

**Advisory Council for the Deaf and Hard of Hearing**  
**Quarterly Meeting, December 9, 2016**  
**OVR Building, Harrisburg, PA**

**Members present:** Don Rhoten, chair; Russ Goddard, Devon Grant, Kelly Holland, Nancy Kingsley, Lori Leiman, Karen Leslie-Henry, Dale Long, Shatarupa Podder, Donna Reinaker, Sam Trychin

**Excused:** Trisha Mader

**ODHH staff:** Sharon Behun, Denise Brown, Dee Dee Keiser, Ben Moonan

**Guests:** Jeanne Bonnes, DHCC; Harvey Corson, PSAD; Shelly Davis, PA ABLE; David DeNotaris, OVR; Missy Derr, PUC; Marsha Drenth, CILCP; Eric Jeschke, PUC ; Jessica Marks, WPSD Central PA; Neil McDevitt, DHCC; Lannette Suarez, CAP

**Minutes for September 30, 2016:** Karen moved to approve the minutes, Shatarupa seconded, and the motion passed.

#### **ODHH Hearing Loss Expo**

Don, Nancy, Shatarupa, and Donna helped with the ACDHH table. Sharon said that this was ODHH's biggest Expo, with about 93 exhibitors. It wasn't possible to obtain an accurate attendance count, so perhaps next time, a turnstile or other method can be used. Greeters were available at the help desk to take people to exhibitors with information about what they were looking for. Nancy suggested having a poster map of the exhibitor locations next time.

#### **ACDHH Notebook**

Sharon and Dee Dee began assembling an ACDHH notebook with policies, minutes, etc. for members to borrow.

#### **Committee Report**

Sam said that the committee (whose other members are Nancy Kingsley, Shatarupa Podder, and Donna Reinaker) agreed on a proposed nine-module video for those who serve the public, e.g. OVR counselors, aging agencies, and hospitals, about how to assist people with hearing loss. The first module gives hearing loss signs and symptoms and the second covers myths and misconceptions. Guidelines for effective communication are in the sixth. Some states offer more extensive training programs for continuing education credits. Nancy said the video should be captioned and suggested including a hearing assistive technology module using the videos on the Hearing Loss Association's website at <http://www.hearingloss.org/content/video-series-hearing-assistive-technology>, preferably downloaded to ensure availability. Shatarupa said that the Department of Education has a recording studio that may be able to be used to save on costs. Donna said that since many nursing home residents have hearing loss, perhaps the ombudsmen could receive the training. The Department of Aging posts its videos on YouTube for better distribution. [<https://www.youtube.com/user/PaDepartmentOfAging> ]

Action Point: At the March meeting, Donna and Sharon will report on potential funding through the Department of Aging and ODHH to develop a video hearing loss curriculum.

### **Meeting with David DeNotaris and Update on OVR Services**

On November 3, Nancy and Don met with David DeNotaris, executive director of OVR, to discuss providing online training for counselors on the needs of nonsigning people with hearing loss. Nancy subsequently sent David a link to information about Kentucky's program. Today, David said that over 520 layoffs were made in the Department of Labor & Industry and the state is unable to create a new OVR counselor classification for serving nonsigning hard of hearing people, but training in their needs would be made available to both RCDs and general OVR counselors. He is willing to contract with Sam to produce and record the training for use as webinars. Russ Goddard said that the University of Arkansas' VR4hearingloss.net training was unsuitable because it is 12 hours long, and one of the five modules only applies to state coordinators, but everyone must take it to receive the continuing education credits. Minnesota training for mental health experts is satisfactory. Sam said he helped develop both trainings.

Action Point: At the March meeting, Russ and Sam will report on the training they worked on for use with OVR.

### **Update on ODHH Services and Staff**

Sharon said there are no eligibility requirements for ODHH services. ODHH has a staff of five, (with one vacancy) and three offices. Denise Brown works in the Allentown office; Ben Moonan in the Johnstown office, and Sharon and Dee Dee in the Harrisburg office. Denise and Ben are representatives, and the vacancy is for a third one. When people call ODHH for advocacy, they are usually referred to Denise and Ben. Denise covers the eastern third of Pennsylvania and Ben covers the western third and (temporarily) central Pennsylvania. There had been an Erie office maintained by Jerry Penna, who retired a year ago. Ben goes there to meet with people, but it isn't open daily. ODHH has three core services: advocacy (individual and system), information and referral (I&R), and administration and enforcement of Act 57, the Sign Language Interpreter and Transliterator Act that took effect in 2005. Provisional registration was added to the Act in 2010. There are 496 registered and 49 provisionally registered interpreters in the state.

