



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

MINUTES OF THE ARIZONA COMMISSION FOR THE DEAF AND THE HARD OF HEARING (ACDHH) Board meeting held on Thursday, February 21, 2019 at 4:30 p.m. at ACDHH – 100 N 15th Ave, Suite 104, Phoenix, Arizona 85007

Call to Order & Roll Call Discussion/Action

Chair Kneifel called the meeting to order at 4:30 p.m.

Commissioners Present in Person: Annette Reichman, ElizaBeth Garcia, Catherine Sienko, Richard Vanover, Tamara Collinsworth, Frederick Williams, Susan Webster, Antonio Calderon, Pv Jantz and Sue Kay Kneifel

Commissioners Present by Phone: Sarah Benton

Commissioners Absent: Judy Huch and Barbara Brimhall

Staff Present: Sherri Collins, Carmen Green Smith, Curtis Humphries, Emmett Hassen, Victoria Vaughn, Heidi Lovato, Jeremy McCown and Julie Stylinski

Assistant to the Attorney General: Jo-Ann Handy joined by phone at 4:47 p.m.

Approval of Minutes: Discussion/Action

Commissioner Calderon moved to accept the minutes from December 6, 2018 and Commissioner Garcia seconded. The motion passed unanimously.

Chairs Report/Summary of Current Events Discussion only

Commissioner Jantz welcomed back to the board – recently re-appointed.

Executive Director's Update/Summary of Events Discussion only

Director Collins was invited to attend the inauguration at the Capitol. She was also recommended by a legislator to be one of four speakers at The Women's March Phoenix - the first deaf woman to be featured as a keynote speaker.

Even though we were hoping for more people to come to the open house, we did get a lot of the new freshmen legislators attend. Commissioner Williams and Director Collins were able to meet with their local legislators.

The agency provides various training, but specifically child safety training is so important for people that interact with deaf adults with children for a better understanding of their culture.

Pertaining to the budget, one full time position was requested and approved – Director of Public Policy.

602-364-0990 TTY * 602-542-3323 V * 480-559-9441 VP * 800-352-8161 V/TTY * 602-364-0581 FAX * info@acdhh.az.gov



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

The Commission has a contract agreement with U of A to do a needs assessment for Interpreter Licensure, quality of services and are in the beginning stages of that process.

The Commission is also in the middle of transitioning to a new website as of Wednesday, February 20th.

Arizona DES/AZ Early Intervention Program – Seeks Public Comment – ACDHH position Discussion Only

The Department of Economic Security (DES) is a very large department. One of the components of their program is early intervention services 0 to 3. They have released a call for public comments about the program and this item is placed on the agenda so the public (in the audience) can comment about what we need to consider including in our comments (deadline is March).

2019 Legislative Update Discussion only

Daniella gave the following state legislative update:

After several years of advocating for live captioning of the Governor's State of the State Address and opening day ceremony, it happened for the first time this year.

ACDHH held a successful opening day open house for legislators where they were able to learn what the Commission does and experience some of the equipment available to the community. Commissioners Huch, Vanover and Williams were on hand to assist.

The current bills being monitored are:

HB2566: Peace Office Training; Requirements

Current language related to training is broad and how they prefer it, but would like to work with the Commission to add a component to their curriculum pertaining to peace officers trained on protocol for interacting with individuals with communication deficits (deafness, developmental disabilities or mental illness) – without changing statute.

HB2532: Critical Health Information; Emergency Responders

The purpose of the legislation is to give emergency responders more tools to stay informed and help save lives by way of critical health information (individuals must participate in the program). This bill should be making its way to the House floor soon.

HB2616: Voting Bill

This bill would make it a class 1 misdemeanor for anyone to pay or be paid to do voter registration - class 1 is the most serious misdemeanor and is on the same level as assault and shoplifting. (Many non-profit organizations and disability groups help register people to vote)

In regards to the sexual assault at Hacienda Healthcare:

The Commission was part of a stakeholder group that gave input on a couple of bills introduced by Representative Longdon: HB2665 and HB2666. HB2665 related to educating and training persons employed to care for vulnerable adults on the signs of neglect and abuse (including sexual abuse). HB2666

602-364-0990 TTY * 602-542-3323 V * 480-559-9441 VP * 800-352-8161 V/TTY * 602-364-0581 FAX * info@acdhh.az.gov



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

related to the duty to report a reasonable belief that a vulnerable adult has been the victim of abuse, neglect or exploitation. These bills will not make it through the process, but the stakeholders intend to continue working on the issue over the summer.

Rip gave the following federal legislative update:

The federal government's drought contingency plans for the seven western states part of the Colorado River that sets ground rules on how each state will manage shortages. Arizona passed it, but there are still a bunch of internal agreements that have to take place in Arizona, time will tell.

Tax Conformity Act is a routine process for Arizona to pass a bill every year that syncs the Arizona statutes with federal statutes. This year there is an odd situation with this "syncing" process that brings Arizona with a windfall close to \$200 million. Currently there is a stalemate in the state legislature as to this tax issue and could make for a long session.

Licensure Complaint Process – Informal Resolution Discussion only

A new process has been implemented with the help of the Assistant Attorney General Jo-Ann Handy.

Delegation of Board Authority to Decide Informal Settlements – Discussion/Action

The board needs to go on record to formalize the authority to the agency – specifically the Executive Director (back up of the Deputy Director) to have the authority if any issues arise around licensure settlement that we have the authority to be a part of the process working with the Attorney General's office.

A discussion ensued between the Assistant Attorney General, Jo-Ann Handy and various board members regarding the desire to have board representation as a part of the process.

