

Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Board Meeting - June 11, 2010 – Amended and approved August
13, 2010
Omaha State Office Building, 1313 Farnam, Room 233J, Omaha, NE

Chairperson Dr. Raymond Meester called the meeting to order at 8:40 a.m.

A. Welcome

Dr. Meester welcomed Ms. Diane Muelleman to the Board. Ms. Muelleman is from Omaha, has a master's degree in Deaf Education and is an active member of the Omaha Chapter of Hearing Loss Association of America.

B. Roll Call

Members present were Ms. Mary Ann Burke, Mr. Dillard Delts, Mr. Steven Manning, Dr. Raymond Meester, Ms. Diane Muelleman and Ms. Susan Petersen. Members absent were Mr. Cliff Carlson, Dr. Jan Moore and Dr. David Rutledge. Staff attending was Dr. Peter Seiler, Executive Director and Ms. Lori Burrage, Business Manager. Interpreters were Ms. Bethany Koubsky and Mr. Ben Sparks, Public Information Officer/Staff Interpreter.

C. Acceptance of Agenda

Dr. Meester asked for acceptance of the agenda. Mr. Delts requested to add discussion of Vocational Rehabilitation (VR) services under New Business. Dr. Seiler requested to add two items under the Executive Director's report: CLAS Grant application and TD Ameritrade Stadium accessibility. **Ms. Muelleman made a motion to accept the agenda as amended. Ms. Petersen seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

D. Acceptance of Minutes

1. Full Commission Meeting – March 12, 2010

Dr. Meester asked for changes or additions to the minutes. **Mr. Delts made a motion to accept the minutes as presented. Ms. Burke seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

E. Business Manager's Report

1. General Ledger Report

Ms. Burrage explained the agency continues to be conservative including keeping positions vacant at this time. Dr. Seiler will get into further discussion under the budget update.

F. Executive Director's Report

1. Budget Update

a. LB 935 and LR 542

b. Governor's Comments (Lincoln Journal Star, May 15, 2010)

Dr. Seiler reported on two bills connected with the budget. LB 935 requires an agency efficiency review plan for FY 2010-11 and FY 2011-12 including consolidating existing programs within the agency; streamlining existing systems; reforms to reduce the number of employees; a review of mandates and statutory requirements and results of eliminating or changing those mandates and requirements; structural and operational changes needed for the agency to move from a five day to a four day work week. The only way to save money with a four day work week is to reduce the work hours from 40 to 32. As reflected in the Lincoln Journal article, the Governor has indicated a four day work week is not acceptable. The NAPE/AFSCE Labor Union would have to also agree to the change. LR 542 establishes an ad hoc committee consisting of standing committee chairpersons or their designee to review agency programs and services including drafting legislation to reduce services and obligations of state government that may be considered during the 2011 legislative session.

Dr. Seiler is reviewing positions and will discuss a new service delivery model for providing services statewide later in the agenda. With the closing of the Scottsbluff office, consumers in that area are concerned if they will still receive services. A town hall meeting is scheduled in Scottsbluff on July 13th from 3:30 p.m. to 5:00 p.m. to address these concerns.

2. Change of Service Delivery Model

Dr. Seiler requested approval to drop the current Field Representative regional map and proceed with the service delivery model presented. Each Field Representative has specific expertise working with the consumers being served. The Commission has changed to one central call center located in the Lincoln office. As consumers contact the Commission, the callers are directed to the appropriate staff member to handle their needs. Dr. Seiler contacted several other state commissions to see how they conduct their business. If the new service delivery model is approved, consumers will need to be notified of the changes. Dr. Meester stated this may be more cost effective and improve efficiency. Mr. Delts agreed, stating it also reduces redundancy. **Ms. Muelleman made a motion to accept the change from regional coverage maps to the service delivery model. Mr. Manning seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Peterson, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

3. Update on Scottsbluff Office Closure

Dr. Seiler stated postcards have been sent out twice to consumers in the Western Regional informing them the Scottsbluff office will be closing June 30th. At that time, the phone numbers will be assigned to the Lincoln office. We were able to terminate the lease effective July 31, 2010 which allows time for packing up the office and transferring everything to Lincoln. The Scottsbluff Field Representative declined the transfer to the Lincoln office and has accepted a job with another state agency starting on July 1st. This is the fourth position to be affected by budget reductions. The first two positions were in Lincoln and the third position was in Omaha. Dr. Seiler stated Dr. Donita Mains will establish travel dates, a meeting place and arrange to travel to Scottsbluff monthly. She currently does that in several locations in Central and Western Nebraska.

