



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, May 16, 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 4:35 p.m.

Commissioners Present in Person: Richard Vanover, Fred Williams, Susan Webster, Pv Jantz and Sue Kay Kneifel, Barbara Brimhall, Sarah Benton

Commissioners Present by Phone: Judy Huch, Antonio Calderon joined by phone at 5:00 p.m.

Commissioners Absent: Annette Reichman, ElizaBeth Garcia, Catherine Sienko, Tamara Collinsworth

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

Assistant to the Attorney General: Jo-Ann Handy joined by phone at 4:58 p.m.

Approval of Minutes: Discussion/Action

Commissioner Jantz moved to accept the minutes from February 21, 2019 and Commissioner Brimhall seconded. The motion passed unanimously.

Chairs Report/Summary of Current Events Discussion only

None

Executive Director's Update/Summary of Events Discussion only

Director Collins highlighted a few key areas:

- The Commission continues to provide law enforcement training and recently presented to the Chiefs of Police and they have recognized the need for this training and want to partner with ACDHH. They want to develop video tapes (they have a full-house studio production) and they offered their resources to help develop training. Tomorrow is a meeting with the Sheriff's association.
- The Commission filed a comment on early intervention with the Department of Economic Security - As part of their grant requirements, they have to submit a report to the federal early intervention program. ACDHH worked with the community stakeholders and there was a strong presence from the Deaf community. Now waiting to hear the next steps after they address the public comments.
- Funding received last year for SSP services and the DeafBlind program is an area ACDHH is focusing on and learning from the community as to how to better serve the adults as this is an underserved population, actually there are basically no services to the DeafBlind (including low vision) and hard of hearing adults. There were some issues with SSP copy signing, which is a violation of our interpreter licensure law and we have let the SSP's know it is a violation.

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2019 Legislative Update Discussion only

Rip Wilson gave the following state legislative update:

Shared that Daniella Smith has taken another opportunity and would not be providing any further legislative updates with him.

We are currently in day 123 of this session with no end in sight. The big stumbling block has been the budget, combined with the issues produced by the federal tax legislation and the manner in which the state of Arizona complies to the federal tax law. As it stands, it produces about \$150 million windfall to the state and the majority party (Republicans) are disputing what to do with that excess monies.

The current bills that impact us at this stage are:

HB2569: This is the so-called, licensing reciprocity bill that basically says that if you have a professional license from another state, Arizona will honor that license and you can practice your licensed profession here. The important part is that it doesn't cover every license and this Commission licenses interpreters and they're not included in that legislation - nothing has changed how the Commission will conduct its examination and licensing procedure.

HB2558: This bill called for an appropriation, FTE, a personnel position for a statewide ADA coordinator - develop and monitor an ADA statewide compliance plan and would have given all of the disability community a point of contact that doesn't exist today. It got through 2 committees in the House, but it never moved past that point. It was never brought to the floor for a vote. It's sitting there and nothing has happened to it since February.

Finally, the texting while driving bill was passed - if you have a handheld device, you can't be holding it while you're driving. You don't have to be actively using it and that's important to know. Ticketing will start January 1, 2020.

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

Assistant Attorney General, Jo-Ann Handy explained the purpose of this agenda item is that when the board has a substantiated complaint that will trigger a hearing for the licensee, certain (delegated) members of the executive team would be able to reach out to the licensee with a settlement agreement before the complaint is issued. This is a very common practice for agencies to do.

A discussion ensued between the Assistant Attorney General and various board members regarding delegated board authority.

Due to phone connectivity issues, there was a short break from 5:15 p.m. to 5:20 p.m.

More discussion between the Assistant Attorney General, Carmen Green Smith and various board members regarding delegated board authority.



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MOTION: Commissioner Jantz motions for the Assistant Attorney General prepare a complaint process flowchart for board to review at the next board meeting. Commissioner Webster seconded. The motion passed unanimously.

Civil Money Penalty Assessment Guide Discussion/Action

Emmett Hassen provided different examples of state licensing board's (barber, massage therapy and cosmetology) fines and continuing education costs for review.

A discussion ensued between Commissioner Jantz and Kneifel with Emmett regarding the information provided.

MOTION: Commissioner Jantz motions to have Emmett work with the ILC Committee to develop a rubric for specific types of incidences giving a minimum to maximum range. This rubric would give examples of what our precedents are, what we've been doing and some comparisons to other state licensing boards. Commissioner Vanover seconded. The motion passed unanimously.

Public comments on Agenda Items & Non-Agenda Items

- Mallory Watts regarding complaint filed against Marty Nelson
- Susan Orwoll regarding complaint filed against her
- Cameo Hunsaker regarding complaint filed against Susan Orwoll
- Steven Slugocki, Chair of the Democratic Party, regarding complaint filed against Susan Orwoll
- Silas Signature, V.P. of the Phoenix Mountain Preservation Council regarding complaint filed against Susan Orwoll
- Erik Orwoll regarding complaint filed against Susan Orwoll
- Reverend James Pennington regarding complaint filed against Susan Orwoll

Interpreter Complaints/Inquiries

Due to professional conflict of interest, Commissioner Kneifel and Jantz can not participate in any involvement including vote or discussion on complaint against Marty Nelson. Because of that, the board will not have a quorum so the complaint is moved to the next agenda/board meeting on August 22, 2019.

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

Regarding Heidi Hargreaves:

Commissioner Jantz motioned to have a letter of concern sent to Heidi Hargreaves and note in the letter that she was not cooperative in the investigation. Commissioner Webster seconded. Motion passed unanimously.



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Regarding Susan Orwoll:

Commissioner Brimhall motioned to have a letter of concern sent to Susan Orwoll. Commissioner Calderon seconded. Motion passed unanimously.

ILC Update Discussion Only

Commissioner Benton noted 37 applications approved back on April 18, 2019.

Future Agenda Items Discussion/Action

None in addition to what is noted in the minutes

Announcements

Next board meeting is in Tucson on August 22, 2019 and the Hilton Tucson East.

Adjournment

Commissioner Jantz motioned to adjourn the meeting and Commissioner Vanover seconded. The motion passed unanimously. The meeting adjourned at 6:27 p.m.

The undersigned certifies that a copy of the attached notice was duly posted this 21st day of May, 2019 at 12:00 p.m. by Heidi Lovato.