conference last fall, the Federal Communications Commission (FCC) presenters noted a significant increase in billable minutes, specifically in captioned relay services. Last month the FCC issued a proposed rulemaking soliciting comments on

how captioning functions and the dramatic increase in minutes can be controlled. Recommendations were made to require identification of the individual issued a captioned telephone and verification of hearing loss, which TAP already requires. Additionally, all devices issued within the state must have such verification provided, and they suggested that state programs assume this responsibility. We provided comments to both TEDPA and NASRA to be submitted to the FCC, indicating that each vendor should be responsible for this, not state programs. Another recommendation was to ship all captioned telephone equipment with captions programmed to “off” and the consumer must turn them “on” to utilize the relay services. This would prevent inappropriate or unaware usage of relay services by such devices. Some models are easier to turn “on” than others and some consumers would have to learn the steps to turn them on, or the vendor would have to modify the devices to make it simpler. Ms. Moore mentioned another issue about the FCC and captioned devices is that companies are giving them away free and need to charge something for the equipment and not allow individuals to switch back and forth just to get extra dividends like Visa cards and iPads for switching providers. The FCC is really clamping down on these activities, so the original intent of accessibility isn’t lost in the greediness of providers.

The application forms have been created for the National Deaf Blind Equipment Distribution Project (NDBEDP) that Kentucky has been approved to provide with Federal grant funds. Assessments have not yet been conducted and outreach plans are being developed. Because of their expertise and contacts, Office for the Blind (OFB) is taking the lead on this project in partnership with the Office of Vocational Rehabilitation (OVR) and KCDHH. Once outreach planning is finalized KCDHH will include it in our current public relation efforts.

The renovation of the KCDHH website is complete, except for the translation to Spanish. We have been holding the launch in hopes of getting this done, but we have been given a three month estimated timeframe for translation, so the site was launched without that button being active. KCDHH is the first state agency to have a Spanish version on our website and we hope other state agencies will follow us as a trendsetter. Ms. Moore asked that all Commissioners review the new version of the website and encourage their friends and family to do so, and provide any comments or recommendations for improvement to her for consideration.

The DeaFestival Horse Project is doing well on its trips to four schools so far. Ms. Moore explained that the self-esteem of the students in each school has skyrocketed and prompted the schools to do deaf awareness and other art projects around the horse. The last two stops are Bowling Green and Shepardsville, and will be completed by May. We are looking for a permanent home for the horse, with the possibilities of placing at the Kentucky Department of Education or the Capitol to show the importance of communication for everyone.

Ms. Moore acknowledged the artwork changes in the KCDHH office and how Ms. Harris and her daughter made the office into more of an art gallery promoting local and

national deaf and hard of hearing visual artists. A video tour was recorded and may be placed on the KCDHH website.

Ms. Rachel Morgan, Executive Staff Interpreter at KCDHH, is spotlighted today. She has worked at the agency for 10 years; started as the Executive Secretary, was then promoted to the Interpreter Coordinator and then moved to her current position. She also does the financial and budgetary work with the Executive Director, interprets and deals with AT&T for our TAP consumers.

#### **THE AGENCY REPORT WAS ACCEPTED AS READ.**

##### **Finance Report:**

Ms. Moore gave an overview of finances and advised that we are halfway through the fiscal year and we are on target for annual budgetary expenses. TAP has developed a new outreach campaign to reach out to the rural areas of Kentucky and touch base with many diverse communities. As we are not anticipating any budget cuts in FY 13-14 some of the TAP funds will be utilized to expand outreach for the agency.

#### **THE FINANCE REPORT WAS ACCEPTED AS READ.**

##### **Telecommunication Access Program Report:**

Ms. Moore explained more in depth about the new TAP campaign. Plans are to place table top advertisements in audiologists' offices, doctors, pharmacists, and health care centers waiting areas. Poster boards will also be utilized depending on the area. The advertisement covers the description of KCDHH and the TAP program, with a tear-off postcard for people to mail back to us to request information specific to their needs. Anyone having suggestions for placement of the poster boards should contact KCDHH.

AT&T and KCDHH revisited the pilot project to distribute wireless devices and because of the time consuming issues with resolving billing, a new plan was agreed upon to change the wireless program effective January 1, 2013. From now on, consumers choosing a wireless device, receive the device and 12 months of service. In the 11<sup>th</sup> month they are notified that service must be transferred to their name and a plan picked to match their needs. Billing statements will not be mailed out to consumers, which was also confusing to our consumers and time consuming for AT&T. There are less than 200 recipients left on the old plan and they are rolling over monthly to their own contracts or another provider. This group plan will allow us to better serve the consumers and explain the program easier, more efficiently train the AT&T store staff and better utilize staff time here at KCDHH. Although there are still specific issues that we deal with daily, in general the program has worked well and many consumers have been provided access and emergency communication that could not have received it on their own. Mr. Scott suggested that a detailed description of the changes in the program be placed on a vlog on the website, especially explaining the KCDHH TAP and the AT&T TAP as that is a big misunderstanding. Ms. Moore agreed this will be done soon.

