

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Meeting – June 13, 2014 – Approved 8/29/2014
ESU #13, 4215 Avenue I, Scottsbluff, NE
8:30 a.m. to 3:00 p.m. (MT)**

Chairperson Manning called the meeting to order at 8:30 a.m.

B. Roll Call

Members present were Mr. Michael Brummer, Mr. Dillard W. Delts, Ms. Regina Frerichs, Dr. Carol Lomicky, Mr. Steven Manning and Ms. Margie Propp. Members absent were Mr. John Hogue, Dr. Jan Moore and Ms. Diane Muelleman. Staff members present were Mr. John Wyvill, Executive Director, Ms. Lori Burrage, Business Manager, Ms. Peggy Williams, Mental Health Specialist, Mr. Ben Sparks, Interpreter Program Assistant, Ms. Heather Pucket, Field Representative and Ms. Kelsey McGerr, Public Information Officer. Interpreter was Ms. Sharon Sinkler.

D. Acceptance of Agenda

Mr. Manning asked for acceptance of the agenda. **Mr. Delts made a motion to move F.1., Executive Director Performance Review and F.2., LR 517 after Old Business, and add a discussion of the town hall meeting, hearing aid tax credit bill and the equipment distribution program under Old Business. Mr. Brummer seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

E. Acceptance of Minutes

a. Full Commission Meeting – March 14, 2014

Mr. Manning asked for acceptance of the March 14, 2014 minutes. **Dr. Lomicky made a motion to accept the minutes as presented. Mr. Delts seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

H. Executive Director's Report

1. Director's Written Report

Mr. Wyvill asked for questions. Dr. Lomicky asked for an update on the loop demo at Ameritrade. Mr. Wyvill responded it was successful as reported by Ms. Beth Ellsworth. Mr. Delts questioned why it was not advertised for the public to attend. Mr. Wyvill responded Ms. Muelleman requested a private showing for the Hearing Loss Association of America (HLAA) group. Mr. Delts stated the Commission should be not be involved in private events that do not serve the public and all future events supported by the Commission are to be open to the public. Discussion was held.

Ms. Propp stated there are several references about training for enhancing the work environment and asked for clarification. Mr. Wyvill responded, speaking in general terms, there are events that require intervention from the management level to help facilitate the work environment. Discussion was held.

Mr. Wyvill reported there is an event planned for July 8th with the Nebraska Association of the Deaf (NeAD) and the Lincoln Saltdogs. The Commission will have an information booth, NeAD President Jonathan Scherling will have a signed welcome message, there will be a silent inning and during the seventh inning a group of Deaf

individuals will sign "Take Me Out to the Ballgame". A portion of the ticket sales will be donated to NeAD.

2. Proposed Budget for FY 14-15

Ms. Propp made a motion to approve the proposed budget for F14-15.

Mr. Delts seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

Mr. Wyvill reported that the exact amount of carryover funds will not be known until after June 30th. A complete list of proposed ideas will be presented to the Board for review and consideration at that time. Dr. Lomicky suggested providing interpreter training in Western Nebraska based on the comments at the town hall meeting. Mr. Wyvill stated there is a state statute that requires that we charge a fee when providing training. Discussion was held.

3. Proposed Marketing/Promotional Items

Mr. Wyvill stated this was for informational purposes only. Ms. Propp and Dr. Lomicky requested to continue purchasing pens with a stylus. Mr. Delts suggested looking at various vendors to compare prices. Mr. Brummer recommended keeping the ear plugs and include a card about noise exposure with the ear plugs.

4. Preliminary Biennial Budget Request FY 15 – 17

Mr. Wyvill reported that this was a preliminary budget, the final budget will be presented for a vote on August 29, 2014. Additional funding is being requested for a Field Representative and office space in Scottsbluff, to expand the part time Field Representative in the Tri-City area to full time and to supplement the base budget operating and travel expenses. **Mr. Delts made a motion to accept the preliminary biennial budget request for FY 15-17. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

5. National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH) Membership Dues

Mr. Wyvill requested approval to pay the dues to become a member of NASADHH which will meet prior to the National Association of the Deaf (NAD) conference in Atlanta, Georgia. **Mr. Delts made a motion to approve payment of the membership dues to NASADHH. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

6. Mental Health Advisory Committee Bylaws and Procedures

Ms. Williams requested approval for two changes to the bylaws. When a member's term expires, they can continue to serve until their replacement is found and to remove the quorum requirements. Dr. Lomicky asked if the committee could have one meeting a year in outstate Nebraska. Ms. Williams will propose that to the committee. **Mr. Delts made a motion to approve the bylaws and procedures of the Mental Health Advisory Committee including changing the rule requiring a quorum for the meetings and allowing a committee member to continue serving until that position is filled. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

Audience Comments

Mr. Jerry Wilson stated they do not have enough interpreters in Scottsbluff. He wants to be able to show up and know there will be an interpreter.

