

Janice K. Brewer  
Governor

Sherri L. Collins  
Executive Director



Minutes of the Thursday, November 17, 2011 meeting of the **Arizona Commission for the Deaf and the Hard of Hearing (ACDHH)** held at ACDHH 100 N 15<sup>th</sup> Ave., Suite 104, Phoenix, AZ 85305.

Approved with corrections at the January 19, 2012 Commission Meeting

#### Call to Order & Roll Call

Chair Schneck called the meeting to order at 4:40 p.m

Commissioners Present: Schneck, Wasisco, Hollabaugh, Seibold, Kollman and Sydnor

Commissioners Present by Phone: Muller, Clevenger, Hill

Assistant Attorney General Ron Johnson

Staff Present: Sherri Collins, Carmen Green, Emmett Hassen, Curtis Humphries, Bryanna Alton and Melinda Villela

#### Approval of Minutes – September 22, 2011

Correction to the minutes, Commissioner Kollman holds a BA in History and Political Science.

**Commissioner Wasisco moved to approve the minutes as corrected, Commissioner Kollman seconded, the motion unanimously carried.**

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

- Chair Schneck welcomed our newest Commissioner Maureen Sydnor, Deaf Representative.
- Commissioner Sydnor expressed, she is thankful for the opportunity to serve on the board.
- Sherry Appleby will be joining us at the next meeting as a Hard of Hearing Representative.
- The next board meeting on January 19, 2012 at 4:30 p.m., in Tucson. The location is to be determined.

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*To ensure, in partnership with the public and private sectors, accessibility for the Deaf, Hard of Hearing, Deaf Blind and persons with speech difficulties to improve their quality of life*

- Officer elections will be held in January 2012.

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

- The Public Healthcare Services Survey is available on the ACDHH website Services tab under the Deaf and Hard of Hearing pages.
- Beca Bailey and Michele Michaels participated in the Emergency Alert System Test. They were able to provide Deaf and Hard of Hearing perspectives.
- ACDHH's proposal for the National Deaf-Blind Equipment Grant Project has been submitted to the FCC
- A new Administrative Assistant has been hired. Shari Burda will start on December 5th. Bryanna will assume the position of Special Projects Coordinator.
- The Mental health round table continues to meet and will be involved with the education conference
- AZRS Outreach Coordinator Lisa Furr and Hamilton Relay's National Captel Product Manager, Mitchell Levy, have been traveling presenting Caption Telephone open houses around Arizona. They are our special guests tonight
- Follow up to previous public comments:
  - Julian Wasisco was assisted in contacting the Director of the Division of Developmental Disabilities as well as finding resources/services for her guardian. ACDHH is trying to schedule a meeting with the director to see what we can do as an agency.

Lisa Furr - regarding hospital VRI; ACDHH is developing a hospital curriculum to address the concerns expressed by the community.

### Public comments on agenda and non agenda items

Albert Leff expressed his concern regarding hospitals use VRI. He and other people he has spoken with experience problems understanding VRI because of regional signs. He inquired if the licensure law could be used to restrict VRI to Arizona interpreters.

### Harkins Settlement

Sherri Collins explained the background of the Harkins lawsuit. The suit was filed 5 years ago by a 16 year old child and his parents filed against Harkins for discrimination.. ACDHH staff was asked for input initially but has not been involved throughout the process. After the settlement was completed, ACDHH received a copy of the Harkins press release. The Deaf community was upset by the content of the release. Arizona Association for the Deaf (AZAD) has an Open Captioning Committee. Key leaders of the Deaf and the Hard of Hearing communities met with a representative from the Arizona Center for Disability Law (ACDL) to clarify what the settlement means. ACDL is currently working with Harkins on a new press release.

### Public comments regarding Harkins Settlements

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Astrid Goodstein, Chair AZAD Captioning Committee, spoke in support of legislation requiring open captioning and asked for the commissions support of open captioning. Information was presented on the history of movie captioning and the technological advances that make open captioning attainable for movie theaters. There is no longer an “undue burden” on theaters. With the recent Harkins settlement it is time to push for legislation requiring open captioning.

