



Minutes of the **Arizona Commission for the Deaf and the Hard of Hearing**, held on Thursday, January 19, 2012 at 4:30 p.m. at the Westward Look Resort, 245 E. Ina Road, Tucson, Arizona 85704

### **Pending Commission Approval**

#### Call to order & Roll call

Chair Schneck called the meeting to order at 4:53 p.m.

Commissioners present: Schneck, Wasisco, Muller, Hollabaugh, Seibold, Sydnor, Appleby,

Commissioners participating by phone: Clevenger, Hill, Kollman

Commissioners absent: Curry

Staff Present: Sherri Collins, Carmen Green, Lynn Wakefield, Curtis Humphries, Emmett Hassen, Michele Michaels and Melinda Villela

Commissioner Hill disconnected from the meeting at 5:00 p.m. due to a family emergency.

#### Approval of Minutes - November 17, 2011 Board Meeting

**Correct Sherri Appleby's name to read Sherry Appleby, Commissioner Muller moved to accept the corrected minutes, Commissioner Hollabaugh seconded, Commissioner Kollman abstained, the motion carried**

#### Chair's Report/Summary of Current Events

Chair Schneck

- Welcomed Sherry Appleby our new Hard of Hearing Representative from Yuma
- Executive Director Collins' annual evaluation was completed in November; typically it is done in May. Moving forward the evaluation will be done in November for consistency.
- A Board Retreat in November 2012 is under consideration. Email the commission chair if you are interested in having a retreat and propose topics to be covered.

- Sherri Collins and Maureen Sydnor ran a half marathon on Sunday, congratulations to them both.

### Executive Director's Update/Summary of Events

- ACDHH Staff member Bel Masaquaptewa was hit by a car and passed away a few days before Christmas. It was a huge loss for our agency. An evaluation of/and changes to the position will be made prior to posting. There are plans to fill the position before the end of the year.
- Licensure training was held in Yuma last month.
- Staff participated in the Vision Rehabilitation and Assistive Technology Training Expo (VRATE) Vicki Thompson presented on the Arizona Technology Equipment Distribution program (AZTEDP) and information about the upcoming Deaf-Blind Equipment program which we have applied for.
- The Arizona Relay Service request for proposal deadline is January 25, 2012. An evaluation team will review the bids. The new contract will be effective in March 2012.
- Executive Director Collins met with community members regarding open captioning. Legislation will be postponed until next year to allow more time to meet with theater owners and lobbyists to see if a resolution can be reached prior to pursuing legislation.
- The 2013 Budget recommendation was received today. The budget document was reviewed and the fluctuation in revenue was explained. The Governor is introducing personnel reform which includes a 5% salary increase for uncovered state employees.

### Education Session - Media Training - HMA Public Relations

Kendra from HMA presented a media training which explained the agencies procedure when Commissioners are approached by the media, types of media and tips for interviews.

Assistant Attorney General, Ron Schmid joined the meeting at 5:30 p.m.

### Licensure Complaint – Warren Baim

Warren Baim spoke regarding the licensure complaint.

**Commissioner Muller moved to go into executive session to discuss the licensure complaint. Commissioner Kollman seconded, the motion unanimously carried**

Executive session was entered into at 5:40 p.m.

Return to public session at 6:50 p.m.

A break was taken from 5:50 p.m. – 6:01 p.m.

**Commissioner Muller moved that the Interpreter Application Review Committee (IARC) consider Mr. Baim's application for licensure tonight, if they recommend licensure that it is granted and a fine be imposed for \$50 for each day he worked without a license, Commissioner Hollabaugh seconded**

**Commissioner Kollman moved that rather than financial penalty of \$50 per day to require 30 days community service of pro bono interpreting for ACDHH or a non-profit be performed within the year of 2012.**

**Commissioner Kollman amended the motion to state 90 hours of documented interpreting services, the amendment and motion died**

Discussion ensued regarding if the IARC can meet during the board meeting or if that would violate open meeting law; a financial penalty versus community service, the number of days Mr. Baim worked without a license, what a day of interpreting consists of, the authority of the board and where the civil penalty funds are deposited

Commissioners Muller, Kollman, Appleby, Wasisco, Hollabaugh, Carmen Green and Asst. Attorney Don Schmid participated in the discussion

