

Approved November 19<sup>th</sup>, 2021

**Nebraska Commission for the Deaf and Hard of Hearing  
Full Commission Board Meeting  
Country Inn & Suites, 5353 N 27<sup>th</sup> ST, Lincoln, NE**

**October 22<sup>nd</sup>, 2021, Meeting Minutes**

**A. Opening**

Chairperson Candice Arteaga started the meeting of the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) full commission board meeting on October 22<sup>nd</sup>, 2021, 8:33 am at the Country Inn & Suites, 5353 N. 27<sup>th</sup> Street, Lincoln, Nebraska.

**B. Notice of Open Meeting**

Chairperson Candice Arteaga announced that the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared in the October 21, 2021, edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act. The agenda was kept current in the Nebraska Commission for the Deaf and Hard of Hearing's office and on the NCDHH website. The materials generally used by the Board for this meeting today are on the table in a public folder that is available to the general public for the purpose of this meeting in accordance with the Open Meetings Act {Neb. Rev. Stat. §84-1412 (8)}. A copy of the Open Meetings Act is available for the duration of the meeting.

**C. Roll Call**

For the record, Board Members Ms. Candice Arteaga, Mr. Robert Feit, Mr. Jeremy Fitzpatrick, Ms. Valerie Hitz, Ms. Diane Schutt, and Dr. Josh Sevier were all present. Ms. Frances Beurivage, Mr. Jonathan Scherling and Ms. Sandra Shaw were absent for roll call. NCDHH Staff members present were Mr. John Wyvill, Executive Director; Kelsey Cruz, Public Information Officer; and Sharon Sinkler, Interpreter Program Coordinator. Sign Language Interpreters present were Ms. Lorelei Waldron and Ms. Amber Tucker. Ms. Margaret "Mydge" Heaney with Inclusive Communication Access Nebraska provided CART services.

**D. Review of Agenda**

Executive Director John Wyvill reviewed the agenda with the Board Members.

**E. Acceptance of Agenda**

Ms. Diane Schutt moved to accept the agenda as written. Dr. Josh Sevier seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Mr. Fitzpatrick, Ms. Hitz, Ms. Schutt, Dr. Sevier all voting aye. Mr. Scherling and Ms. Shaw were absent.

**F. Acceptance of Minutes**

Mr. Bob Feit moved to accept September 10<sup>th</sup>, 2021, minutes. Ms. Diane Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Mr. Fitzpatrick, Ms. Hitz, Ms. Schutt, Dr. Sevier all voting aye. Mr. Scherling and Ms. Shaw were absent.

### **G. Chairperson of the Board Report**

Mr. Bob Feit made a motion to move into closed session for John Wyvill's performance evaluation. Dr. Josh Sevier seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beaurivage, Mr. Fitzpatrick, Ms. Hitz, Ms. Schutt, Dr. Sevier all voting aye. Mr. Scherling and Ms. Shaw were absent.

NCDHH Board entered closed session at 8:42 a.m. The proceedings were captioned but not transcribed.

The NCDHH Board came back to open session at 10:13 a.m. The board made no motions or recommendations. The board then took a 15 minute break.

### **H. Strategic Planning Working Session (Serenity Kinney)**

Serenity Kinney, Department of Administrative Services Human Resources – Shared Services Administrator, led the board through a discussion of what mission, vision, goals and objectives are. She shared the proposed mission, vision, goals and objectives that incorporated feedback previously gathered. There was discussion around the proposed mission, vision and goals and they were finalized to the following:

#### *Mission Statement*

We advocate to create opportunities by raising awareness through collaboration.

#### *Vision Statement*

Access for all.

#### *Goals*

1. Empower through training and provide services to create awareness.
2. Collaborate with stakeholders to implement and maintain programs.
3. Promote awareness through the collection and distribution of information.
4. Ensure access to health care.
5. Ensure access to effective and quality interpreting.
6. Education and promote awareness of deaf culture.

Mr. Jeremy Fitzpatrick made a motion that the mission and vision statement in the about section of the NCDHH website be revised to reflect the language and changes that the board discussed. Mr. Bob Feit seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beaurivage, Mr. Fitzpatrick, Ms. Hitz, Ms. Schutt, Dr. Sevier all voting aye. Mr. Scherling and Ms. Shaw were absent.

The board asked to have another special meeting to work on the objectives.

### **I. Public Comments**

There were no public comments.