Ms. Propp responded that she talked with several interpreters last night. Only one has a license and that is a temporary license. The interpreters are concerned about the cost of becoming certified and licensed. The Commission can provide training at a cost to them and there is also training available in Denver and Cheyenne. It is up to the interpreters to make the effort to find the training and become certified. They also know they can get work without becoming certified or licensed. Mr. Brummer and Mr. Delts agreed. Ms. Williams stated while spending the week in Scottsbluff she heard many concerns about the ethics and confidentiality of the interpreters in Scottsbluff. Educational interpreters are following the students out into the community and interpreting for medical and counseling appointments that they are not qualified to do. Currently there is a critical situation going on with the police department. They needed communication so they did not care if they had a licensed interpreter or not. After Ms. Williams explained the law and consequences of not using a licensed interpreter, the police department appeared to have a better understanding. The only licensed interpreter in Scottsbluff is a QAST 3, the Commission recommends a QAST 4 or 5 or RID certified interpreter for police, mental health and medical situations. Ms. Williams discussed the option of Video Remote Interpreting (VRI) and possibly setting up a centralized VRI setting and having the agencies to split the cost. Mr. Delts stated if there are agencies breaking the law, the Commission or Disability Rights Nebraska should be taking action against them. Discussion was held.

7. Annual Travel Policy

Mr. Delts made a motion to accept the annual travel policy for FY 14-15. Dr. Lomicky seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

8. Executive Director Leave Policy

Ms. Propp made a motion to accept the Executive Director leave policy for FY 14-15. Mr. Brummer seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

9. Executive Director Work Related Travel and Expenses

Mr. Delts made a motion to accept the Executive Director work related travel and expenses policy for FY 14-15. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

10. NCDHH Billing Practices for Staff Interpreters

Mr. Wyvill reported the Board is required to review the staff interpreter billing practices every two years. Ms. Burrage reported the current rates and cancellation policy are not in line with most private practice interpreters and the Commission does not want to compete with them. The after-hours information is also incorrect. Discussion was held. **Ms. Propp made a motion to increase the rates by \$10.00 per hour, change the 48 hour cancellation policy to 24 hours and change the after-hours to read 5:00 p.m. to 8:00 a.m. including weekends and holidays. Mr. Brummer seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

11. Interpreter Review Board (IRB) Application

Mr. Wyvill reported on the IRB application from Mr. Patrick Bracken who works at Vocational Rehabilitation as a program director. Ms. Propp stated he would be a good representative, he has shown a genuine interest in the Deaf community and the interpreting field. **Mr. Brummer made a motion to approve the application to the Interpreter Review Board of Mr. Patrick Bracken. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

12. Interim Study – LR 422

Mr. Wyvill reported this legislative resolution is related to issues impacting the health care system. The purpose of the letter to Senator Campbell is to make the committee aware that the Deaf and Hard of Hearing communities should be included. Mr. Delts asked that a copy of the letter be sent to HLAA. Mr. Brummer asked that Hands and Voices also receive a copy of letter.

13. Interim Study – LR 574

Mr. Wyvill reported that this interim study is a result of meetings with the Lincoln Association of the Deaf, Ms. Nancy Brt and Mr. Albert Sparks. They expressed their concerns about the resources for residential services for people who are deaf and hard of hearing. Senator Coash is developing a survey that will be sent to providers, assisted living facilities, day service providers and nursing homes polling them about the number of deaf and hard of hearing living in their facilities and what services are needed. A meeting will be held to discuss the survey results. Discussion was held.

14. Telecommunications Relay Service Contract Update

Mr. Wyvill reported that the Public Service Commission voted to approve the relay contract with Sprint from 2014 through 2019. Mr. Delts stated he is on the Telecommunication Relay Service (TRS) committee. They received two proposals, one from Sprint and one from Hamilton. Nationwide Sprint is cheaper but Hamilton offers better services. The decision was to go with the cheaper option.

15. Memorial Stadium Accessibility Update

Mr. Wyvill reported the update is informational only and this issue is likely to be brought up in the future.

16. Deaf/Blind Program Decertification Letter

Mr. Wyvill reported that the Assistive Technology Program (ATP) with VR has applied to take over the program and a decision should be made soon.

17. Staff Monthly Activity Reports – March, 2014 through May, 2014

a. Time and Energy Reports

b. Counties Served

Mr. Wyvill reported that a board member raised concerns about having staff names on the reports so that has been removed. Ms. Williams stated she and Ms. Cindy Woldt are continuing to work on changes to the reports to insure the correct information is captured.

18. Interpreter Licensing Rules and Regulations Update

Ms. Williams reported the public hearing has not been held as reported at the March Board meeting. The rules and regulations were reviewed after that meeting by Ms. Williams, Ms. Barb Woodhead and Ms. Traci Cooney. Ms. Cooney discovered several errors which will be corrected when Ms. Williams returns to the office. Ms. Williams will notify the Board when a public hearing date is set.

