**Massachusetts Commission for the Deaf and Hard of Hearing**

**Statewide Advisory Council Meeting**

**600 Washington Street**
**October 15, 2020**

**6:15 – 8:15 pm**

**Meeting Minutes**

**Participants:**
Acting Commissioner Tricia Ford, MCDHH

**SAC Members:**
Kristin Accetta
Evan Brunell
Zinma Camelio
Brock Cordeiro
Michelle Motta Dardeno, Chair
Stephanie Hakulin
Barbara Johnson
Leah McGaughey
Ellen Perkins
Linda Sakin
Kerry Thompson, Vice Chair

**Attendees from Community:**
Carol Agate, HLAA
Brennan Bulger, Bristol County Sheriff’s Office, Canine Officer
Michelle Cline, NAD
David DelPizzo, MCDHH
Rupert Dubler, MCDHH
Karin Eddy, MCDHH
Shana Gibbs, MSAD
Kellynette Gomez
Sehin Mekuria, MCDHH
Josh Mendelsohn, MRC Legal Counsel
Lee Nettles, Advocate
Shannon Silvestri, MCDHH
Ivy Velez, DDS
Aurora Wilber, MCDHH
BJ Wood, MSAD

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| **Agenda Topic** | **Discussion** | **Follow up/Person Responsible** |
| Welcome  | * Communication Procedures
* Introductions
* Review of Agenda
 | Hana will research how multiple “pins” can be used within Zoom. |
| Review of Minutes from September 10, 2020 | * Correction: Brennan Bulger, Bristol County Sheriff’s Office, Canine Officer
 | Approved |
| Chairperson’s Report | * One of tonight’s presentations will include an overview of the SAC membership and roles of SAC members and MCDHH as a state agency.
* Minutes will be shifted in documentation to note to follow up person and action items. This will allow for clearer examples of items to share with community members and necessary action.
* Diversity of membership within SAC; geographical, age, gender, etc.
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| Commissioner’s Report | * Presentations this evening by Karin Eddy, HR Liaison with the MCDHH Organizational chart. Sehin Mekuria, Deputy Commissioner for Accounting and Finance to report on the budget process. Aurora Wilber, Communications and PR. Josh Mendelsohn, Legal Counsel for the difference in actions that community members can accomplish versus the role of MCDHH staff members.
* Currently there is no update on the budget or the status of Commissioner Florio.
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| Presentation: Karin Eddy, HR Liaison | * Staff photos have been included for the staff with recent changes (transfers, new hires or Executive Team.)
* Current vacancies: 1. Communication Access and Community Engagement (CACE) Director: position is currently on hold for a review of the position and evaluation of the MCDHH strategic plan. 2. Western MA Adult Case Manager. Depending on budget implications, MCDHH hopes to post for a full-time Adult Case Manager. Currently, cases are being handled by the Director of Social Services, Kristin Johnson.
* The Referral Department is now fully staffed and led by David DelPizzo as the Referral Supervisor.
* Currently MCDHH has 50 Full-Time Equivalent (FTE) positions. Some staff are part-time which accounts for there being more people on the staff roster than matches the total FTE count.
* HR Liaison is a member of the Executive Team as follows within the EHS structure and change to more centralized services.
* General Counsel Molly Karp and Deputy General Counsel Josh Mendelsohn work for the Mass. Rehab Commission (MRC) and consult with MCDHH.
* Potentially two or three retirements are expected during 2021.
* Hiring process includes creating a vlog and linking that vlog to the MassCareers posting. Job postings are sent to community members, SAC and posted to Facebook and LinkedIn. MCDHH also works with the Talents Acquisition team under EHS to recruit and expand the pool of applicants. A paid placement is with deafjobwizard.com (nationwide.)
* Over the summer, MCDHH and EHS staff were involved in diversity trainings on race and racism by [Christian Bijoux](http://www.bijouxconsultinggroup.com/christian-bijoux). Ongoing efforts include a book group called “Turning the Page” which will train staff members to create a similar book group within their own agency. Diversity trainings are a priority area for both EHS and MCDHH. MCDHH has begun an internal Diversity Workgroup which finalize plans for ASL presenters to present in many staff members’ first language. MCDHH is also working to collect data for direct services, DHILS and Case Management, to find gaps and areas of underserved populations.
 | Presentation is attached.SAC members are requested to share MCDHH job postings with their community groups.SAC should share with MCDHH other posting sites for recruitment efforts.An additional presentation on diversity and data collection could be added for future meetings if SAC members would like. Karin and Tricia will check with EHS If SAC members would be allowed to join diversity trainings.2020 Census closes on Oct. 15. |
| Presentation: Sehin Mekuria, Deputy Commissioner Account and Finance | * Maintenance plan includes information from MCDHH Program Departments (ie Interpreter Dept. and Case Management) on their programmatic budget needs.
