

SENATE AMENDMENTS TO SENATE BILL 449

By COMMITTEE ON HUMAN SERVICES AND EARLY CHILDHOOD

March 30

1 On page 1 of the printed bill, delete lines 5 through 29 and delete pages 2 and 3.

2 On page 4, delete lines 1 through 23 and insert:

3 “**SECTION 1.** ORS 410.740 is amended to read:

4 “410.740. (1) **As used in this section and section 2 of this 2015 Act, ‘deaf-blind’ means**
5 **having severe combined hearing loss and vision loss.**

6 “[*(1)*] (2) The [*Oregon Deaf and Hard-of-Hearing Services Program*] **Office for Deaf, Deaf-Blind**
7 **and Hard of Hearing Services** is created in the Department of Human Services. [*The purpose of the*
8 *program is to assist members of the public and state agencies in making agency programs available*
9 *and accessible to individuals who are deaf or hard of hearing.*]

10 “[*(2)*] *The program may also provide the following:*]

11 “[*(a)*] *Identification and publicity of the needs and concerns of individuals who are deaf or hard*
12 *of hearing as their needs and concerns relate to the full achievement of economic, social, legal and*
13 *political equity.*]

14 “[*(b)*] *Advice to the Department of Human Services, the Governor, the Legislative Assembly and*
15 *appropriate state agency administrators on how state services for individuals who are deaf or hard of*
16 *hearing might be improved or better coordinated to meet the needs of these individuals.*]

17 “[*(c)*] *Information to individuals who are deaf or hard of hearing about where they may obtain as-*
18 *sistance in rehabilitation and employment and about laws prohibiting discrimination in employment as*
19 *a result of disability.*]

20 “[*(d)*] *Cooperation with and assistance to interest groups in rehabilitation and employment of indi-*
21 *viduals who are deaf or hard of hearing and encouragement of public and private employers to*
22 *undertake affirmative action to ensure equitable employment of individuals who are deaf or hard of*
23 *hearing.*]

24 “[*(e)*] *Promotion of a continuous program of information and education to employers and the general*
25 *public to increase awareness of and sensitivity to the needs of individuals who are deaf or hard of*
26 *hearing for equitable education and training that will ensure for these individuals their full vocational*
27 *potential.*]

28 “[*(f)*] *Promotion of a continuous information program for placement of individuals who are deaf or*
29 *hard of hearing in suitable employment.*]

30 “[*(3)(a)*] *The Director of Human Services shall appoint an advisory committee to advise the director*
31 *regarding the program. The director shall consult with the advisory committee regarding the services*
32 *described in this section.*]

33 “[*(b)*] *The director shall appoint to the advisory committee 12 individuals who have experience in*
34 *issues that affect individuals who are deaf or hard of hearing.*]

35 “(3) **The office is under the supervision of a program manager appointed by the Director**

1 of Human Services. The program manager must be fluent in American Sign Language. Sub-
2 ject to the approval of the director, the program manager may organize and reorganize the
3 office as the program manager considers necessary to properly conduct the work of the of-
4 fice. The program manager may contract with entities to perform any functions of the office
5 including, but not limited to, advocacy, peer support counseling and case management.

6 “(4)(a) The director shall appoint a 12-member advisory committee to advise, and to re-
7 view, evaluate and make recommendations to, the director and the office on:

8 “(A) Services that must be provided by the office based on the statewide and community
9 needs assessments described in section 2 of this 2015 Act;

10 “(B) Coordination and delivery of the services to best meet the needs of individuals who
11 are deaf, deaf-blind or hard of hearing;

12 “(C) Contracts entered into by the department for services provided to individuals who
13 are deaf, deaf-blind or hard of hearing; and

14 “(D) Other duties and functions of the office.

15 “(b) The advisory committee must include:

16 “(A) Six members who are deaf, deaf-blind or hard of hearing;

17 “(B) Three members who specialize in providing adaptive or communication services to
18 individuals who are deaf, deaf-blind or hard of hearing; and

19 “(C) Three members who are certified or licensed to practice in the areas of clinical
20 psychology, mental health or rehabilitation counseling.

21 “(c) The office shall provide support to the advisory committee.

22 “(d) The office may consult the members of the advisory committee on the recruitment
23 and retention of personnel who understand the needs and concerns of the deaf, deaf-blind
24 and hard of hearing communities.