**Commissioner Muller moved to amend the original motion, that the application is reviewed in the normal course of an IARC meeting and a \$50 per day fee for the 40 days worked without a license is imposed. Commissioner Appleby seconded the amendment. Motion carried**

**Commissioner Muller moved that the IARC meet to consider the license prior to the 90 day expiration, Commissioner Hollabaugh seconded, the motion unanimously carried**

**Vote on the amended motion was taken, motion carried, Commissioner Kollman abstained**

### Public Comments on Agenda and Non-Agenda Items

Tom Muller on behalf of Nicole Marone, a faculty member at U of A and researcher on hearing aids; this is a consensus statement of the Audiology Department faculty regarding United Health Care/Health Innovations. The Faculty does not recommend or support internet testing and sale of hearing aids as a paradigm for managing hearing loss at the

current time; without additional scientific evidence and further testing as it is an un-calibrated on line test.

S. George Ghorpade – President of Adult Loss of Hearing Association (ALPHA), which is 300 members strong, spoke in support of mandatory coverage of hearing aids and possible legislation.

Francis Harris – Clinical Audiologist and faculty at U of A spoke in opposition of internet sale of hearing aids.

Jeanne Hollabaugh, works with Arizona Hands and Voices has informed their member that ACDHH is interested in a Parents Task Force. She shared feedback from parents regarding need for insurance coverage of hearing aids, t-coil and speech therapy, in home health; parents report problems with special ed. programs in school districts that do not have knowledge of deaf, the need for respite care that is ASL fluent, an oral school in Tucson, limited preschool, access to ASL classes for parents and families to help with teaching reading, and additional reading assistance for high school graduates.

### Election of Officers

#### Secretary

**Commissioner Muller moved to appoint Sherry Appleby as Secretary, Commissioner Seibold seconded, the motion unanimously carried**

#### Chair and Vice Chair

**Commissioner Muller moved that Commissioner Scheck continue as Chair and Commissioner Wasisco continue as Vice Chair, Commissioner Seibold seconded, the motion unanimously carried**

### Position on Internet sale of hearing aids

**Commissioner Muller moved that Commissioners Appleby, Seibold and Muller be given approval to draft position statement regarding the internet sale of hearing aids to be presented at the May 2012 meeting, Commissioner Hollabaugh seconded, the motion unanimously carried**

**Commissioner Muller moved that the Commission work toward legislation to prohibit the internet sale of hearing aids, Commissioner Seibold seconded**

Discussion ensued regarding if there are situations where it could be beneficial to obtain hearing aids over the internet, other states with laws prohibiting sale of hearing aids over the internet and companies who do not allow their products to be sold over the internet.

Commissioners Hollabaugh, Appleby and Clevenger participated in the discussion.

## **Motion unanimously carried**

### Mandatory coverage for hearing aids - Possible Legislation

Commissioner Muller recommended that ALOHA present a position paper regarding their position on mandatory coverage for hearing aids

### 2012 ACDHH Calendar - November

**Commissioner Appleby moved to change the November 2012 meeting to November 15, 2012, Commissioner Seibold seconded, the motion unanimously carried**

### IARC Update

Committee Chair Wasisco reported that nine applications were reviewed today and recommended to the Executive Director for issuance of a license.

### Rules Update

Deputy Director Green reviewed the history of opening the rules. The rules are currently being presented to the Assistant Attorney General for feedback. After his comments are received the rules will be presented to the board for any additional changes

### Announcements

- Next meeting May 17<sup>th</sup> in Phoenix.
- Commissioner Appleby – The Yuma Community Theater is presenting “The King and I” It will be captioned on January 21 and 22, 2012.
- Commissioner Seibold thanked the commission for having the meeting in Tucson and expressed her hope of annual meeting in Tucson.
- Commissioner Wasisco thanked the Commission for sponsoring CDI workshops. The workshops filled in 2 days.

### Future Agenda Items

Internet sale of hearing aids - consideration of position statement  
Rules update

### Adjournment

Commissioner Hollabaugh moved to adjourn the meeting at 7:11 p.m., Commissioner Wasisco seconded, the motion unanimously carried.

Dated this 24<sup>th</sup> day of January, 2012

***Chris Schneck, Commission Chair***

The undersigned certifies that a copy of the attached notice was duly posted this 24<sup>th</sup> day of January, 2012 at 10:10 a.m. by *Melinda Villela*, Assistant to the Board of Directors