

Nebraska Sign Language Interpreter Review Board Meeting
June 8, 2019 – 1pm – 3pm
Omaha Association of the Deaf, 4050 Hillside Ave, Omaha NE

A. Welcome

The meeting of the Nebraska Interpreter Review Board (IRB) was called to order at 1:00 pm by Ms. Peggy Williams, Chairperson at Omaha Association of the Deaf, 4050 Hillside Ave, Omaha NE.

B. Notice of Open Meeting

Chairperson, Ms. Peggy Williams announced 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. The agenda has been kept current and available at the Commission's office and on their website. The materials generally used by the board for this meeting are on the table in a public folder that is available to the general public for this meeting in accordance with the Open Meetings Act, {Neb. Rev. Stat. 84-1412 (8)}.

Publication of official notice of the meeting appeared in the May 31, 2019 edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act.

C. Roll Call

For the record, Board Members Ms. Peggy Williams, Mr. Thomas Beyer, Ms. Nancy Flearl, Ms. Jessica Nickels, Ms. Vonda Apking, Mr. John Wyvill, Executive Director, were present. Board Member, Mr. Richard McCowin was absent. There is one deaf board member position that is vacant.

Also present were Ms. Traci Cooney, Interpreter Licensing Specialist; Ms. Sharon Sinkler, Interpreter Program Coordinator.

Interpreters for the meeting were Ms. Jamy Elker and Ms. Pamela Duncan. Cheryl Rooney of ERI was present to provide CART services.

Members of the public in attendance were Ms. Crystal Pierce, Ms. Ronda Rankin, Ms. Anne McBride, Ms. Tami Richardson-Nelson, Ms. Candice Arteaga, and Ms. Azalea Arteaga.

D. Review of Agenda

Mr. Wyvill added that items marked in red or pink are action times.

E. Acceptance of Agenda

Board Member, Ms. Flearl moved to accept the agenda as written. Board Member, Ms. Apking seconded the motion. With no further discussion, the motion carried with Ms. Williams, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Apking, Mr. Wyvill all voting aye. Mr. McCowin was absent.

F. Acceptance of Minutes

Ms. Flearl made the motion to approve the March 1, 2019 meeting minutes. Board Member,

Ms. Nickels seconded the motion. With no further discussion, the motion carried with Ms. Williams, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Apking, Mr. Wyvill all voting aye. Mr. McCowin was absent.

G. Chairperson of the Board's Report

Ms. Williams asked Mr. Beyer if he wanted to address the board regarding his possible need to stand up during the meetings. Mr. Beyer explained for medical reasons he may stand during parts of the meeting but if anyone is uncomfortable or can't see, to let him know.

Ms. Williams recognized the public attendees and welcomed them for coming. She also thanked Ms. Arteaga for allowing the meeting to be held at Omaha Association of the Deaf. Ms. Arteaga offered to hold the meeting at OAD anytime in the future.

Ms. Williams discussed the purpose of the Interpreter Review Board. She stated that when LB22 was created, it included the appointment of members for this board. This board is a regulatory board whose primary function is the Rules and Regulations. The other responsibility is being a board of inquiry. Any time licensure is violated by an interpreter, it is this board's responsibility, based on the investigatory process from the Interpreter Program Coordinator from NCDHH, to review and make a decision on what the Board is going to do in regards to the violation. Mr. Beyer had questions to clarify the member's roles. He stated that the by-laws do not use the wording "Rules and Regulations", which is the document the Board is charged with reviewing. Mr. Beyer also asked for clarification on the roles and responsibilities as a member and how to represent this Board. Other stakeholders have asked him to forward information to NCDHH or bring something to this Board. Members discussed promotion of the meetings and members are able to go ahead and do that. Ms. Flearl stated that members should promote the meetings otherwise the public wouldn't know when the meetings are and have their voices heard. Ms. Flearl stated that passing information along is fine to do, no decisions are being made.

Mr. Beyer stated that the upcoming neRID and NeAD joint conference would like a Full Board member at the table as well as an IRB member.

Mr. Beyer discussed the wording in LB22. In reading it, one could misunderstand that the IRB only regulates state agencies. Mr. Wyvill clarified that the language has changed and evolved and NCDHH will use less confusing language in the future.

Ms. Williams discussed the importance of communication and working as a team.

H. Ratification of By-Laws

Ms. Williams stated that she had reviewed more than 20 other by-laws and found that none of them have definitions. She asked the members to decide to finalize the Deaf or Hard of Hearing definition or remove all of the definitions from the document. After discussion it was decided to keep the definitions and to change the Deaf or Hard of Hearing definition to match the definition in the statute. Ms. Flearl made the motion to amend 1. C. 3. to include the word "auditory" before the word "processing" and to amend 1. B. to read "The purpose of the Board is to review the Rules and Regulations Relating to Sign Language Interpreters by:..." Board

Member, Ms. Apking seconded the motion. With no further discussion, the motion carried with Ms. Williams, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Apking, Mr. Wyvill all voting aye. Mr. McCowin was absent.

