

HOUSE AMENDMENTS TO SENATE BILL 1548

By COMMITTEE ON HEALTH CARE

February 20

- 1 On page 1 of the printed bill, line 8, delete “453.730.”
- 2 In line 9, after “742.504,” delete the rest of the line and line 10 and insert “744.364, 744.367,
3 746.230”.
- 4 In line 11, after “750.055” insert “and sections 9 and 14, chapter 290, Oregon Laws 1987”.
- 5 In line 20, delete “Individual-physician” and insert “Individual-provider” and after “and” insert
6 “a physician.”
- 7 On page 2, line 14, delete “individual-physician” and insert “individual-provider”.
- 8 On page 20, line 9, after “677.505” insert “to”.
- 9 On page 40, delete lines 23 through 40.
- 10 In line 41, delete “66” and insert “65”.
- 11 On page 41, line 4, delete “67” and insert “66”.
- 12 On page 42, line 1, delete “68” and insert “67”.
- 13 In line 38, delete “69” and insert “68”.
- 14 On page 43, line 30, delete “70” and insert “69”.
- 15 On page 44, line 4, delete “71” and insert “70”.
- 16 In line 16, delete “72” and insert “71”.
- 17 In line 34, delete “73” and insert “72”.
- 18 On page 45, line 30, delete “74” and insert “73”.
- 19 In line 37, delete “75” and insert “74”.
- 20 On page 46, line 32, delete “76” and insert “75”.
- 21 On page 47, line 23, delete “77” and insert “76”.
- 22 On page 53, delete lines 39 through 45.
- 23 Delete pages 54 through 60.
- 24 On page 61, delete lines 1 through 32.
- 25 In line 33, delete “89” and insert “77”.
- 26 On page 63, line 35, delete “90” and insert “78”.
- 27 On page 65, line 5, delete “91” and insert “79”.
- 28 On page 66, line 5, delete “92” and insert “80”.
- 29 On page 67, line 3, delete “93” and insert “81”.
- 30 On page 68, line 1, delete “94” and insert “82”.
- 31 After line 43, insert:
- 32 “**SECTION 83.** Section 9, chapter 290, Oregon Laws 1987, as amended by section 2, chapter 872,
33 Oregon Laws 1991, section 32, chapter 280, Oregon Laws 1995, section 2, chapter 451, Oregon Laws
34 1995, section 1, chapter 384, Oregon Laws 1999, section 1, chapter 28, Oregon Laws 2007, section
35 353, chapter 70, Oregon Laws 2007, section 2, chapter 78, Oregon Laws 2011, and section 1, chapter

1 264, Oregon Laws 2011, is amended to read:

2 “**Sec. 9.** As used in sections 9 to 14, chapter 290, Oregon Laws 1987, unless the context requires
3 otherwise:

4 “(1) ‘Adaptive equipment’ means equipment that permits a person with a disability, other than
5 a person who is hard of hearing or speech impaired, to communicate effectively on the telephone.

6 “(2) ‘Applicant’ means a person who applies for an assistive telecommunication device, adaptive
7 equipment or a signal device.

8 “(3) ‘Assistive telecommunication device’ means a device that utilizes a keyboard, acoustic cou-
9 pler, display screen, Braille display, speakerphone or amplifier to enable people who are deaf, deaf-
10 blind, hard of hearing or speech impaired to communicate effectively on the telephone.

11 “(4) ‘Audiologist’ means a person who has a master’s or doctoral degree in audiology and a
12 Certificate of Clinical Competence in audiology from the American Speech-Language-Hearing Asso-
13 ciation.

14 “(5) ‘Deaf’ means a profound hearing loss, as determined by an audiologist, licensed physician,
15 **physician assistant**, nurse practitioner, hearing aid specialist or vocational rehabilitation counselor
16 of the Department of Human Services, that requires use of an assistive telecommunication device
17 to communicate effectively on the telephone.

18 “(6) ‘Deaf-blind’ means a hearing loss and a visual impairment that require use of an assistive
19 telecommunication device to communicate effectively on the telephone. For purposes of this sub-
20 section:

21 “(a) A hearing loss must be determined by an audiologist, licensed physician, **physician as-**
22 **stant**, nurse practitioner, hearing aid specialist or vocational rehabilitation counselor of the De-
23 partment of Human Services.

24 “(b) A visual impairment must be determined by a licensed physician, **physician assistant**,
25 nurse practitioner, vocational rehabilitation counselor of the Department of Human Services or re-
26 habilitation instructor for persons who are blind.

27 “(7) ‘Disability’ means a physical condition, as determined by a licensed physician, **physician**
28 **assistant**, nurse practitioner or vocational rehabilitation counselor of the Department of Human
29 Services, other than hearing or speech impairment that requires use of adaptive equipment to utilize
30 the telephone.

