

Douglas A. Ducey
Governor

Sherri L. Collins
Executive Director



**MINUTES OF THE ARIZONA COMMISSION FOR THE DEAF AND THE HARD OF HEARING
(ACDHH) Board meeting held on Thursday, February 23, 2017 at 4:30p.m.
At the Arizona Commission for the Deaf and the Hard of Hearing 100 N. 15th Ave Phoenix,
Arizona 85251
Pending Commission Approval**

AGENDA

Call to Order & Roll Call Discussion/Action

Chair Kneifel called the meeting to order at 4:34pm.

Commissioners Present: Sue Kay Kneifel, PV Jantz, Robert Baber, Raymond Baesler, Elizabeth Booth, Chris Schneck, Barbara Brimhall, Elizabeth Garcia, Annette Reichman.

Commissioners Present by Phone: None

Commissioners Absent: Judy Huch, Jeffery Hebert

Staff Present: Sherri Collins, Carmen Green, Curtis Humphries, Emmett Hassen, Vicki Bond, and Danielle Smith, Michele Michaels and Jeremy McCown.

Also in attendance by phone: Jo-Ann Handy and Molly Bonsall from the Attorney General's Office

Approval of Minutes: Discussion/Action

December 1, 2016 - No Changes Recommended.

Commissioner Jantz moved to accept the minutes as written, Commissioner Schneck seconded. The motion passed unanimously.

Chairs Report/Summary of Current Events Discussion only

Chair Sue Kay Kneifel informed the board that the Volunteer Income tax assistance program will be offering a free a tax prep day in American Sign Language for the Deaf community who are also considered limited income families. The event will take place at Ability 360 by appointment only. Commissioner Kneifel introduced newly appointed Arizona State Schools for the Deaf and Blind Board Representative Annette Reichman. Annette Reichman was named Deaf person of the month for February's Deaf Life magazine.

Executive Director's Update/Summary of Events Discussion only

Sherri Collins informed the board of recent events and projects. Collins announced that the Arizona Legislative Session began on January 9, 2017 and ACDHH has been working closely with Legislators in regards to the Governor's Executive Budget, which included some of ACDHH's agency requests. Collins is requesting an amendment to the Governor's Executive Budget allow the use of \$300,000 from the ACDHH fund balance to provide community based services to the Deaf-Blind community for the next three to five years. This would buy ACDHH time to work with AHCCCS to create a new solution, while also providing

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The mission of the Arizona Commission for the Deaf and the Hard of Hearing is to ensure, in partnership with the public and private sectors, accessibility for the deaf, deaf-blind, hard of hearing, and persons with speech difficulties to improve their quality of life.

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much needed services to the Deaf-Blind community as quickly as possible. Collins asked the board to support this request.

Commissioner Schneck motioned to allow ACDHH to use \$300,000 from the fund balance towards requesting an amendment for community based services for the Deaf-Blind for the next three years. Commissioner Jantz seconded. Motion passed unanimously.

In addition to the budget, ACDHH is closely tracking bills that may have an impact to deaf and hard of hearing individuals as well as the agency. Sherri Collins met with many of the legislators especially on House and Senate Appropriation Committee as well as freshman legislators in regards to House Bill 2418. ACDHH is seeking an amendment to remove the requirement to pay taxes on hearing aid batteries. ACDHH is also seeking a possible amendment to the Budget Reconciliation Bill (BRB) for Deaf-Blind community based service. ACDHH is also watching Senate Bill 1198, House Bill 2505 and House Bill 2396.

Collins has met with various individuals such as; Mara Mellstrom, with the Governor's Policy Advisor Regulatory Affairs and Laddie Shane who is the Interim Director of Boards and Commissions. ACDHH is now regularly attending the Regulatory Agencies' Directors meeting at Governor's office. ACDHH has hired back their former Legislative Liaison Rip Wilson who consults ACDHH regarding public policy issues. Rip Wilson answered questions from the board regarding bills.