Dr. Harvey Goodstein expressed that the Harkins settlement is a good breakthrough. He explained the current digital technology. Captioning is provided on all movie disks. Theaters simply have to turn the captions on. Harkins will have digital projection in all of their theaters by 2013. 1 in 5 people age 12 and over have some level of hearing loss, which is a large percent of the population. He urged the Commission to pursue state legislation supporting open captioning.

Discussion ensued regarding

- If open captioning changes the content on the screen which has been part of the legal objection in the past.
- Harkins has suggested providing open captioning on 50 of their movie screens which is not full accessibility.
- For every deaf person that would benefit from open captioning there are 50 to 100 hard of hearing people that would also benefit.
- The movie producer’s roll is in the captioning process.
- Many hard of hearing people do not attend movies because the inadequate quality of assistive listening devices and that they cannot understand some of the content.
- Trying to find a movie that is open captioned and being shown at a desirable time is challenging. Many open captioned movies are shown in the late evening, and often is a movie you are not interested in.

Commissioners Hollabaugh, Muller, Kollman, Seibold, Wasisco, Clevenger, Astrid, Harvey and Alvin Leff participated in the discussion

**Commissioner Kollman moved that the Executive Director make an appointment in the next legislative session to pursue regulations for open captioning, Commissioner Seibold seconded, the motion carried, Commissioner Hollabaugh abstained**

A break was taken at 6:03 p.m.  
The meeting resumed at 6:23 p.m.

Commissioner Hill disconnected from meeting at 6:23 p.m.

### IARC Update

The committee reviewed 4 applicants all of which will be recommend to the Executive Director for licensure. Congratulations to these new licensees.

### Licensure

**Commissioner Hollabaugh moved to go into executive session to obtain advice from the Assistant Attorney General regarding Licensure issues, Commissioner Wasisco seconded, the motion unanimously carried**

Executive Session was entered into at 6:28 p. m.

The Commission returned to open session at 6:42pm

### Angela Emersion

**Commissioner Muller moved that the Commission take no action based on the evidence available to us, Commissioner Hollabaugh seconded, the motion carried, Commissioner Wasisco abstained**

### Heather Marlatt

Commissioner Kollman stated that it appears that this issue has been resolved since licensure staff will be presenting a licensure training session at the college.

**Commissioner Kollman moved that we do nothing as a board, Commissioner Hollabaugh, seconded, the motion unanimously carried**

### Sydney Corbett

Emmett Hassen explained the licensure renewal process and reviewed the timeline of Ms. Corbett's renewal.

Ms. Corbett spoke in her defense

Discussion ensued regarding the penalty for interpreting without a license, the current rules and that Ms. Corbett will need to apply for a new license.

Commissioner Hollabaugh, Ron Assistant Attorney General and Sherri Collins participated in the discussion

### Executive Director Evaluation

Committee Chair Schneck reported the Personnel committee met to review the Executive Director's evaluation. The review was favorable. Seven Commissioners

completed the evaluation. He expressed his hope to have 100% participation in next year's evaluation.

At 7:07 p.m. Commissioner Hill rejoined the meeting.

#### Announcements

There were no announcements

#### Future agenda items

1. Possibility of moving the November 2012 meeting a week forward to allow more time between the meeting and Thanksgiving
2. Executive Director update regarding United Healthcare and their plan to distribute hearing aids over the internet (action item)
3. Possible legislation requiring insurance companies to provide coverage for hearing aids
4. ACIL Update
5. Election of Officers

#### Adjournment

**Commissioner Kollman moved close, Commissioner Wasisco second, the motion carried.**

The meeting concluded at 7:22 p.m.

Dated this 22<sup>nd</sup> day of November, 2011

***Chris Schneck, Commission Chair***

The undersigned certifies that a copy of the attached notice was duly posted this 22nd day of November, 2011 at 3:45 p.m. by *Melinda Villela*, Assistant to the Board of Directors