4. Update on Omaha Office

Dr. Seiler reported the Administrative Assistant in Omaha has accepted a position with another agency. The position will be reduced to part time on July 1, 2010 and is currently vacant.

5. Vacant Positions

Dr. Seiler reported on July 1, 2010, there will be three vacant positions, two part-time positions (Administrative Assistant and Field Representative) and one full time position (Interpreter Program Assistant). Previously, the board voted to keep the Public Information Officer (PIO) position vacant. With the Interpreter Program Assistant position now vacant, Dr. Seiler recommended filling the PIO position and leaving the Interpreter Program Assistant vacant. The PIO duties would be 60% public information related and 40% staff interpreter, interpreter licensure and conflict resolution. Continued Education Units (CEUs) and interpreter referrals would be part of this position. Having this position filled will help with the new service delivery model. The final budget instructions, which include projected rates for many operating expenses, have not been released. It is unknown if the new budget will require a 95% or 90% modification. Dr. Seiler encouraged the Deaf and Hard of Hearing community to contact their Senator to make sure their voice is heard.

In addition to leaving the three vacancies unfilled, Dr. Seiler recommended closing the Omaha office and transferring those two positions to Lincoln. The current Lincoln office space can accommodate the two staff members; operating expenses could be reduced for phone lines, internet access and parking. The staff would have direct access to support staff and the staff interpreter. Appointments could be scheduled in Omaha a two or three days monthly possibly using the Omaha Association of the Deaf (OAD) Hall as a meeting location. Mr. Delts did not support using the OAD Hall as it could appear we are giving preference to one organization over another. Dr. Seiler stated the access is good and parking is free at OAD. The Commission has been able to negotiate free monthly meeting space with various groups statewide for Field Representatives to use. The board can provide suggestions on other Omaha locations. Discussion held. Mr. Delts asked to postpone voting on closing the Omaha office until the absent board members can offer their input. Dr. Meester agreed that a decision on closing the Omaha office should be postponed until more budget information is available but not based on the other member's attendance. Every member has an opportunity to attend the meetings and offer their input. The lack of attendance by board members is becoming an issue. Mr. Manning stated there may be opposition to closing the Omaha office by the Deaf community. Mr. Delts responded we need to keep employees, the building is not important. Dr. Seiler agreed; we need to try to preserve positions and services. If positions are cut, services are cut. **Mr. Manning made a motion to fill the PIO position as a full time permanent position and leave the Interpreter Program Assistant position vacant. Ms. Petersen seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

6. Proposed Language Change for NCDHH Billing Practice

Dr. Seiler requested changing the NCDHH interpreter billing policy to establish a first hour rate and a reduced second hour rate. It removes the two hour minimum and

changes the cancellation policy. The staff interpreter provides interpreter services for emergency situations and are generally short term assignments. A two hour minimum penalizes the business for short term assignments. **Ms. Burke made a motion to accept the billing practice as presented. Ms. Muelleman seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

7. Video Relay Service Report

Dr. Seiler reported the FCC made cuts to video relay service compensation rates. Dr. Seiler sent a letter to the FCC after he was contacted by Deaf and Hard of Hearing consumers concerned about the changes. Not only Deaf consumers are using video phones, many Hard of Hearing consumers use them and utilize lip reading.

8. Proposed NCDHH Policy

Dr. Seiler developed a policy for reporting law violations by the staff based on a recent staff issue. Traffic violations are not included in the policy unless there are so many violations that someone loses their drivers license. Dr. Seiler will review all violations and determine if corrective or disciplinary action is required. If approved by the Board, the policy will need to go to Employee Relations and NAPE/ASFCE for their review and approval. **Ms. Muelleman made a motion to accept the policy. Ms. Burke seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

9. Deaf Services Unlimited

Dr. Seiler introduced Ms. Dawn Taylor with Deaf Services Unlimited (DSU). DSU is interested in expanding their services to Nebraska. Dr. Seiler would like the Commission to get out of the referral business. Ms. Taylor stated they are developing a Video Remote Interpreting (VRI) program for remote areas in Iowa and would like to develop the same for Western Nebraska where there is a shortage of interpreters. Marketing activities include focus groups, informational meetings with the Deaf Community and mailings to 500 businesses in Omaha, Council Bluffs and Lincoln. They will keep the Commission informed of their activities. Dr. Seiler added other VRI companies refused to provide a list of their interpreters to get them licensed. DSU is willing to provide a list of their interpreters and get them licensed so state agencies and the university system can use VRI. Ms. Taylor stated DSU has an e-newsletter for Deaf consumers and businesses and is open to ways of finding Deaf consumers so they market directly to them. There will not be a physical office in Omaha but there will be local phone numbers to call. DSU has contracts nationwide with everything run out of the Des Moines office. Ms. Burke stated she has many friends in Iowa and they think highly of DSU services.