## **THE TELECOMMUNICATIONS ACCESS PROGRAM REPORT WAS ACCEPTED AS READ.**

### **K-12 Educational Study Group Report:**

Ms. Coyer explained that the group has not met during the quarter, and is waiting on more information from the First Steps representatives. Ms. Moore advised that she and the Executive Staff Advisor met with First Steps and are trying to design a regional set up that would allow providers to be trained on the needs of deaf and hard of hearing and provided with resources to pass on to families.

## **THE K-12 EDUCATIONAL STUDY GROUP REPORT WAS ACCEPTED AS READ.**

### **The Nursing Home Study Group Report**

Ms. Fenwick explained that the group has met twice during the quarter and a core group developed a sample informational brochure. Two special guests were at the last meeting, Ms. Debbie Sharon from Bluegrass Assistive Technology and Ms. Christine Patrino from the Department of Aging Services and Independent Living Centers. Ms. Sharon enlightened the group regarding requirements, especially documentation required, to get assistive technology (AT) written into a patient's plan of care (POC). Social workers are the key to getting the POC to include AT. She emphasized that we should stress that in the long run the AT will save the facility money, rather than hiring interpreters or other such accommodations. Ms. Patrino will work with KCDHH staff and the Ombudsman's staff to submit the CMP grant to obtain funds for AT.

Ms. Niehaus suggested developing a sample POC and giving a workshop where Social Workers could earn CEU's to attract their attention to the needs of the deaf and hard of hearing. The group will consider this at the next meeting.

## **THE NURSING HOME STUDY GROUP REPORT WAS ACCEPTED AS READ.**

### **Open Forum**

Mr. Joe Scott opened discussion on deaf and hard of hearing individuals being allowed to test for the Commercial Driver's License (CDL). He is working with four individuals now that are in the process of approaching the training centers for accommodations for the Department of Transportation physical and road test.

Ms. Harris suggested proposing a new study group to gather statistics on the number of deaf and hard of hearing students in all public, private, and home schooled situations. The long term goal of the study group is to see if the students are getting appropriate services, how they comprehend in classes, and are they prepared for the real world after their graduation. Ms. Moore explained the difficulties with gathering such statistics because the students are protected by Health Insurance Portability and Accountability Act (HIPAA) and that the K-12 Education study group also considered this but the goal is so broad it needs to be broken down into smaller segments to approach.

Ms. Moore advised that KCDHH's former Executive Director Ms. Bobbie Beth Scoggins' husband, Jim, passed away February 15<sup>th</sup>. The memorial service will be on April 6<sup>th</sup> in Texas and any donation in his name will go to Knowledge Center on Deafness (KCD).

Ms. Sharon White proposed a new study group on access, working with various providers such as Sorenson or Purple to install more communication devices in libraries, rest areas, hospitals, and other such public locations. Ms. Moore mentioned some of the barriers faced when we installed videophones in the three major airports in Kentucky, but agreed it would be beneficial for the community. If grant funds could be obtained for this purpose this could be a viable idea.

Mr. Scott asked if there was an update on the providing fire alarms for consumers through TAP or KCDHH. Ms. Moore indicated that since we did not receive the grant we applied for we were continuing to work with the fire departments to see if those that did receive grants would include smoke alarm distribution.

### **UNFINISHED BUSINESS**

The proposed 2013 Commission meeting and Town Hall meeting dates were accepted as proposed.

The KCDHH 30<sup>th</sup> Anniversary Celebration is scheduled for May 18<sup>th</sup> at Salato Wildlife Center in Frankfort. The celebration will be an old-fashioned social and picnic (food provided by the Kentucky Association of the Deaf as a fundraiser) with fishing, games and more.

### **NEW BUSINESS**

Ms. Moore discussed the potential of pushing some legislative changes in 2014.

- Funding hearing aid coverage for adults;
- Audiologists, or hearing aid instrument specialist required to provide resources when diagnosing hearing loss or providing hearing aids; and
- Requiring nursing homes to do a hearing evaluation upon admittance.

### **ANNOUNCEMENTS**

- The next Town Hall Meeting is scheduled for Friday, April 26<sup>th</sup>, at Kenlake State Resort Park.
- The 137<sup>th</sup> Quarterly Commission meeting will be held on Saturday, April 27<sup>th</sup>, at Kenlake State Resort Park.

**COMMISSIONER HARRIS (FENWICK) MOVED AND SECONDED TO ADJOURN.**  
The meeting was adjourned at 3:59 p.m.