MOTION: Jantz motions regarding Statute 41-1092.06 that we designate authority for of representation of the board for informal settlement process. That designee will be the Executive Director of the Commission with the Deputy Director to stand in the case of an emergency for this settlement process. Commissioner Webster seconded – Benton opposed. Motion carries.

Public comments on Agenda Items & Non-Agenda Items

Randall Kidd, representing the Arizona Association of the Deaf voiced concern about the early intervention program.

Dr. Heather Laine, Principal for Sequoia School for the Deaf regarding complaints against Jennifer Reid and Kristen Hudson.

Kristen Hudson regarding complaint filed against her

Jennifer Reid regarding complaint filed against her

Moges Gembero regarding licensure complaint procedure and conflict of interest at Sequoia Deaf School – Kristen Hudson and Jennifer Reid

Helen Young regarding complaint filed against her

Break from 6:00 to 6:06 pm



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

Interpreter Complaints/Inquiries

Special Note:

Pertaining to complaints against Reid & Hudon, Commissioner's Jantz & Kneifel can't participate in complaint discussion, decision or voting due to a conflict of interest.

Pertaining to complaint against Young, Director Collins will abstain from participating due to a conflict of interest.

Emmett Hassen gave a summary of each complaint and staff recommendations for the board.

Commissioner Jantz motioned to move into Executive Session, Commissioner Vanover seconded regarding 6 complaints (Ritter, Posedly, Hudon, Reid and Young). The motion passed unanimously.

Meeting entered into executive session at 6:40 p.m.

Meeting returned to open session at 7:29 p.m.

Regarding Ritter:

Commissioner Jantz wants on record that he is very disappointed and concerned about the lack of documentation with the mental health clinics that are providing services.

Commissioner Jantz motioned to dismiss the complaint against Haley Ritter and Commissioner Reichman seconded. Motion passed unanimously.

Regarding Posedly:

Commissioner Jantz would like to note the complaint for future reference if necessary.

Commissioner Jantz motioned to dismiss allegations 1 and 2 with a civil penalty on allegation 3 in the amount of \$100 for breaking statute. Commissioner Reichman seconded. Motion passed unanimously.

Second motion by Commissioner Jantz for an option of informal settlement at the discretion of the Executive Director, seconded by Commissioner Vanover. Motion amended by Commissioner Benton that in lieu of a monetary fine there be an increase in CEU hours at the discretion of the Executive Director, seconded by Commissioner Reichman. Motion passed unanimously.

Regarding Hudon:

Commissioner Benton motioned to accept staff recommendation to send a courtesy letter to the interpreter and the school. Commissioner Calderon seconded. Motion passed with 2 abstained.

Roll call: Benton: Yes, Jantz: Abstain, Vanover: Yes, Reichman: Yes, Sienko: Yes, Garcia: Yes, Kneifel: Abstain, Calderon: Yes, Williams: Yes, Webster: Yes, Collinsworth: Yes.



Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

Regarding Reid:

Commissioner Vanover motioned to accept staff recommendation to send a courtesy letter to the interpreter and the school. Commissioner Sienko seconded. Motion passed with 2 abstained.

Roll call: Benton: Yes, Jantz: Abstain, Vanover: Yes, Reichman: Yes, Sienko: Yes, Garcia: Yes, Kneifel: Abstain, Calderon: Yes, Williams: Yes, Webster: Yes, Collinsworth: Yes.

Regarding Young:

Regarding the Stone complaint:

Commissioner Jantz motioned for a civil penalty on each allegation 1, 2 and 3 of \$300 civil penalty for each (\$900) and for the 4th allegation a civil penalty of \$100 for a total of \$1000 with an option of a settlement with no more than a 25% reduction in fine. Commissioner Reichman seconded. Commissioner Benton opposed, motion carries.

Regarding the McLaws complaint:

Commissioner Benton motioned for a civil penalty of \$300 on each allegation. Commissioner Jantz seconded. Motion passed unanimously.

Second motion by Commissioner Benton with an option of settlement of no more than 25% reduction of total fine imposed, Commissioner Vanover second. All in favor, motion carries.

ILC Update Discussion Only

Commissioner Benton noted 50 applications were approved today.

Arizona State Schools for the Deaf and Blind Update Discussion Only

Commissioner Reichman gave the ASDB update. ASDB was allocated \$1.6 million for additional staff for early intervention services - The money was for 21 more staff members, which was recently negotiated down to 20 due to hiring more experienced teachers that cost a bit more than predicted. So far ASDB has 17 and will need to hire 3 more. The new teachers are matched with mentors and is working out well.

A system is in place for reviewing curriculums and implementing them on a yearly basis (last year was English, Math this Fall, then science and then social studies).

Future Agenda Items Discussion/Action

Informal Settlement Process

Fee schedule for board approval – discussion/action item

Douglas A. Ducey
Governor



Sherri L. Collins
Executive Director

Arizona Commission

for the deaf and the hard of hearing

100 N 15th Avenue * Suite 104 * Phoenix, AZ 85007
acdhh.org

Announcements

None

Adjournment

Commissioner Calderon motioned to adjourn the meeting and Commissioner Vanover seconded. The motion passed unanimously. The meeting adjourned at 8:21 p.m.

The undersigned certifies that a copy of the attached notice was duly posted this 26th day of February, 2019 at 12:30 p.m. by Heidi Lovato.

602-364-0990 TTY * 602-542-3323 V * 480-559-9441 VP * 800-352-8161 V/TTY * 602-364-0581 FAX * info@acdhh.az.gov

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.