Provisional interpreters cannot do legal work; that requires Administrative Office of Pennsylvania Courts (AOPC)-certified interpreters, under another Pennsylvania law. They can work in a doctor's office as long as everyone agrees and do mental health interpreting if a state-registered interpreter accompanies them. They cannot work in a K-12 setting because Chapter 14 requires interpreters to be state-registered or have a 3.5 or higher score in the Educational Interpreter Performance Assessment (EIPA) on the grade level in which they are working. A deaf person can request the use of a nonregistered interpreter, but a business is required to provide effective communication and doesn't have to honor this request.

Ben gave several examples of ODHH advocacy for a deaf or hard of hearing person and Denise discussed ODHH's participation in various councils and committees. Dee Dee handles logistics and registers interpreters. Most phone calls are from elderly people seeking funding for hearing aids. Some callers found ODHH information in the Department of Aging book *Benefits & Rights for Older Pennsylvanians*. ODHH keeps a caller contact log with hearing, hard of hearing, deaf, deafblind, and interpreter categories and whether the call was for information or advocacy.

Action Points: (1) At ODHH's three-day January's planning meeting, Sharon will discuss keeping a record of how those who contact ODHH heard about the agency (via Facebook, the website, OVR, etc.). (2) At future ACDHH meetings, Sharon will report on the number of calls during the previous quarter, indicating the percentages received from elderly people, interpreters, etc. and what they were for.

Future Action: Schedule a joint meeting between the ACDHH, the Advisory Committee for the Blind of Pennsylvania, the Pennsylvania Rehabilitation Council, the State Board of Vocational Rehabilitation, and possibly also the Statewide Independent Living Council.

### **Act 57 Update**

Neil McDevitt, executive director of the Deaf-Hearing Communication Centre (DHCC) in Swarthmore, discussed concerns about Act 57, the Sign Language Interpreter and Transliterator Act. DHCC has an interpreter referral service managed by Jeanne Bonnes, who also shared comments. Interpreting demand now exceeds the availability of interpreters in Pennsylvania.

Act 57 permits only interpreting training program (ITP) graduates to apply for provisional registration, and they must do so within five years of graduating. Educational interpreters do not need to be registered in the state if they have completed their K-12 assessment, but after five or more years, many want to freelance in other areas on a part-time basis and can no longer apply for provisional registration. Once provisional certification expires after three years, or five years have passed since ITP graduation without getting provisional registration, an interpreter cannot interpret in Pennsylvania until passing RID certification.

The Registry of Interpreters for the Deaf allows five years between passing the written portion of the National Interpreter Certification (NIC) exam before having to take the skills portion. If more than five years have passed, the applicant can retake the written portion and get another five years. However, for almost a year, RID has had a moratorium on the certification exam.

Act 57 needs to be amended. It should match the RID allowance of five years for provisional certification, and those who have not completed an ITP, such as children of Deaf adults (CODAs), should be given an alternative pathway for a screening evaluation. Registration should be open to all EIPA interpreters, including those who graduated more than five years ago. PSAD Executive Director Harvey Corson added that deaf interpreters should be allowed to get provisional registration. Another issue is that Act 57 only covers interpreters; agencies should also be made responsible for hiring only registered interpreters. ODHH just got legal approval

from the Policy and Planning Office and the Office of Legislative Affairs to set up a stakeholder group to propose Act 57 amendments for the next legislative session.

Action Point: Don will obtain a letter from Neil McDevitt stating the problems with Act 57 and suggestions for corrections and will post it on the ACDHH website.