ACDHH continues to have monthly meetings with HMA, Public Relations and Davidson & Belluso.

On January 4th, the Commission staff gathered on the House lawn and celebrated the completion of the Arizona Capitol Looping Project. Several board members were in attendance and the media response was outstanding.

ACDHH has updated their logo in celebration of their 40 years of service. The agency will be holding a major community celebration on Tuesday March 7, 2017 as they celebrate a Day at the Capitol. Staff has invited Legislators, media outlets and the public to attend.

Sherri Collins was honored to accept the Excellence in Partnership Award during the Arizona Association of the Deaf Winterfest Gala on December 2, 2016.

ACDHH will conduct forty-nine public safety trainings to the Phoenix Police Department. Approximately 60 sworn officers will attend each 2-hour session. Plans are in the works to conduct a one day Community Emergency Preparedness Information Training. During this training members of the deaf, hard of hearing and the deaf-blind communities come together with professionals to discuss strategies for the best outcomes before, during and after emergencies. This event will be in partnership with Maricopa County Department of Emergency Management.

The Emergency Response Interpreter Certification project, which also includes CART providers, has been promoted among emergency service professionals across the state. Several presentations have been provided to the public information officers in several counties and within the Western region for national services.

Deputy Director Carmen Green gave the board an update regarding the Deaf-Blind Support Service Provider training. ACDHH has collaborated with Phoenix College for the first training and more information will be given to the board as to when that first training will be.

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Commissioner Elizabeth Garica joined the meeting at 4:54pm

The three-year contract with AZRS/Sprint will end December 2017. When ACDHH renews the contract, they will remove the outreach portion of the contract. The Arizona State Procurement Office will work with Sprint directly to get these contract changes made.

Public comments not related to the licensure complaints

None

Licensure Issues

Assistant Attorney General Representatives Molly Bonsall and Jo-Ann Handy joined the meeting at 5:16pm. In regards to the question posed last meeting to the AG. Licensure guidelines can be used/followed in regards to a licensee in situations when a licensed is not required in an employment setting (i.e. Education).

Raina Diallo

Ms. Diallo's license renewal application was found to have two components to be incomplete: Continuing Education and Mentoring log.

Discussion ensued between Carmen Green, Commissioners Baesler, Kneifel, Jantz and Emmett Hassen in regards to Ms. Diallo's application.

Commissioner Jantz motioned to offer Ms. Diallo a settlement in which she makes up 8 hours of continuing education hours with documentation in addition, she must complete up to 4 hours of mentoring and provide documentation that proves she has satisfied those hours. This documentation should be satisfied no later than March 29, 2017. Commissioner Baber seconded. Motion passed unanimously.

Jasmine Marin

Case one: It is alleged that Ms. Marin conducted herself in an unprofessional manner and was not abiding by the fifth tenet of The Registry of the Interpreters for the Deaf's Code of Professional Conduct.

Commissioner Jantz motioned that a letter be sent to Ms. Marin regarding her behavior and remind her of the Code of Professional Conduct. Commissioner Baesler seconded. Motion passed unanimously.

Case Two: It is alleged that Ms. Marin conducted herself in an unprofessional manner and was not abiding by the fifth and sixth tenets of The Registry of the Interpreters for the Deaf's Code of Professional Conduct.

Case Three: It is alleged that Ms. Marin conducted herself in an unprofessional manner and was not abiding by the fourth, fifth and sixth tenets of The Registry of the Interpreters for the Deaf's Code of Professional Conduct.

Commissioner Jantz motioned to dismiss case two and three against Ms. Marin and add all three complaints into one letter to Ms. Marin. Commissioner Baber seconded. Motion passed unanimously.

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William Cruz

Case one: It is alleged that Mr. William Cruz provided interpreting services for a Deaf or hard of hearing patient in a medical setting, knowingly violating Arizona Interpreter Licensure Law and/or Rules.