* Each (typical) budget year includes 9 stages in the process. Stage 1: Governor House Budget (either H.1 or H.2.) 2. House Ways and Means (HWM) review of H.1/H.2. 3. Commissioner testimony to HWM. 4. Public hearings. 5. House releases budget and agencies share the information with community members. 6. Senate Ways and Means (SWM) review HWM budget and propose their own budget. 7. Senate debates. 8. Senate and House through a joint committee meet and discuss the budget; an agreed upon budget is submitted to the Governor. 9. Governor reviews Joint Ways and Means submission for approval or veto.
* COVID stopped the budget process for FY21 at stage 2 (see above.) Agencies have been working without a budget since July 2020.
* Governor originally proposed a $316,000 increase to MCDHH’s budget for the purpose of Workforce Development for interpreters and CART providers. There is hope this funding will be passed through the House and Senate budgets.
* MCDHH operating fund supports payroll and programs (including DHILS.)
* MCDHH revenue from Interpreter Services is received from state agencies securing interpreters through the MCDHH Referral Dept. The MCDHH Trust Fund is funded through non-public entities using MCDHH Referral services. Both revenue streams are reinvested for Interpreter Services.
 | Information sheet attached.Budget was released for FY21 on Oct. 14th. MCDHH will be creating a vlog for community members. If SAC or community members identify areas of concern or priority areas, they can work with legislators and advocate accordingly. |
| Presentation: Aurora Wilber, Communications and Media Outreach | * Communication Liaison duties vary based on the size of the agency. MCDHH roles include social media, agency announcements, reporter inquiries, correspondence, etc.
* Vlog production is under the responsibility of the agency producing the message. Department of Public Health has been releasing information on COVID, flu, EEE, etc. Department of Mental Health is responsible for messaging on behavioral and mental health. MassHealth provides information on benefits, eligibility, applying for benefits, etc. Agencies are working to build internal capacity for access to all constituents. The budget for vlog production comes from each agency’s operating budget.
* MCDHH is working to build capacity for vlog production. There is currently one vendor within the state system. MCDHH will be releasing a Request for Response (RFR) to increase the number of vendors available to state agencies.
* All state messaging must be signed, voiced, captioned and with a transcript.
* MCDHH is working to assist the Secretary of State’s office for accessible voting information.
* MCDHH worked with DPH for the CDC ASL COVID information to be a resource on their webpage. The City of Boston and Mayor’s office also shared ASL resources on their page.
 | The RFR will be released and distributed to SAC members, community members and posted to Facebook.  |
| Presentation: Josh Mendelsohn, Role of MCDHH and SAC | * Open Meeting Law (OML) will be covered at a later date.
* Conflict of Interest (COI) for SAC members: SAC members are considered special state employees. While SAC members are uncompensated for their service on the SAC; they are appointed by the Governor and as such must comply to the COI law. Due to financial interest and possible conflict, SAC members must disclose their participation on the council for any MCDHH contracts; an exemption may be possible. Gifts, bribes and other examples of misusing one’s SAC position would also be a COI.
* Since SAC members are not staff of MCDHH, SAC members can lobby and advocate for community interests and specific legislation to Representatives and Senators.
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| Next SAC Meeting | * November 12, 2020. Agenda will include the continuation of Josh’s presentation and a presentation by Victim Services Program, Shannon Silvestri.
* SAC “Bills of Interest” are at the end of these minutes.
 | Any interested community members wanting SAC information can request to join the distribution list. Please email: ami.hanigan@mass.gov.SAC members with requests for additions to the future agendas should share these additions with ami.hanigan@mass.gov. |

**Legislation of Interest to the Constituents of**

**the**

**Statewide Advisory Council**

**to the**

**Massachusetts Commission for the Deaf and Hard of Hearing**

**191st General Court (2019-2020)**

***Updated 10/14/2020***

27 Bills currently tracking

* **S.198: Licensure of interpreters and oral transliterators** (Senator James Welch)

<https://malegislature.gov/Bills/191/S198>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure

***Latest Activity: On 2/13/2020 the bill accompanied a study order, see S.2534***

Purpose: Requires all interpreters and oral transliterators serving the Deaf to be licensed by MCDHH

