



Communication Access Services For Nevadans who are Deaf, Hard of Hearing, and/or Speech Disabled

**Committee on Senior Citizens,
Veterans and Adults With Special
Needs**

**Aging and Disability Services
Division
May 2014**

EXHIBIT G - SENIORVETSPECIAL
Document consists of 11 pages.
Entire exhibit provided.
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PURPOSE

The purpose of the Communication Access Service program is to provide access to the Relay system for persons who are Deaf, hard of hearing, and persons with speech disabilities. Relay allows for use of Nevada's telephonic system.

The program also provides communication access assistance for person utilizing captioning services called CART (Communication Access Realtime Translation) and sign language interpreter services in order to access programs, healthcare, the legal system, and other needed services and systems.

The program includes a statewide Interpreter/CART registry to allow agencies and individuals to find, contact and hire communication access service providers.

AUTHORITY

NRS 427A.797 and NRS 426

Aging and Disability Services Division (ADSD) has authority to develop and administer Communication Services programs which provide telecommunication devices and advocacy services for persons who are deaf or who have severely impaired speech or hearing disabilities.

NRS 426 & the Federal Communications Commission's Telecommunications Relay Services (TRS) requirements

ADSD has the authority and responsibility to administer the state's Relay program.

NRS 656A

ADSD is the lead agency to develop and oversee the Interpreter/CART registry and related regulatory requirements.

TARGET POPULATION

The target population consists of any Nevadans who are Deaf, hard of hearing or speech impaired. The programs also serve late deafened older citizens.

Eligibility is established when an individual self identifies as having hearing loss and requiring services.

There is no cost to the clients.

HISTORY

The Account for Services for Persons with Impaired Speech or Hearing was created within the state general fund through a surcharge in the mid-1980s to fund Relay Nevada and to pay for equipment to access Relay Nevada. Relay services are mandated by Federal law.

The 2003 Legislature (S.B. 164) amended the statute to also allow the surcharge to support the State's two Deaf Resource Centers, which provide assistance to deaf and hard of hearing individuals.

In 2010, a regulation regarding the Interpreter/CART registry was created and is supported by the surcharge.

FUNDING SOURCE

All Communication Access Services are 100% funded by a surcharge on wired and wireless phone lines.

The surcharge should be set to sufficiently:

- **Cover the costs of the program;**
- **Fund the centers for persons who are deaf or hard of hearing operated by this State; and**
- **Cover the costs incurred by the Division to carry out the administrative provisions related to Interpreters and Realtime Captioning Providers**

The Public Utilities Commission (PUC) is responsible for establishing the rate of the surcharge and approves the program budget for ADSD.

SERVICE EXPECTATIONS OF DEAF AND HARD OF HEARING ADVOCACY CENTERS (FY 2013)

Equipment Distribution

- **Assessment of communication needs**
- **Distribution of telecommunications equipment**
- **Training in the use of telecommunications equipment to any person or persons if done simultaneously, (i.e., to a family unit)**
- **Training in the use of Relay services to consumers, local businesses, agencies, schools, and professional organizations**
- **Consumer outreach and community awareness regarding equipment**

Information and Referral (phone, in person, group setting)

- **Workshops to the Deaf and hard of hearing communities**
- **Attendance of staff meetings or training activities at various agencies to provide information about Deaf culture and various aspects when those agencies work with persons with hearing loss**

SERVICE EXPECTATIONS OF DEAF AND HARD OF HEARING ADVOCACY CENTERS (FY 2013)

Advocacy and Assistance

- **Understanding written materials sent to them by agencies, both federal and local**
- **Navigating social service and public programs**
- **Filling out forms for social service and public programs**
- **Locating interpreter services when needed**
- **Provision of community-wide advocacy by educating and working with social service and public programs on a systems level to ensure considerations for Deaf and hard of hearing Nevadans.**

CURRENT ISSUE WITH FUNDING

In 2013, ADSD submitted a proposed budget to the Public Utilities Commission. The proposal was contested by both the commission staff and the Nevada Telecommunications Association.

Commission staff questioned whether the surcharge should be spent to fund the centers for persons who are deaf or hard of hearing operated by the State in the same way that had been approved by the Commission in the past and whether there should be limits placed on the scope and purpose of the fund.

Specifically, the staff recommended the Commission take a more limited approach to funding the centers. No alternative funding was identified for vital advocacy services for the community.

CURRENT ISSUE WITH FUNDING (continued)

In May of 2013, the PUC issued a ruling noting that the surcharge monies should be used only for services directly related to:

- telecommunication equipment**
- equipment use training**
- equipment use outreach**
- the relay system**
- duties performed to regulate interpreters and real time captioning**

ADSD revised service delivery expectations. This decision has eliminated the provision of advocacy services previously performed by the two Deaf and Hard of Hearing Advocacy Centers at the start of the fiscal year.

ADSD requested judicial review of this interpretation which is now under consideration by the Nevada Supreme Court.

SOLUTIONS

- **Submission of a Bill Draft Request that seeks clarification and potential expansion of the use of the Account for Services for Persons with Impaired Speech or Hearing to include advocacy services**
- **Submission of a budget proposal that would allow for the provision of essential advocacy services through another funding source**
- **Deaf and Hard of Hearing Advocacy Centers would find other revenue sources (i.e. grants, fees) to cover advocacy services that are not covered by the PUC assessment**