

A-Engrossed
Senate Bill 1018

Ordered by the Senate April 13
Including Senate Amendments dated April 13

Sponsored by Senators MONNES ANDERSON, HANSELL, Representative HEARD; Senators BOQUIST, BURDICK, DEVLIN, FREDERICK, GELSER, KNOPP, MANNING JR, ROBLAN, TAYLOR, Representatives GOMBERG, NEARMAN, WILLIAMSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Oregon Deaf, Deaf-Blind and Hard of Hearing Program within Department of Human Services. Establishes Oregon Deaf, Deaf-Blind and Hard of Hearing Committee for purpose of [*ad-ministering program.*] **advising department on implementing and administering program.** Specifies components of program and duties of **department and committee.**

Becomes operative January 1, 2018.

Takes effect 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to hearing; creating new provisions; amending ORS 185.110, 185.225 and 185.230; repealing
3 ORS 410.740; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. As used in sections 1 to 3 of this 2017 Act:**

6 (1) **"Deaf" means having severe loss or complete absence of auditory sensitivity, as fur-**
7 **ther defined by the Department of Human Services by rule in accordance with the input of**
8 **the Oregon Deaf, Deaf-Blind and Hard of Hearing Committee established under section 2 of**
9 **this 2017 Act.**

10 (2) **"Deaf-blind" means having a combination of deafness and vision loss, as further de-**
11 **finied by the department by rule in accordance with the input of the committee.**

12 (3) **"Hard of hearing" means having reduced auditory sensitivity, as further defined by**
13 **the department by rule in accordance with the input of the committee.**

14 (4) **"Sign language interpreter" means a person who is readily able to communicate with**
15 **an individual who is deaf, deaf-blind or hard of hearing and who can accurately translate**
16 **statements by, proceedings involving and conversations with individuals who are deaf, deaf-**
17 **blind or hard of hearing.**

18 **SECTION 2. (1) The Oregon Deaf, Deaf-Blind and Hard of Hearing Committee is estab-**
19 **lished within the Department of Human Services.**

20 (2) **The committee consists of 12 members appointed by the Director of Human Services.**

21 (3) **The director shall appoint the members of the committee in accordance with rules**
22 **adopted by the department. In adopting rules under this section, the department shall ensure**
23 **that the following individuals are represented on the committee:**

24 (a) **Individuals who are deaf;**

25 (b) **Individuals who are deaf-blind;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) Individuals who are hard of hearing;

2 (d) Individuals who have experience with adaptive equipment for individuals who are deaf,
3 deaf-blind or hard of hearing;

4 (e) Individuals who are qualified to provide psychological or other mental health services,
5 social services or rehabilitation services; and

6 (f) Other individuals as deemed relevant by the department.

7 (4) The committee shall advise the department on implementing and administering the
8 Oregon Deaf, Deaf-Blind and Hard of Hearing Program established under section 3 of this
9 2017 Act.

10 (5) A majority of the members of the committee constitutes a quorum for the transaction
11 of business.

12 (6) Official action by the committee requires the approval of a majority of the members
13 of the committee.

14 (7) The committee shall elect one of its members to serve as chairperson.

15 (8) The term of office of each member of the committee is four years, but a member
16 serves at the pleasure of the director. Before the expiration of the term of a member, the
17 director shall appoint a successor whose term begins on January 1 of the following year. A
18 member is eligible for reappointment. If there is a vacancy for any cause, the director shall
19 make an appointment to become immediately effective for the unexpired term.

20 (9) The committee shall meet at times and places specified by the call of the chairperson
21 or of a majority of the members of the committee.

22 (10) The committee shall adopt rules necessary for the operation of the committee.

23 (11) Members of the committee are not entitled to compensation, but may be reimbursed
24 for actual and necessary travel and other expenses incurred by them in the performance of
25 their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-
26 penses shall be paid out of funds appropriated to the department for purposes of the com-
27 mittee.

28 (12) The department shall provide staff support and perform other services for the com-
29 mittee as is necessary for the effective operation of the committee.

30 **SECTION 3.** The Oregon Deaf, Deaf-Blind and Hard of Hearing Program is established in
31 the Department of Human Services. The department shall implement and administer the
32 program. As part of the program, the department may:

33 (1) Collect and retain facts, statistics and studies related to individuals who are deaf,
34 deaf-blind or hard of hearing.

35 (2) Review and conduct studies related to the following:

36 (a) The administration and operation of state agency programs intended to provide ser-
37 vices to individuals who are deaf, deaf-blind or hard of hearing;

38 (b) The availability and accessibility of auxiliary aids in public places for individuals who
39 are deaf, deaf-blind or hard of hearing;

40 (c) The development of technology that may be used to aid individuals who are deaf,
41 deaf-blind or hard of hearing;

42 (d) The unemployment and underemployment of individuals who are deaf, deaf-blind or
43 hard of hearing; and

44 (e) Any other matter related to individuals who are deaf, deaf-blind or hard of hearing
45 that the committee deems necessary to study.

1 (3) Act as a bureau of information with respect to facts, statistics and studies collected
2 under subsection (1) of this section and studies conducted under subsection (2) of this section
3 for:

4 (a) Individuals who are deaf, deaf-blind or hard of hearing;

5 (b) State agencies that provide services to individuals who are deaf, deaf-blind or hard
6 of hearing;

7 (c) Local government agencies that provide services to individuals who are deaf, deaf-
8 blind or hard of hearing; and

9 (d) Other public and private agencies that provide services to individuals who are deaf,
10 deaf-blind or hard of hearing.