Vicki Bond gave the board additional background information in regards to case one. Bond also read an email to the board from Mr. Cruz.

Discussion ensued between Commissioners Kneifel, Baesler, Jantz, Garcia and Vicki Bond.

Commissioner Jantz motioned to move in executive session to gain legal advice with the Attorney General's office. Commissioner Schneck seconded. Motion passed unanimously.

Board entered executive session at 5:51pm. Open session was re-entered at 6:34pm.

Commissioner Baesler motioned to send Mr. Cruz a strongly worded letter stating that he is violating Arizona State licensure by interpreting in settings that require a certified licensed interpreter. Commissioner Schneck seconded. Commissioner Jantz requested to make an amendment that the commission reach out to the agencies in which Mr. Cruz worked, notifying them that he is not a certified interpreter. Commissioner Schneck requested an amendment that the letter sent to Mr. Cruz be sent through certified mail. Commissioner Baber seconded. Motion passed unanimously

Case two: It is alleged that Mr. William Cruz provided interpreting services for her technical education program without the proper Arizona Interpreting License, knowingly violating Arizona Interpreter Licensure Law and/or Rules

Vicki Bond gave the board background information to case two and read a letter from Mr. Cruz to the board.

Commissioner Baesler motioned that a second letter be sent to Mr. Cruz notifying him that he is in violation of Arizona State licensure by interpreting in settings that require a certified licensed interpreter. Commissioner Schneck seconded. Commissioner Kneifel requested an amendment that this second letter shall also be sent through certified mail. Commissioner Jantz requested an additional amendment that a letter be sent to the place of business in which Mr. Cruz worked, notifying them that he is not a licensed interpreter in the state of Arizona. Commissioner Schneck seconded. Motion passed unanimously.

Chair Sue Kay Kneifel has postponed agenda item ten, which is the CDI Substantive Policy Statement to the next meeting.

Assistant Attorney General's Office Representatives Molly Bonsall and Jo-Ann Handy left the meeting at 6:50pm.

IARC Update

IARC Chair Raymond Baesler updated the board. The last IARC meeting was held on January 19, 2017 and six licenses were approved. March 16, 2017 will be the next meeting and there are roughly twelve applications that are ready for review.

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Arizona State Schools for the Deaf and Blind Update

Sue Kay Kneifel updated the board. An ASDB board retreat took place. The board members were informed that the district is in a strategic planning process.

FDA Medical Evaluation Position Paper

Commissioner Booth gave the board background information about a new FDA regulation regarding hearing aid evaluations. The FDA has indicated that they will no longer enforce these necessary evaluation and waivers. The lack of enforcement would not only detour individuals from obtaining hearing aids and take hearing loss outside of a categorized medical issue, it would also jeopardize the hearing loss community. The Hard of Hearing Task force is requesting that the FDA continue to enforce the evaluation waiver.

Commissioner Schneck motioned that ACDHH and the Hard of Hearing Task force request the FDA to continue to enforce the evaluation waiver. Commissioner Jantz seconded. Motion passed unanimously.

Insurance Questionnaire

Commissioner Booth gave the board background information regarding the insurance questionnaire. ACDHH and the Hard of Hearing Task Force hope to distribute an insurance questionnaire to citizens around the state of Arizona that provides them with adequate information and questions that they should be asking their insurance company. The Hard of Hearing task force recommends that the consumer have this questionnaire in front of them when they contact their insurance company. This living document will be updated as time goes on.

Commissioners Baber, Brimhall, Jantz and Sherri Collins recommended changes. Michele Michaels answered questions for the board.

Future Agenda Items

Certified Deaf interpreter Substantive Policy Statement will be placed on May 11, 2017 agenda.

Commissioner Schneck moved to adjourn the meeting, Commissioner Baesler seconded. The motion passed unanimously. The meeting adjourned at 7:20pm

The undersigned certifies that a copy of the attached notice was duly posted this 24th day of February, at 4p.m. by *Danielle Wright* Assistant to the Executive Director.