## **J. Old Business**

Sharon Sinkler, Interpreter Coordinator, gave an update on the feedback received from the community on the changes that the Board wants to make on the website effective January 1<sup>st</sup>, 2022, regarding removing interpreter contact information. Ms. Sinkler shared that there was only one comment in opposition and several letters from different agencies that are in support of the change. There will be more reminders sent out in December about the upcoming changes. Ms. Arteaga asked about guidelines as to what will be considered a referral business. Ms. Sinkler explained that there have been internal discussions about this issue and that the Interpreter Issues Committee will most likely be defining the guidelines.

Mr. Wyvill shared that the Interpreter Issues Committee will also be addressing the specific question that was brought up by the board regarding the procedure if we have a founded complaint that is acted on by the board and whether the board refers that complaint to RID or any other applicable licensure agency. Another issue that will go to the Committee is that we will be submitting a document to be consistent with other agencies if there's an unfounded or frivolous complaint that does not have merit, we would give the IRB board chair and vice-chair the authority to dismiss that complaint before it goes to IRB and before it comes to the full board. The right of appeal would be preserved so that they can petition the full board for reinstatement if desired. This is consistent with licensure complaint procedures for Health and Human Services.

Mr. Wyvill gave a legislative update. He shared that the application for American Rescue Plan funds has been challenging as it is unchartered water for the Governor's office, the Budget office and the Appropriations Committee. NCDHH testified in person about how to use the rescue funds and followed up with dollar amounts and additional conversation. The Governor's office is choosing to spend the money according to a plan that will be submitted at the start of the legislative session and the Appropriations Committee is waiting for guidance from the Governor's office and the Budget office to say how that formal request will come. If money is appropriated to NCDHH, there are restrictions around it so the issue of spending authority and also authorization legislatively to spend that money will also have to be addressed.

Mr. Wyvill shared that the Commissioner of Education wants to meet to discuss NCDHH requests for funding as it is related to the Department of Education. We are asking for funding for deaf and hard of hearing students to bolster educational interpreter training, to create a fund for interpreter services in the community for equipment and also for services for students from grades 1 through 12.

For the funding request related to the Nebraska Public Service Commission, Mr. Wyvill shared that NCDHH is advocating for an app that has been used in South Dakota that can call up a sign language interpreter if the user is in a situation where they need help facilitating communication. This could be a bridge solution until broadband internet access is built up throughout the State of Nebraska. NCDHH is asking that the PSC handle those funds and administer similarly to the relay service.

One other item we are looking at is a rural relief fund that would help provide interpreters in rural areas. Howard Rosenblum, NAD CEO, is advocating for a community relief fund for interpreters

specifically for legal and medical settings. Mr. Wyvill commented that the entire American Relief Plan funds appropriation process is very fluid and will happen very fast.

Another legislative topic that NCDHH is working on is proposed legislation related to communication access in the medical setting. If you're admitted into a hospital, you need a written communication plan in place in order to ensure effective communication based on our conversations with the Department of Health. From a licensure perspective, if there's no documentation or written plan in place, DHHS can't hold the hospitals accountable should someone file a complaint. As a result of that information, we have a meeting set with the state medical director and the head of the judiciary committee to see where we're going with that particular item.

The other item related to our legislation is the two items we have for captioning. Jonathan Scherling is asking us to consider legislation from the state of Washington that requires in public areas TV captioning be turned on in the bar areas, and then the other one for state elected officers to have captioning in all videos and campaign ads for elected office. For both of these, NCDHH has had communications with the ACLU, Disability Rights Nebraska and the Accountability and Disclosure Commission and all seem very receptive of the legislation. We have not identified sponsors and hope to have that information in December.

#### **K. New Business**

A Doodle poll will be sent out to set the next meeting date for a special meeting to work on NCDHH strategic objectives. It was mentioned that a meeting in Omaha would be beneficial to meet the Omaha staff. Mr. Wyvill updated the board that possibly there will be an out of town meeting in June or September 2022 in North Platte if the budget allows and a March meeting in Omaha could also be setup if desired. The staff could also travel to Lincoln if you want to meet them.

#### **L. Adjourn**

Ms. Frances Beurivage moved to adjourn at 11:43 a.m. Ms. Valerie Hitz seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Mr. Fitzpatrick, Ms. Hitz, Ms. Schutt, Dr. Sevier all voting aye. Mr. Scherling and Ms. Shaw were absent.

#### **Next Meeting Dates**

- Special meeting TBD by Doodle Poll
- December 10, 2021 – Country Inn and Suites, 5353 N. 27<sup>th</sup>, Lincoln, Nebraska