



## Arizona Commission

for the deaf and the hard of hearing

100 N 15<sup>th</sup> 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, November 21, 2019 at 4:30 p.m. at ACDHH – 100 N 15<sup>th</sup> Ave, Suite 104, Phoenix, Arizona 85007**

#### **Call to Order & Roll Call: Discussion/Action**

Chair Kneifel called the meeting to order at 4:33 p.m.

Commissioners Present in Person: Fred Williams, Sue Kay Kneifel, Catherine Sienko (arrived at 4:47 p.m.), Pv Jantz (arrived at 4:47 p.m.), Judy Huch, Barbara Brimhall, Annette Reichman and Antonio Calderon

Commissioners Present by Phone: Richard Vanover, Sarah Benton and ElizaBeth Garcia

Commissioners Absent: Susan Webster and Tamara Collinsworth

Staff Present: Sherri Collins, Carmen Green Smith, Curtis Humphries, Emmett Hassen, Victoria Vaughn, Betty McIntire, Heidi Lovato, Jeremy McCown, Laricsa Herrera and Christy Abrams

Assistant to the Attorney General: Jo-Ann Handy joined by phone at 5:30 p.m.

#### **Approval of Minutes: Discussion/Action**

**Commissioner Huch moved to accept the minutes from August 22, 2019 and Commissioner Calderon seconded. The motion passed unanimously.**

#### **Chairs Report/Summary of Current Events: Discussion only**

Chair Kneifel noted that there is still one Deaf Representative position open and encouraged the board members to vote tonight for the annual board seats for Chair, Vice Chair and Secretary because her commission expires at the end of January - next board meeting being held in February 2020.

#### **Executive Director's Update/Summary of Events: Discussion only**

Director Collins first introduced three new faces to the ACDHH staff:

- Betty McIntire, Director of Public Policy and Community Relations
- Christy Abrams, Hard of Hearing Specialist
- Laricsa Herrera, Business Operations Assistant

With Betty on the team, she will assist filing on the federal level and in fact, filed her first FCC comments related to IPCTS - automatic speech recognition for Internet Protocol-Captioned Telephone Service. This is a hot issue in the relay business because the FCC is considering transferring the cost of IPCTS service to the individual states. This filing was important because now we can participate on the federal level and be an advocate for the community in our state.



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In regards to community relations, over the years, ACDHH has a contract with a P.R. firm - currently with Lavidge and they've done an outstanding job for our agency. Now that we've expanded the role in our office with Betty's position to include communication, we are going to try something different for the 2020 year. We are focusing on a campaign based on the town hall meetings we held last Spring. While all of the cities we visited are important, we are choosing to focus on Yuma for the next year due to issues that need our attention there.

One key area of focus will be on employment and shifting from a P.R. contract to more of a campaign opportunity will help bring attention to this in key areas of the state.

We will be moving the board meeting location outside of Phoenix to Yuma this year (versus Tucson) as this is aligned with our focus for 2020.

A positive outcome from involvement in the AdHOC committee this year, which focuses on vulnerable adults, was being able to make recommendations for the legislation to consider to introduce bills, if any, in the 2020 legislative session.

Sherri Collins won the ATHENA Award from the Greater Phoenix Chamber, which recognizes and celebrates the achievements of business women across the Greater Phoenix region. She was recognized as a leader in the Public Sector.

A correction was noted in the financial part of her report that should have reflected fiscal year 2020 and not 2019. She also mentioned that the relay service contract expires at the end of the year, but the state decided to extend that contract for another six months. Curtis Humpries is working very closely with the procurement office before we release a request for proposal in early 2020.

## **Annual Report: Discussion/Action**

Chair Kneifel ask the board if they had any questions on the annual report before they vote on approval so the agency can send it to the Governor's office.

**Commissioner Huch moved to accept the approval of the 2019 fiscal year annual report and Commissioner Jantz seconded. The motion passed unanimously.**

## **2020 Legislative Update: Discussion Only**

Sherri noted that Rip Wilson (who's been introduced in the past) will be focusing on a federal level, while Betty is handling the state level. Rip is still on contract as our legislative liaison and working closely with Betty.

## **Betty McIntire gave the following update:**

The biggest focus this legislative session will be on our Sunrise. We are moving through our Sunset as we speak, but our Sunrise recommendation from the Senate occurred a couple of weeks ago pertaining to language acquisition - LEAD K implementation and just maintaining our current status with our budget - This



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being an election year, we (ACDHH) wants to be more on a supportive defensive, making sure nobody depletes us.

## **Rip Wilson gave the following update:**

What Sherri would like to accomplish in the next year is to get in front of as many members of our federal delegation, the two Senators and nine congressmen and educate them (better) about who we are, who the agency is and what it does and the community it serves.

The second component is to identify legislation that (at the federal level) has a significant impact on the communities we serve - trying to do a better job of engaging on those pieces of the legislation as the best opportunities to educate our congressional delegation.

A discussion ensued between Chair Kneifel and Betty McIntire concerning her question about the impact of the Alice Cogswell legislation.