* **S.197: Protects consumers of sign language and oral interpretation** (Senator James Welch)

<https://malegislature.gov/Bills/191/S197>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure
 ***Latest Activity: On 5/7/2020 the bill was reported favorably by the Joint Committee on Consumer Protection and Professional Licensure and referred to the Senate Committee on Ways and Means.***

Purpose: Clarifies the definition of “qualified interpreter”

* **S.305: Language Readiness for Deaf and Hard of Hearing Children entering Kindergarten** (Senator Eric Lesser)

<https://malegislature.gov/Bills/191/S305> Status: Referred to the Joint Committee on Education

***Latest Activity: On 2/18/2020 the bill accompanied a study order, see S.2538***

Purpose: Requires the Department of Public Health and Department of Elementary and Secondary Education to establish language development milestones for Deaf and hard of hearing children from birth to age 5, provide parents with resources and track development data

* **H.3550: Readiness for Deaf and Hard of Hearing Children entering Kindergarten** (Representative Brian Ashe)

<https://malegislature.gov/Bills/191/H3550>

Status: Referred to the Joint Committee on Education

***Latest Activity: On 7/12/2019 a public hearing was scheduled for 07/23/2019 from 10:00 AM-5:00 PM in Gardner Auditorium***

Purpose: Requires the Department of Public Health and Department of Elementary and Secondary Education to establish language development milestones for Deaf and hard of hearing children from birth to age 5, provide parents with resources and track development data

* **S.1824: Removing the term hearing impaired from the General Laws** (Senator Cynthia Stone Creem)

<https://malegislature.gov/Bills/191/S1824>

Status: Referred favorably to the ***Senate Committee on Rules***

***Latest Activity: On 01/06/2020 the bill was reported favorably by committee and referred to the committee on Senate Rules***

Purpose: Would replace the term “hearing impaired” with “deaf or hard of hearing” in the General Laws

* **S.597: Providing coverage for hearing aids** (Senator Adam Hinds)

<https://malegislature.gov/Bills/191/S597>

Status: Referred to the Joint Committee on Financial Services

***Latest Activity: On 2/18/2020 the bill accompanied a study order, see S.2543***

Purpose: Coverage for the cost of 1 hearing aid per hearing-impaired ear up to $500 and 80 percent coverage of the next $1,500 for each hearing aid, every 36 months

* **S.1738: Tax credit for the purchase of hearing aids** (Senator Patrick O’Connor)

<https://malegislature.gov/Bills/191/S1738>

Status: Referred to the Joint Committee on Revenue
 ***Latest Activity: On 2/27/2020 the bill was reported favorably by committee and referred to the committee on House Ways and Means***

Purpose: Up to $1500 in tax credits for the purchase of hearing aids by people aged 55 or above. Allowed once every four years

* **S.1643: Tax abatement for Deaf residents** (Senator Diana DiZoglio)

<https://malegislature.gov/Bills/191/S1643>

Status: Referred to the Joint Committee on Revenue
 ***Latest Activity: On 2/20/2020 the bill accompanied a study order, see S.2549***

Purpose: Allows a tax abatement for Deaf homeowners

* **S.540: Providing coverage for hearing aids for persons with sensory impairedness** (Senator Joseph Boncore\*)

<https://malegislature.gov/Bills/191/S540>

Status: Referred to the Joint Committee on Financial Services

***Latest Activity: On 2/18/2020 the bill accompanied a study order, see S.2543***

Purpose: Coverage for the cost of 1 hearing aid per hearing-impaired ear up to $500 and 80 percent coverage of the next $1,500 for each hearing aid, every 24 months. Would apply to people covered under the Group Insurance Commission who are also blind or have a severe vision loss

* **S.683: Medicare for all in Massachusetts** (Senator James Eldridge)

<https://malegislature.gov/Bills/191/S683>

Status: Referred to the Joint Committee on Health Care Financing
 ***Latest Activity: On 7/23/2020 the Senate Ought NOT to pass (under Joint Rule 10) and placed in the Orders of the Day for the next session***
Purpose: Would require the coverage of hearing aids, also called single payer

* **H.1194: Medicare for all in Massachusetts** Representatives Lindsay Sabadosa & Denise Garlick)

<https://malegislature.gov/Bills/191/H1194>

Status: Referred to the Joint Committee on Health Care Financing

***Latest Activity: On 6/22/2020 the House - Reporting date extended to Thursday December 31, 2020, pending concurrence***
Purpose: Would require the coverage of hearing aids, also called single payer

* **H.276: Increased access to hearing aids** (Representative James Kelcourse)