### **PA ABLE Plan Update**

Shelly Davis from the Treasury Department said that ABLE (Achieving a Better Life Experience) was created by federal law and the states, and Pennsylvania's program (PA ABLE) will begin in 2017. People can save for expenses in 12 categories, including education, housing, transportation, health, and legal fees. To participate, a person must have become disabled before age 26 (this may be raised to 46) and have a qualifying disability. SSI and SSDI recipients qualify, as do others with significant functional limitations. ABLE savings are not counted against any federal means tested benefits and the earnings are not taxed while in or when taken out of the account for qualified expenses. SSI recipients are ordinarily allowed only \$2000 in assets, but ABLE accounts can hold up to \$100,000. If the total goes over this, benefits are suspended until the amount drops below this amount. The annual limit for contributions, including gifts, is \$14,000. There is no state income tax on growth or inheritance tax on the entire PA ABLE amount. Medical assistance eligibility is not affected, and the account is protected from creditors. The website is PAABLE.gov.

### **ACDHH Membership**

The ACDHH interviewed candidates Harvey Corson and Marsha Drenth and voted to recommend both for appointment as public members. There are three vacant public member positions and three USQ positions (Nancy, Don, and Sam). There will be another USQ position in 2017 (Karen) and one in 2018 (Dale). Lori served two years of Teresa Nellans' term that expired in 2014 and is awaiting appointment to her own four-year term. People will be eliminated by seniority. The first vacant position will be filled by Kay Tyberg, the second by Jerald Cohen, and the third by Harvey Corson. The fourth candidate, Marsha Drenth, will replace Nancy.

Action Point: Don will send a letter to Harvey and Marsha explaining that the ACDHH can only recommend candidates and the appointment decisions are made by the governor.

### **Public Comments**

Marsha Drenth gave an update on the deaf-blind support service provider (SSP) program, of which she is program manager. In the program's first year, there were 109 activities (109 times that SSPs worked with deaf-blind people). In the second year, there were 497 activities. An SSP training was held in November, and there are now 94 SSPs all over the state. Hard of hearing people are the hardest to find and convince to use SSP services. Nancy suggested providing information about SSP services to assisted living residences.

### **Department Reports**

### Department of Health—Kelly Holland

Kelly joined the ACDHH at this meeting and is the director of the Division of Newborn Screening and Genetics. There is more focus on involving primary care physicians (PCPs) and families and providers in the Early Hearing Detection and Intervention (EHDI) program. The department will be expanding it and creating a stakeholders group. The [Infant Hearing Screening] Advisory Committee is set in legislation and has six members, so the department will set up a second committee that meets jointly with it. Sharon, PSAD, the school for the deaf, a hospital, a PCP, and additional audiologists will be invited to join and the first meeting will be in late spring 2017. Shatarupa suggested adding Educational Resources for Children with Hearing Loss (ERCHL).

### Governor's Cabinet for People with Disabilities—Devon Grant

The Governor's Advisory Committee for People with Disabilities (GACPWD) meeting dates for 2017 are February 10, May 25, September 7, and November 30. The PADES conference was in October, with 400 attending. Following up on Governor Wolf's Executive Order establishing Employment First, a work plan was issued in September with 69 recommendations and 12 priorities. A GACPWD Employment First Subcommittee was formed, and there is also a working group of staff from the departments that will be reporting on the items that they are responsible for. A report is due to the Governor in March and annually after that. The Employment First State Leadership Mentoring Program will probably offer half the hours it did last year due to budget cuts. An Autonomous Vehicle Policy Task Force developed a 96-page testing policy for driverless cars and set up an online public meeting for December 12.

### **2017 ACDHH Meetings**

Meeting dates are March 22, June 28, September 27, and December 6. Sharon said it is difficult to hear in the back of the OVR conference room. There are only two microphones that connect to the PA system, and passing them around is cumbersome, so she wants to change the meeting location, possibly to PaTTAN. ODHH has an FM system that PaTTAN's technology staff can patch it into their system, as ODHH does at hotels.

Action Points: (1) Sharon will make the arrangements for the March ACDHH meeting location. (2) Nancy will email proposed bylaws changes to the ACDHH at least 10 days prior to the March meeting.

### Proposed March 2017 Agenda

ACDHH bylaws review--Nancy  
D/HOH white paper—Nancy  
PSD and WPSD CEOs  
State and municipal police representatives  
Funding for video curriculum—Sharon & Donna  
Update on OVR hearing loss training—Russ & Sam  
Website review