## **Sunset Review and Sunrise Recommendation / Early Intervention Language Acquisition: Discussion/Action**

The Commission sunsets on June 30, 2020 and what that means is every agency, board and commission has this (a sunset) - it is to make sure that we are doing the work we said we are doing, that we are beholden to the taxpayer and to the citizens of this state and doing the job we said we would do.

So this process is having a sunset hearings in both chambers, Senate and the House. At the beginning of November, we had our hearing in the Senate. It was a great hearing and we were recommended for our Sunrise unanimously. Now we await our hearing in the House, which may be in January.

By January 27th, each chamber has to recommend and propose their report to the respective chambers, to the Speaker of the House and to the President of the Senate. The chairs of each committee will sponsor our sunrise recommendation legislation - we are requesting the following:

- Senator Brophy McGee, Chair of the Health and Human Services Committee in the Senate to include deafblind in our duty statute, Arizona Revised Statute 36-1944.
- We are making a modification to number 8, the Newborn Child Hearing Loss Screening Program stating we will continue to support that program as a Commission.
- Update to number 9 around early intervention giving the Commission the authority to study language acquisition and literacy development for deaf and hard of hearing children.

A discussion ensued between Commissioner Jantz, Betty and Sherri concerning adding the Department of Education to number 2, which was determined not needed.

A discussion ensued between Commissioner Jantz, Chair Kneifel and Betty concerning number 9 and adding the Department of Health, which was determined not needed.



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Commission Reichman summarized what the Commission was asking of the board, which are two things:

1. A Bill for a task force to be implemented
2. For the Sunrise to include some of that recent language mentioned including language acquisition, early intervention, etc.

Commissioner Jantz asked what the task force membership would look like and Betty responded that the mandated members would be DES, ASDB and ADE - the three main entities. Other community members would be invited such as: parents of deaf and hard of hearing children, deaf mentors, school districts. Betty noted that it's important to use the Sunrise to mandate the three entities attendance (via the law).

Chair Kneifel noted that what ACDHH is doing is establishing the authority to oversee this and make sure that the right people are at the table. Betty confirmed.

**Commissioner Reichman moved that ACDHH submit the Bill to establish a task force to the state legislature and Commissioner Calderon seconded. The motion passed unanimously.**

**Commissioner Huch moved to accept the proposed sunrise changes as written and Commissioner Calderon seconded. The motion passed unanimously.**

### **Delegation of Board Authority to Decide Informal Settlements: Discussion/Action**

Assistant Attorney General, Jo-Ann Handy explained to the board that they can go into executive session and discuss amongst themselves settlement, but then also be a place where the board would instruct the attorney on the settlement framework; However, the actual introduction of a motion or voting on the motion has to be done in public session. That way the Commission can protect its attorney-client privilege operating in executive session.

As far as delegating authority, the Commission could delegate the authority for settlement negotiations to the subcommittee of licensing, but the same rules would apply for the licensing committee as stated above with going into executive session. The board could also discuss amongst themselves the framework for settlement and then delegate that authority to the attorney or a member of the executive staff.

Commissioner Jantz suggested that the board could wait for the next opportunity when there are fines that they need to set, go into executive session and discuss the framework of the settlement and move forward with delegating authority at that time so the board can see how it works in a real-life scenario. Commissioner Sienko and Benton agreed.

Chair Kneifel heard no motions from the board and moved to take this delegation as it comes in the future.

### **Officer Elections: Discussion/Action**

Board voted for 2020 board positions to be held by the following:

Chair: Pv Jantz  
Vice Chair: Catherine Sienko  
Secretary: ElizaBeth Garcia

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### **Public Comments on Agenda Items & Non-agenda items: Discussion Only**

None

### **Late Fee Waiver Request: Discussion/Action**

Jo-Ann Handy noted the Rule R9-26-508, which is titled fees and charges, it states that under the authority provided by statute - and it cites the statute - the Commission establishes and shall collect - so "shall" is in there, which means it's mandatory.

**Commissioner Jantz moved that the request for the reduction or late fee waiver be denied as pursuant to statute R9-26-508 and Commissioner Brimhall seconded. The motion passed unanimously.**

There was a break from 6:00 p.m. to 6:06 p.m.

### **Interpreter Licensure Committee Update: Discussion Only**

Commissioner Benton shared that on October 17, 2019 there were 15 applications approved - 12 of which were VRI and 3 in state applications.

### **ESSE (Educational Sign Skills Evaluation) - Test & Licensure: Discussion/Action**

Chair Kneifel moved this agenda item to the ILC Committee for discussion to bring to the board.

### **2020 Board Meeting Dates: Discussion/Action**

**Commissioner Calderon moved to accept the 2020 meeting dates and Commissioner Huch seconded. The motion passed unanimously.**

### **Future Agenda Items: Discussion Only**

None

### **Adjournment: Discussion/Action**

**Commissioner Jantz motioned to adjourn the meeting and Commissioner Huch seconded. The motion passed unanimously.**

Adjourned at 6:13 p.m.

*The undersigned certifies that a copy of the attached notice was duly posted this 26th day of November, 2019 at 4:30 p.m. by Heidi Lovato.*