<https://malegislature.gov/Bills/191/H276>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure

***Latest Activity: On 01/21/2020 the bill accompanied a new draft, see H.4298***

Purpose: Preventing or regulating financial interest in hearing aid companies by physician prescribing hearing aids; requiring full disclosure of fees for hearing aids and associated services Allows ENTs to dispense hearing aids

* **H.236: Increased access to hearing aids** (Representative Carole Fiola)

<https://malegislature.gov/Bills/191/H236>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure

***Latest Activity: On 01/21/2020 the bill accompanied a new draft, see H.4298***
Purpose: Preventing or regulating financial interest in hearing aid companies by physician prescribing hearing aids; requiring full disclosure of fees for hearing aids and associated services Allows ENTs to dispense hearing aids

* **S.151: Increased access to hearing aids** (Senator Adam Hinds)

<https://malegislature.gov/Bills/191/S151>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure

***Latest Activity: On 01/21/2020 the bill accompanied a new draft, see H.4298***

Purpose: Preventing or regulating financial interest in hearing aid companies by physician prescribing hearing aids; requiring full disclosure of fees for hearing aids and associated services Allows ENTs to dispense hearing aids

* **S.139: Increased access to hearing aids** (Senator Diana DiZoglio)

<https://malegislaturegov/Bills/191/S139>

Status: Referred to the Joint Committee on Consumer Protection and Professional Licensure

***Latest Activity: On 01/21/2020 the bill accompanied a new draft, see H.4298***

Purpose: Preventing or regulating financial interest in hearing aid companies by physician prescribing hearing aids; requiring full disclosure of fees for hearing aids and associated services Allows ENTs to dispense hearing aids

* **H.142: Creating a means for tracking the unmet need of individuals with developmental disabilities in Massachusetts** (Representative Jason Lewis)

<https://malegislature.gov/Bills/191/H142>

Status: Referred to the Joint Committee on Children, Families, and Persons with Disabilities
Latest Activity***: On 03/05/2020 the bill accompanied a new draft, see H.4496***

Purpose: Establishing a central electronic database using data from MCDHH among others This database would track the unmet service needs of individuals with developmental disabilities in MA

* **H.2855: Providing hearing and visual aids to deaf and blind viewers** (Representative Ann-Margaret Ferrante)

<https://malegislature.gov/Bills/191/H2855>

Status: Referred to the Joint Committee on Telecommunications, Utilities and Energy

***Latest Activity: On 2/10/2020 the bill accompanied a study order, see H.4405***

Purpose: Would require community antenna television stations to provide captions for the Deaf and narration for the blind

* **H.1487: Prohibiting discrimination against adults with disabilities in family and juvenile court proceedings** (Representative Kay Khan)

<https://malegislature.gov/Bills/191/H1487>

Status: Referred to the Joint Committee on the Judiciary

***Latest Activity: On 10/01/2020 the Senate concurred with the House reporting date extended to Thursday, November 12, 2020.***

Purpose: Prohibiting discrimination on the basis of disability in family/juvenile court proceedings, absent a specific written finding

* **S.983: Prohibiting discrimination against adults with disabilities in family and juvenile court proceedings** (SenatorJoan Lovely)

<https://malegislature.gov/Bills/191/S983>

Status: Referred to the Joint Committee on the Judiciary
 ***Latest Activity: On 09/28/2020 – Senate – Reporting date extended to Thursday, November 12, 2020, pending concurrence***

Purpose: Prohibiting discrimination on the basis of disability in family/juvenile court proceedings, absent a specific written finding

* **H.2057: American Sign Language Training** (Representative Shawn Dooley)

<https://malegislature.gov/Bills/191/H2057>

Status: Referred to the Joint Committee on Public Safety and Homeland Security

***Latest Activity: On 02/24/2020 the bill was reported favorably by committee and referred to the committee on House Ways and Means***

Purpose: Establishment of training and on-going education courses that allow for basic understanding of American Sign Language by all levels of fire service personnel

* **H.2954: Providing improved access to taxicabs for persons with disabilities** (Representative Bruce Ayers)

<https://malegislature.gov/Bills/191/H2954>

Status: Referred to the Joint Committee on Transportation

***Latest Activity: On 02/18/2020 the bill was reported favorably by committee and referred to the committee on House Ways and Means***

Purpose: Requiring accessible taxicabs to include an assistive listening system if an intercom, video, or audio system is installed

* **S.1810: An Act relative to employment of persons with disabilities on state contracts** (SenatorNick Collins)