31 “(8) ‘Hard of hearing’ means a hearing loss, as determined by an audiologist, licensed physician,
32 **physician assistant**, nurse practitioner, hearing aid specialist or vocational rehabilitation counselor
33 of the Department of Human Services, that requires use of an assistive telecommunication device
34 to communicate effectively on the telephone.

35 “(9) ‘Hearing aid specialist’ means a person licensed to deal in hearing aids under ORS chapter
36 694.

37 “(10) ‘Nurse practitioner’ has the meaning given that term in ORS 678.010.

38 “(11) ‘Physician’ means an applicant’s primary care physician or a medical specialist who is able
39 to determine an applicant’s disability and to whom the applicant was referred by the primary care
40 physician.

41 “**(12) ‘Physician assistant’ has the meaning given that term in ORS 677.495.**

42 “[12] (13) ‘Recipient’ means a person who receives adaptive equipment, an assistive telecom-
43 munication device or a signal device.

44 “[13] (14) ‘Rehabilitation instructor for persons who are blind’ means an employee of the
45 Commission for the Blind who:

1 “(a) Meets the minimum qualifications set by the commission to assess adult clients referred for
2 services;

3 “(b) Develops individualized training programs; and

4 “(c) Instructs and counsels clients of the commission on adapting to sight loss.

5 “[~~(14)~~] (15) ‘Signal device’ means a mechanical device that alerts a person who is deaf, deaf-blind
6 or hard of hearing of an incoming telephone call.

7 “[~~(15)~~] (16) ‘Speech impaired’ means a speech disability, as determined by a licensed physician,
8 **physician assistant**, nurse practitioner, speech-language pathologist or vocational rehabilitation
9 counselor of the Department of Human Services, that requires use of an assistive telecommunication
10 device to communicate effectively on the telephone.

11 “[~~(16)~~] (17) ‘Speech-language pathologist’ means a person who has a master’s degree or equiv-
12 alency in speech-language pathology and a Certificate of Clinical Competence issued by the Ameri-
13 can Speech-Language-Hearing Association.

14 “[~~(17)~~] (18) ‘Telecommunications relay center’ means a facility authorized by the Public Utility
15 Commission to provide telecommunications relay service.

16 “[~~(18)~~] (19) ‘Telecommunications relay service’ means a telephone transmission service that
17 provides the ability for an individual who has a hearing or speech disability to engage in commu-
18 nication by wire or radio with a hearing individual in a manner that is functionally equivalent to
19 the ability of an individual who does not have a hearing or speech disability to communicate using
20 voice communication services by wire or radio. ‘Telecommunications relay service’ includes, but is
21 not limited to:

22 “(a) Services that enable two-way communication between an individual using a text telephone
23 or other nonvoice terminal device and an individual not using such a device;

24 “(b) Speech-to-speech services; and

25 “(c) Non-English relay services.

26 “**SECTION 84.** Section 14, chapter 290, Oregon Laws 1987, as amended by section 1, chapter
27 115, Oregon Laws 1989, section 7, chapter 872, Oregon Laws 1991, section 33, chapter 280, Oregon
28 Laws 1995, section 5, chapter 384, Oregon Laws 1999, section 2, chapter 28, Oregon Laws 2007,
29 section 357, chapter 70, Oregon Laws 2007, and section 4, chapter 264, Oregon Laws 2011, is
30 amended to read:

31 “**Sec. 14.** (1)(a) In order to be eligible to receive assistive telecommunication devices or adaptive
32 equipment, individuals must be certified as deaf, hard of hearing, speech impaired or deaf-blind by
33 a licensed physician, **physician assistant**, nurse practitioner, audiologist, hearing aid specialist,
34 speech-language pathologist, rehabilitation instructor for persons who are blind or vocational reha-
35 bilitation counselor of the Department of Human Services. Certification implies that the individual
36 cannot use the telephone for expressive or receptive communication.

37 “(b) No more than one assistive telecommunication device or adaptive equipment device may be
38 provided to a household. However, two assistive telecommunication devices or adaptive equipment
39 devices may be provided to a household if more than one eligible person permanently resides in the
40 household. Households without any assistive telecommunication devices or adaptive equipment shall
41 be given priority over households with one assistive telecommunication device or adaptive equip-
42 ment device when such devices are distributed.

43 “(c) Sections 9 to 14, chapter 290, Oregon Laws 1987, do not require a telecommunications
44 utility to provide an assistive telecommunication device to any person in violation of ORS 646.730.

45 “(2)(a) In order to be eligible to receive adaptive equipment, individuals must be certified to

1 have the required disability by a person or agency designated by the Public Utility Commission to
2 make such certifications. Certification implies that the individual is unable to use the telephone.

3 “(b) Sections 9 to 14, chapter 290, Oregon Laws 1987, do not require a telecommunications
4 utility to provide adaptive equipment to any person in violation of ORS 646.730.”.

5 In line 44, delete “95” and insert “85”.

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