25 “(5) The director shall seek out all sources of funds, in addition to General Fund appro-
26 priations, that may be available to support the duties and functions of the office.

27 “SECTION 2. (1) The duties and functions of the Office for Deaf, Deaf-Blind and Hard of
28 Hearing Services created in ORS 410.740 include all of the following:

29 “(a) Employing at least one individual who is proficient in American Sign Language, in
30 order to effectively fulfill the responsibilities of the office.

31 “(b) Conducting statewide and community needs assessments for all geographic regions
32 of this state no less frequently than every five years and no more frequently than every two
33 years. The office shall formally measure and document the results of the needs assessments
34 in order to assess changes over time.

35 “(c) Consulting with applicable offices of the Department of Human Services to promote
36 compliance with the requirements of the Americans with Disabilities Act and section 504 of
37 the Rehabilitation Act of 1973.

38 “(d) Establishing a system for tracking state agency compliance with the requirements
39 of the Americans with Disabilities Act and section 504 of the Rehabilitation Act of 1973 in
40 order to enable:

41 “(A) Employees of the department, and employees of the entities that contract with the
42 department, who are deaf, deaf-blind or hard of hearing to perform the essential functions
43 of their employment; and

44 “(B) Consumers of the department’s services who are deaf, deaf-blind or hard of hearing
45 to access those services.

1 “(e) Advising the department, the Governor, the Legislative Assembly and other state
2 agency administrators on how state services for individuals who are deaf, deaf-blind or hard
3 of hearing may be improved or better coordinated to meet the needs of such individuals.

4 “(f) Advising and training state agencies and other public and private entities on the re-
5 quirements of the Americans with Disabilities Act, section 504 of the Rehabilitation Act of
6 1973 and other laws prohibiting discrimination based on disability.

7 “(g) Collecting and disseminating information and providing technical assistance regard-
8 ing:

9 “(A) The issues and concerns of individuals who are deaf, deaf-blind or hard of hearing;

10 “(B) How individuals who are deaf, deaf-blind or hard of hearing can obtain assistance in
11 rehabilitation and employment; and

12 “(C) Laws that prohibit discrimination in employment based on disability.

13 “(h) Contracting with state agencies to provide services to the agencies’ employees, and
14 to consumers of the agencies’ services, who are deaf, deaf-blind or hard of hearing.

15 “(i) Cooperating with and assisting groups interested in the rehabilitation and employ-
16 ment of individuals who are deaf, deaf-blind or hard of hearing.

17 “(j) Increasing public awareness of and sensitivity to the needs of individuals who are
18 deaf, deaf-blind or hard of hearing.

19 “(k) Encouraging public and private employers to take affirmative steps toward ensuring
20 equal treatment in hiring and employment practices for individuals who are deaf, deaf-blind
21 or hard of hearing.

22 “(L) Providing assistance to individuals who are deaf, deaf-blind or hard of hearing in
23 securing suitable training, employment and the realization of their full vocational potential.

24 “(m) Coordinating deaf, deaf-blind and hard of hearing interpretation services for all
25 state agencies and establishing the rates paid to the interpreters with whom state agencies
26 contract.

27 “(2)(a) The statewide and community needs assessments described in subsection (1)(b)
28 of this section may be conducted by employees of the office, as well as by contracted entities,
29 who have experience in understanding the issues surrounding the deaf, deaf-blind and hard
30 of hearing communities. The office is encouraged to consult with residents in different re-
31 gions of this state who are deaf, deaf-blind and hard of hearing to assess and understand the
32 differing regional needs that may exist.

33 “(b) The statewide and community needs assessments must identify and publicize the
34 needs and concerns of individuals who are deaf, deaf-blind or hard of hearing and must make
35 recommendations for:

36 “(A) Addressing the identified needs and concerns; and

37 “(B) Fully achieving economic, social, legal and political equality for such individuals.

38 “(c) The office shall report the findings and recommendations of the statewide and com-
39 munity needs assessments to the department, the Governor and the Legislative Assembly
40 and may include recommendations for the most efficient and effective manner for state
41 agencies to administer programs and provide services to the deaf, deaf-blind and hard of
42 hearing communities in this state.”.