19. Update on Website, Facebook and Statistics

Ms. McGerr provided an update on the Facebook statistics and new web page. Mr. Delts asked for the implementation date for the new web page. Discussion was held. Mr. Delts recommended that an implementation date be set for new web page.

20. NCDHH in the News

21. Good News Staff Report

Mr. Wyvill reported the Good News Staff report is a new addition to the Board packet and will become a regular feature. Mr. Delts requested that a location be added to the Good News Staff report.

J. Old Business

1. Awards Program – Certificate Language

2. Awards Program – Plaque Language

Mr. Delts asked for acceptance of the language for the awards. Ms. Frerichs stated a space needs to be added between the words “Nebraskans” and “with”. Dr. Lomicky requested simple caps and lower cases instead of all caps. **Ms. Propp made a motion to accept the language for the certificates and plaques with changes including lower and upper cases instead of all caps. Mr. Brummer seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.**

3. Hearing Aid Tax Credit

Mr. Delts encouraged everyone to contact their senator in support of the Hearing Aid Tax Credit bill and will provide additional information to the Board.

4. Equipment Distribution Program

Mr. Delts stated when he picked up an NSTEP application in the Omaha office, the first thing he noticed was all the highlighted areas on the form which is insulting to consumers. The voluntary census form is also highlighted so it appears that it is required and has the incorrect logo. He contacted the Chairperson of the TRS Committee who agreed it was problematic. Another issue is that the form was different than what is on the PSC website and in the Lincoln office. Discussion was held. Mr. Wyvill thanked Mr. Delts for his concerns and will look into it.

5. Town Hall Meeting

Mr. Brummer felt the event was well attended and well received. There was a variety of attendees that included agencies, deaf, hard of hearing and late deafened that provided good feedback. Dr. Lomicky agreed the meeting went well and was heartened to observe everyone interacting after the meeting. Ms. Frerichs stated she heard one comment was about the starting time. One couple commented they thought the presentation was to start at 5:00 instead of 6:00. It should be made clear for the next event.

6. Business of the Month

Ms. Frerichs stated at the March meeting she had asked about having a “Business of the Month” similar to the “Boss of the Month”. She has the contact information for the Schuyler Theatre that installed a telecoil system. Mr. Wyvill stated starting July 1st, he anticipates having a “Business of the Month”.

K. Subcommittee Discussion

5. Awards and Recognition Committee

Mr. Delts stated a replacement is needed on the committee since he will be leaving the Board. Mr. Brummer, Dr. Lomicky and Ms. Frerichs volunteered to serve on the committee.

L. Chairperson’s report

2. LR 517

Mr. Manning reported that the legislature requested an interim study on interpreter issues including the shortage of interpreters. A steering committee has been established, town hall meetings will be held and surveys conducted. Mr. Delts stated he requested to be on the steering committee. Mr. Wyvill stated the group is subject to change and Mr. Delts can be added. Mr. Brummer suggested including more senior citizens in the work groups and deaf adults and students in the consumer work groups. Mr. Manning asked when the report is due. Mr. Wyvill responded in October. Mr. Delts asked if the work had begun. Mr. Wyvill stated it was put on hold pending additional feedback. The steering committee will meet in July; the work groups will meet in August and early September and provide feedback to the steering committee. During this time the town hall meetings will be held. The staff will handle conducting the survey. Ms. Propp asked to add a region identifier to the survey. Mr. Delts recommended adding the VRI companies because many of the interpreters are working for them. Mr. Brummer recommended adding captioning and an interpreted version of the online survey. Dr. Lomicky suggested rewording question seven to "Are there enough qualified interpreters in Nebraska?" and adding a comment section. Mr. Manning asked who will be the main person coordinating the interim study. Mr. Wyvill stated he will be with direction from the Board. Discussion was held.

1. Executive Director Performance Review – Executive Session

Ms. Propp made a motion to go into closed session to discuss the Executive Director performance review at 1:00 p.m. Mr. Brummer seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

Mr. Brummer made a motion to open the session at 2:05 p.m. Ms. Propp seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

Ms. Propp made a motion based on the fact that two of the Board members who are also members of the Executive Committee are not present, the Board will table the evaluation of the Executive Director until the full Board can meet prior to June 30th. Ms. Frerichs seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

M. New Business

Election of Officers

Ms. Propp nominated Mr. Brummer for Chairperson. Mr. Brummer was elected by acclamation.

Mr. Delts nominated Ms. Propp for Vice Chairperson. Ms. Propp was elected by acclamation.

Ms. Frerichs nominated Dr. Lomicky for Secretary. Dr. Lomicky was elected by acclamation.

Ms. Propp made a motion to adjourn the meeting at 2:16 p.m. Ms. Frerichs seconded the motion. Roll call vote: Mr. Brummer, yes; Mr. Delts, yes; Ms. Frerichs, yes; Mr. Hogue, absent; Dr. Lomicky, yes; Dr. Moore, absent; Ms. Muelleman, absent; Ms. Propp, yes. Vote was unanimous in favor of the motion.