I. Public Comments

Ms. McBride asked if her license would be returned to her now that she has met the recommendations that were made. Mr. Wyvill stated that this isn't the forum to discuss this and that he and Ms. Sinkler would meet with her after the meeting.

J. Executive Director Report – presented by Mr. John Wyvill

a. Agency Updates

- Mr. Wyvill reported that with the cooperation and collaboration from other groups such as neRID, NeAD, NAD, OAD and others that LB15 was passed which is hearing aid insurance for children that mandates insurance coverage in certain instances.
- Mr. Wyvill reported that LB248 was passed, which is to change the use of "hearing impairment" in state statute to "deaf or hard of hearing." He thanked NeAD and Mr. Jonathan Scherling for their help on this.
- Mr. Wyvill reported that the NCDHH budget did well during the budget process. NCDHH is allowed to keep the carry-over money in its entirety. NCDHH also has increased spending authority from the cash fund from interpreter fees. Ms. Sinkler will be working with neRID president Ms. Crystal Pierce over the next 2 years to discuss ways NCDHH can utilize the funds and support interpreters in the profession. He also stated that NCDHH spent \$1500 to help sponsor the joint neRID/NeAD conference this year.
- Mr. Wyvill updated that the Full Commission Board is currently working on updating the mission, vision and goals for the agency. He invited anyone to come to the next Full Commission Board meeting on June 14, 2019.
- Mr. Wyvill provided 3 highlights coming up:
 1. June 26, 2019 – 3p to 5p – Lincoln office – NCDHH 40 year anniversary
 2. July 31, 2019 – Deaf and Hard of Hearing Awareness Night at the Lincoln Salt Dogs
 3. September 22, 2019 – Omaha Zoo activity

- b. Mr. Wyvill welcomed Ms. Sinkler to address the Board about the Rules and Regulations review committee work. He stated that from a staff standpoint, we are looking for a vote to make recommended changes if any and move it to the Full Board for approval or if there are substantive changes that it moves back to the review committee. Ms. Sinkler updated the members that the review committee has met several times and this document reflects their changes, minus a few ordering or punctuation errors.

Mr. Beyer asked about having the license fees identified on the NCDHH website. Ms. Sinkler stated that the fees are now listed on each application.

Mr. Beyer also began discussion on the ethics requirement in the Rules and Regulations. His concern was how to police this requirement. Is it all on NCDHH to determine what is acceptable or is there a need for written direction? Is this up to the NCDHH staff to find information or the incumbent themselves to submit that information? Ms. Apking stated that with licensing in her agency, the incumbent submits that information and staff make the determination. Mr. Beyer asked if this is written somewhere. Ms. Apking explained it is part of the internal procedure.

Mr. Beyer asked about the words complaint vs. conviction in section 003.07 of the Rules and Regulations. Mr. Wyvill clarified that the word conviction is used in 2) e) because it allows someone to see a charge in the news or such and a formal complaint wouldn't need to be filed.

Mr. Beyer asked for clarification that Ms. Sinkler will be attending investigator training. Mr. Wyvill stated yes.

Ms. Apking made the motion that the Rules and Regulations as written with comments be submitted to the Full Commission Board. Board Member, Ms. Flearl seconded the motion. With no further discussion, the motion carried with Ms. Williams, Mr. Beyer, Ms. Flearl, Ms. Nickels, Ms. Apking, Mr. Wyvill all voting aye. Mr. McCowin was absent.

- c. Mr. Wyvill updated the Board that 2 previous complaints would be presented to the Full Board on June 14. One is a licensure complaint and one is unauthorized practice without a license. These had gone to the Attorney General's office and their recommendation will be provided to the Full Board to make a decision. Mr. Wyvill will update this Board on what decisions are voted.

K. Public Comment

Ms. Ronda Rankin addressed the Board in regards to the ethics requirement. She recommends some type of firm description of what the ethics requirement entails. She asked why the requirement was added. Mr. Wyvill stated that the Interpreter Issues Committee decided, with emphasis being that interpreters need to have ethics training as part of the requirements, based on observations of Full Commission Board members of interpreters in the community. Mr. Beyer recommended that the Commission develop in writing, a promotion to interpreters explaining how the Commission dealt with the ethic CEU requirements during June 2019.

L. Old Business

Nothing to report

M. New Business

- **Set September 2019 meeting date and location**

The next IRB meeting will be on September 6, 2019 at 4600 Valley Rd, Room 4A, Lincoln starting at 1pm.

N. Announcements

- Mr. Beyer noted a sign that OAD will be having their 75th anniversary next year.
- Ms. Sinkler stated the neRID/NeAD joint conference will be held June 21-22, 2019.

O. Adjourn (Ms. Williams)

Board Member, Ms. Apking made the motion to adjourn the meeting at 2:45pm. Board Member, Ms. Flearl seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Flearl, Mr. McCowin, Ms. Nickels, Ms. Williams, Mr. Wyvill all voting aye.