11 (4) Submit a report, not later than September 15 of each even-numbered year, that
12 summarizes the facts, statistics and studies collected under subsection (1) of this section and
13 the studies conducted under subsection (2) of this section, to the Governor's office, which
14 may include recommendations for administrative action, and to the interim committees of
15 the Legislative Assembly related to human services, which may include recommendations for
16 legislation.

17 (5) Coordinate a statewide sign language interpreter referral service that may be used
18 by governmental entities.

19 (6) Assist state agencies in making state agency programs available and accessible to
20 individuals who are deaf, deaf-blind or hard of hearing.

21 (7) Make the vocational rehabilitation services provided for under ORS 344.511 to 344.690
22 available and accessible to individuals who are deaf, deaf-blind or hard of hearing.

23 (8) Advocate for individuals who are deaf, deaf-blind or hard of hearing in the following
24 areas:

25 (a) Early intervention;

26 (b) Health care;

27 (c) Emergency services;

28 (d) Education;

29 (e) Vocational training;

30 (f) Employment;

31 (g) Public transportation and other public services; and

32 (h) Communication technologies.

33 (9) Develop a long-term plan for the provision of essential services to individuals who are
34 deaf, deaf-blind or hard of hearing that addresses, at a minimum:

35 (a) The needs of particular locations and geographic areas;

36 (b) The needs of personnel providing the services; and

37 (c) Strategies for coordinating the provision of services.

38 **SECTION 4.** ORS 185.225 and 185.230 are added to and made a part of sections 1 to 3 of
39 this 2017 Act.

40 **SECTION 5.** ORS 185.225 is amended to read:

41 185.225. The State Board of Education shall adopt by rule standards for sign language inter-
42 preters for persons in the public schools who are deaf, **deaf-blind** or hard of hearing. In developing
43 the standards, the state board shall consult with the [*advisory committee created under ORS*
44 *410.740*] **Oregon Deaf, Deaf-Blind and Hard of Hearing Committee established under section**
45 **2 of this 2017 Act** and the Director of Human Services.

1 **SECTION 6.** ORS 185.230 is amended to read:

2 185.230. (1) Any public agency may contract with the Department of Human Services for the
3 coordination and provision of sign language interpreter services.

4 (2) From [*funds*] **moneys** available under subsection (1) of this section, the department shall
5 contract with certified sign language interpreters to provide, for a fee established by rule of the
6 department, sign language interpretation services to public agencies with whom the department has
7 a contract for such services.

8 **(3) In entering into contracts with certified sign language interpreters under this section,**
9 **the department shall consult with the Oregon Deaf, Deaf-Blind and Hard of Hearing Com-**
10 **mittee established under section 2 of this 2017 Act.**

11 **SECTION 7.** ORS 185.110 is amended to read:

12 185.110. As used in ORS 185.110 to 185.230, unless the context requires otherwise:

13 (1) “Advocate self-help group” means any organized group of individuals with disabilities who
14 have joined together for purposes of informing the public of their needs and obtaining resources,
15 services and benefits for their membership.

16 (2) “Consumer” means an individual with a disability, or a parent or legal guardian, other than
17 the State of Oregon, of an individual with a disability, who utilizes the services made available by
18 public and private organizations which serve individuals with disabilities.

19 (3) “Individual with a disability” means anyone who:

20 (a) Has a physical or mental impairment which substantially limits one or more of the
21 individual’s major life activities;

22 (b) Has a record of such impairment; or

23 (c) Is regarded as having such an impairment.

24 [(4) “*Sign language interpreter*” means a person who is readily able to communicate with a person
25 who is hard of hearing, translate proceedings or conversations and accurately repeat and translate the
26 statements of a person who is hard of hearing.]

27 **SECTION 8. ORS 410.740 is repealed.**

28 **SECTION 9. Notwithstanding the term of office specified by section 2 of this 2017 Act,**
29 **of the members first appointed to the Oregon Deaf, Deaf-Blind and Hard of Hearing Com-**
30 **mittee:**

31 **(1) Three shall serve for terms ending January 1, 2019.**

32 **(2) Three shall serve for terms ending January 1, 2020.**

33 **(3) Three shall serve for terms ending January 1, 2021.**

34 **(4) Three shall serve for terms ending January 1, 2022.**

35 **SECTION 10.** (1) Sections 1 to 3 of this 2017 Act and the amendments to ORS 185.110,
36 185.225 and 185.230 by sections 5, 6 and 7 of this 2017 Act become operative on January 1,
37 2018.

38 (2) The Director of Human Services may appoint the members of the Oregon Deaf,
39 Deaf-Blind and Hard of Hearing Committee and take any other action before the operative
40 date specified in subsection (1) of this section that is necessary for the effective adminis-
41 tration by the committee of sections 1 to 3 of this 2017 Act and the amendments to ORS
42 185.110, 185.225 and 185.230 by sections 5, 6 and 7 of this 2017 Act.

43 **SECTION 11.** This 2017 Act takes effect on the 91st day after the date on which the 2017
44 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.