<https://malegislature.gov/Bills/191/S1810>

Status: Referred to the Senate Committee on Ways and Means

***Latest Activity: On 12/04/2019 the bill accompanied by H.2671 & Bill reported favorably by committee and referred to the committee on Senate Ways and Means***
Purpose: Would require that companies receiving state contracts employ at least 10% of people with disabilities on that contract

* **H.929: An Act requiring reimbursement for the costs of providing competent interpreter services** (SenatorGerard Cassidy)

<https://malegislature.gov/Bills/191/H929>

Status: Referred to the Joint Committee on Financial Services
 ***Latest Activity: On 09/30/2019 a public hearing was scheduled for 10/08/2019 from 11:00 AM-4:00 PM in Gardner Auditorium***
Purpose: Would require that the costs of providing competent interpreter services through sign and spoken languages by licensed facilities shall be recognized and separately reimbursed by the division and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third party contractors under contract to a division managed care organization or primary care clinician program.

* **S.922: An Act relative to juvenile violence** (Senator Diana DiZoglio\*)

<https://malegislature.gov/Bills/191/S922>

Status: Referred to the Joint Committee on the Judiciary

***Latest Activity: On 02/03/2020 the bill accompanied a study order, see S.2496***

Purpose: In part, it would “In the case of a blind or deaf/blind or a student with developmental and communication challenges, they shall have one free pull on the door to indicate that the door to the lavatory stall is either in use or not. If the aforementioned developmentally, or blind, or deaf/blind or communication disabled student pulls the door and finds that he/she cannot open the lavatory stall, said lavatory stall shall be presumed to be ‘occupied,’ by another student or person and that said challenged student must go to his/her care staff, who shall in turn, depending on the urgency of the challenged student needing a lavatory, allow for the challenged student to use their designated lavatory, so long as both the student and the caretaker is of the same gender.”

* **H.2671: An Act relative to the employment of persons with disabilities on state contracts** (RepresentativeDavid Biele & Representative Daniel Hunt)

<https://malegislature.gov/Bills/191/H2671>

Status: Referred to the Joint Committee on State Administration and Regulatory Oversight
 ***Latest Activity: On 12/4/2019 the bill accompanied S.1810***

Purpose: Would require that companies receiving state contracts employ at least 10% of people with disabilities on that contract

* **H.4298: Increased access to hearing aids** (Joint Committee on Consumer Protection and Professional Licensure) New draft of S.139, S.151, H.236 and H.276

<https://malegislature.gov/Bills/191/H4298>
Status: Referred to the Joint Committee on Health Care Financing
 ***Latest Activity: On 08/20/2020 the House - Ought NOT to pass (under Joint Rule 10) and placed in the Orders of the Day for the next sitting, the question being on acceptance & ordered to a third reading***
Purpose: Preventing or regulating financial interest in hearing aid companies by physician prescribing hearing aids; requiring full disclosure of fees for hearing aids and associated services Allows ENTs to dispense hearing aids

* **H.4496: An Act establishing a permanent Commission on the Status of Persons with Disabilities** (Joint Committee on Children, Families, and Persons with Disabilities) New draft of H88, H100, H142, H161 and H3752

<https://malegislature.gov/Bills/191/H4496>

Status: Referred to the Joint Committee on Children, Families, and Persons with Disabilities
Latest Activity***: On 03/05/2020 bill reported favorably by committee and referred to the committee on House Ways and Means***

Purpose: Creating a new permanent Commission on the Status of Persons with Disabilities

Editor’s note: H: stands for the House and S: for the Senate

These bills were found on www.malegislature.gov using the following keywords: deaf, sign language/ASL, cochlear (none), amplifier/amplified (none), caption/captions/captioning, interpreter/interpreting, assistive/assisted listening/device, hearing aid(s), late deafened, deaf blind, deafblind (none), and hard of hearing

In parentheses ( ) is the bill’s sponsor. \* denotes that the presenter is not a sponsor of this legislation

For more information or to share your perspective about a bill of interest, please follow up and contact your legislator and/or the sponsor of the bill Contact information can be found at www.malegislature.gov

For more information on the process of how bills are filed and then become law:

<https://malegislature.gov/Content/Documents/HowAnIdeaBecomesLaw/HowAnIdeaBecomesLaw.pdf>

*Many thanks go to the Statewide Advisory Council which meets to discuss the nature of these bills, State House Day and other initiatives as set forth by MCDHH and related collaborations. For information, please contact Chairperson Betsy Ireland at* *bookwormcu@gmail.com**.*