10. Culturally and Linguistically Appropriate Services (CLAS Grant)

Dr. Seiler stated the grant is for training physicians, nurses, first responders and EMTs on the delivery of health care services for Deaf and Hard of Hearing people. Trainers include Ms. Dianne DeLair, an attorney with Nebraska Advocacy Services, Ms. Barbara Woodhead and Dr. Seiler. Ms. DeLair will focus on federal laws on access to effective communication, Ms. Woodhead will present information on linguistics issues and Dr. Seiler will present information on culturally appropriate services. Dr. Meester

stated he continues to have problems with BryanLGH East providing interpreters. He filed a complaint with the hospital in the past and nothing happened. Dr. Seiler encouraged consumers to file complaints with the Federal Department of Justice.

11. TD Ameritrade Stadium

Dr. Seiler and Ms. Beth Ellsworth were contacted by TD Ameritrade Stadium asking for input on accessibility for Deaf and Hard of Hearing people. Dr. Seiler and Ms. Ellsworth will tour new facility on June 19th. Dr. Seiler encouraged them to contact the Commission for the Blind and Visually Impaired for their input.

G. Chairperson's Report

1. Executive Directors Evaluation

Mr. Delts made a motion to close the session to discuss the Executive Director's performance evaluation at 11:28 a.m. Ms. Petersen seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.

Ms. Petersen made a motion to open the meeting at 11:54 a.m. Mr. Manning seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.

Dr. Meester announced that the evaluation was complete and the results will be forwarded to State Personnel as required.

H. Subcommittee Discussion

- 1. Executive Committee – Dr. Meester, Ms. Burke, Mr. Delts**
- 2. Legislative Issues Committee – Dr. Moore, Dr. Rutledge, Mr. Delts, Mr. Manning**
- 3. Interpreter Issues Committee – Dr. Meester, Ms. Burke**

Dr. Meester asked Ms. Muelleman and Ms. Petersen to select the committee they would like to serve on. Ms. Muelleman will serve on the Legislative Issues Committee and Ms. Petersen will serve on the Interpreter Issues Committee. Dr. Seiler stated he may recommend statutory changes requesting authority to charge for some NCDHH services to help ease the budget reductions. Dr. Seiler will meet with the Legislative Issues Committee if necessary.

J. New Business

Mr. Delts reported he was approached at the Deaf Expo by Deaf consumers living in Omaha stating they are having trouble getting assistance through Vocational Rehabilitation (VR). Mr. Delts researched Voc Rehab's website and noted the State Rehabilitation Council has no Deaf or Hard of Hearing representative. There is a representative for the Blind and Visually Impaired. Mr. Delts made a recommendation that the Commission send a letter requesting to have a representative serve on the Council. Dr. Seiler stated he has heard the same concerns. Dr. Seiler talked with Mr. Pat Bracken with VR. Mr. Bracken felt that one Deaf counselor was enough because Hard of Hearing people can use hearing counselors. Dr. Seiler and Mr. Norm Weverka will meet with VR Assistant Director, Mr. Mark Schultz, on June 23rd to discuss these

concerns. **Mr. Manning made a motion that Dr. Seiler send a letter to Voc Rehab regarding the lack of representation on the State Rehabilitation Council. Ms. Burke seconded the motion. Roll call vote: Ms. Burke, yes; Mr. Carlson, absent; Mr. Delts, yes; Mr. Manning, yes; Dr. Moore, absent; Ms. Muelleman, yes; Ms. Petersen, yes; Dr. Rutledge, absent. Vote was unanimous in favor of the motion.**

Election of Officers

Chairperson – Mr. Delts

Vice Chairperson – Ms. Muelleman

Secretary – Dr. Meester

K. Next Meeting – September 10, 2010, Lincoln

Due to pending budget issues the meeting will be changed to August 27, 2010 in Lincoln at 8:30 a.m.