

**PROPOSED AMENDMENTS TO
SENATE BILL 1548**

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
3 “744.364, 744.367, 746.230”.

4 In line 11, after “750.055” insert “and sections 9 and 14, chapter 290,
5 Oregon Laws 1987”.

6 In line 20, delete “Individual-physician” and insert “Individual-provider”
7 and after “and” insert “a physician,”.

8 On page 2, line 14, delete “individual-physician” and insert “individual-
9 provider”.

10 On page 20, line 9, after “677.505” insert “to”.

11 On page 40, delete lines 23 through 40.

12 In line 41, delete “66” and insert “65”.

13 On page 41, line 4, delete “67” and insert “66”.

14 On page 42, line 1, delete “68” and insert “67”.

15 In line 38, delete “69” and insert “68”.

16 On page 43, line 30, delete “70” and insert “69”.

17 On page 44, line 4, delete “71” and insert “70”.

18 In line 16, delete “72” and insert “71”.

19 In line 34, delete “73” and insert “72”.

20 On page 45, line 30, delete “74” and insert “73”.

21 In line 37, delete “75” and insert “74”.

22 On page 46, line 32, delete “76” and insert “75”.

1 On page 47, line 23, delete “77” and insert “76”.

2 On page 53, delete lines 39 through 45.

3 Delete pages 54 through 60.

4 On page 61, delete lines 1 through 32.

5 In line 33, delete “89” and insert “77”.

6 On page 63, line 35, delete “90” and insert “78”.

7 On page 65, line 5, delete “91” and insert “79”.

8 On page 66, line 5, delete “92” and insert “80”.

9 On page 67, line 3, delete “93” and insert “81”.

10 On page 68, line 1, delete “94” and insert “82”.

11 After line 43, insert:

12 **“SECTION 83.** Section 9, chapter 290, Oregon Laws 1987, as amended by
13 section 2, chapter 872, Oregon Laws 1991, section 32, chapter 280, Oregon
14 Laws 1995, section 2, chapter 451, Oregon Laws 1995, section 1, chapter 384,
15 Oregon Laws 1999, section 1, chapter 28, Oregon Laws 2007, section 353,
16 chapter 70, Oregon Laws 2007, section 2, chapter 78, Oregon Laws 2011, and
17 section 1, chapter 264, Oregon Laws 2011, is amended to read:

18 **“Sec. 9.** As used in sections 9 to 14, chapter 290, Oregon Laws 1987, un-
19 less the context requires otherwise:

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

23 “(2) ‘Applicant’ means a person who applies for an assistive telecommu-
24 nication device, adaptive equipment or a signal device.

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

29 “(4) ‘Audiologist’ means a person who has a master’s or doctoral degree
30 in audiology and a Certificate of Clinical Competence in audiology from the

1 American Speech-Language-Hearing Association.

2 “(5) ‘Deaf’ means a profound hearing loss, as determined by an
3 audiologist, licensed physician, **physician assistant**, nurse practitioner,
4 hearing aid specialist or vocational rehabilitation counselor of the Depart-
5 ment of Human Services, that requires use of an assistive telecommunication
6 device to communicate effectively on the telephone.

7 “(6) ‘Deaf-blind’ means a hearing loss and a visual impairment that re-
8 quire use of an assistive telecommunication device to communicate effec-
9 tively on the telephone. For purposes of this subsection:

10 “(a) A hearing loss must be determined by an audiologist, licensed physi-
11 cian, **physician assistant**, nurse practitioner, hearing aid specialist or vo-
12 cational rehabilitation counselor of the Department of Human Services.

13 “(b) A visual impairment must be determined by a licensed physician,
14 **physician assistant**, nurse practitioner, vocational rehabilitation counselor
15 of the Department of Human Services or rehabilitation instructor for persons
16 who are blind.

17 “(7) ‘Disability’ means a physical condition, as determined by a licensed
18 physician, **physician assistant**, nurse practitioner or vocational rehabili-
19 tation counselor of the Department of Human Services, other than hearing
20 or speech impairment that requires use of adaptive equipment to utilize the
21 telephone.

22 “(8) ‘Hard of hearing’ means a hearing loss, as determined by an
23 audiologist, licensed physician, **physician assistant**, nurse practitioner,
24 hearing aid specialist or vocational rehabilitation counselor of the Depart-
25 ment of Human Services, that requires use of an assistive telecommunication
26 device to communicate effectively on the telephone.

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

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

30 “(11) ‘Physician’ means an applicant’s primary care physician or a medical

1 specialist who is able to determine an applicant's disability and to whom the
2 applicant was referred by the primary care physician.

3 “(12) ‘Physician assistant’ has the meaning given that term in ORS
4 677.495.

5 “[12] (13) ‘Recipient’ means a person who receives adaptive equipment,
6 an assistive telecommunication device or a signal device.

7 “[13] (14) ‘Rehabilitation instructor for persons who are blind’ means
8 an employee of the Commission for the Blind who:

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

11 “(b) Develops individualized training programs; and

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

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

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

21 “[16] (17) ‘Speech-language pathologist’ means a person who has a
22 master’s degree or equivalency in speech-language pathology and a Certif-
23 icate of Clinical Competence issued by the American Speech-Language-
24 Hearing Association.

25 “[17] (18) ‘Telecommunications relay center’ means a facility authorized
26 by the Public Utility Commission to provide telecommunications relay ser-
27 vice.

28 “[18] (19) ‘Telecommunications relay service’ means a telephone trans-
29 mission service that provides the ability for an individual who has a hearing
30 or speech disability to engage in communication by wire or radio with a

1 hearing individual in a manner that is functionally equivalent to the ability
2 of an individual who does not have a hearing or speech disability to com-
3 municate using voice communication services by wire or radio. ‘Telecom-
4 munications relay service’ includes, but is not limited to:

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

8 “(b) Speech-to-speech services; and

9 “(c) Non-English relay services.

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

16 **“Sec. 14.** (1)(a) In order to be eligible to receive assistive telecommuni-
17 cation devices or adaptive equipment, individuals must be certified as deaf,
18 hard of hearing, speech impaired or deaf-blind by a licensed physician, **phy-**
19 **sician assistant**, nurse practitioner, audiologist, hearing aid specialist,
20 speech-language pathologist, rehabilitation instructor for persons who are
21 blind or vocational rehabilitation counselor of the Department of Human
22 Services. Certification implies that the individual cannot use the telephone
23 for expressive or receptive communication.

24 “(b) No more than one assistive telecommunication device or adaptive
25 equipment device may be provided to a household. However, two assistive
26 telecommunication devices or adaptive equipment devices may be provided
27 to a household if more than one eligible person permanently resides in the
28 household. Households without any assistive telecommunication devices or
29 adaptive equipment shall be given priority over households with one assistive
30 telecommunication device or adaptive equipment device when such devices

1 are distributed.

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

5 “(2)(a) In order to be eligible to receive adaptive equipment, individuals
6 must be certified to have the required disability by a person or agency des-
7 ignated by the Public Utility Commission to make such certifications. Cer-
8 tification implies that the individual is unable to use the telephone.

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

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

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