

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at
Chairperson

1:30 ~~xxx~~ p.m. on February 9, 1984 in room 531N of the Capitol.

All members were present except:

Senator Francisco

Committee staff present:

Bruce Kinzie - Revisor
Julian Efird - Research

Conferees appearing before the committee:

Representative Arthur Douville
Gabe Faimon - Commissioner of Rehabilitation Services, SRS
Sharon Cook - Executive Director Kansas Commission for Hearing Impaired
Fred Murphy - Commission Member
Mike Nunn - Constituent
Jerry Buckley - Johnson County Community College
Sharaine Rice - Constituent
Mike Byington - Topeka Resource Center for the Handicapped

The Chairman called the meeting to order.

Representative Arthur Douville appeared before the Committee in support of S.B. 536. All conferees appearing before the Senate Committee supported reestablishing the Commission. A bill introduced in the House, H.B. 2893, also would continue the Commission in existence and make some changes in the authorizing statutes to expand the scope and duties of the Commission.

The above listed conferees presented the attached statements.

Senator Jan Meyers made a motion to pass S.B. 536 favorably. This was seconded by Senator Ron Hein. Motion carried.

The meeting was adjourned at 2:30 by the Chairman.

NOTE: Committee Secretary was ill on this date. No formal minutes were taken. This statement prepared from a brief conversation with Committee Chairman with attached notes from tape and testimony from the Conferees.

Please sign your name and who you represent.

Name	Represent
1 Michael Byington	Topeka Resource Center for the Handicapped and K.A.B.V. J. Dir.
2 Rick M. Adams	Deaf & Hard of Hearing Council of Service
3 MIKE NUON	WICHITA ASSOC. O.T. DIST
4 DiAnne Allison	Ks. School for the Deaf
5 June Weber	J.C.C.C.
6 Nancy Jander	Topeka
7 Vi O'Connor	Topeka
8 Gretchen Martin	Wichita
9 Sharaine Rice	the whole Person, Inc. ctr. for Indep. Liv - K.C.
10 Floyd Green	Topeka
11 Gayla Neuglytic	Topeka
12 John Kelly	Department of Human Resources
13 Fred R. Murphy	Kansas Assn of Deaf
14 Ken Clark	Ks. School for the Deaf
15 Dorothy B. Ruge	KROSHI Wichita Ks
16 Lann B. Kraft	Wichita Assn of the Deaf
17 Dorothy Hird	ATA Deaf Assn of the Deaf
18 Allen Ballatz	Topeka Assn of the Deaf
19 Peggy J. Culver	Topeka Assn of the Deaf
20 Bobby Gene Fisher	Topeka Assn of the Deaf
21 Julia M. Threl	Registry of Interpreters. KS. Commission of the Hearing Impaired
22 Kathryn Ash-Lyon	Topeka Assn of the Deaf
23 Eugene Ash	Topeka Assn of the Deaf
24 Sharon K. Cook	KCHT
25 Gerald Furdley	Olathe, Kansas
26 Mitch Cooper	Topeka Independent Living Resource Center, Inc.

MEETING OF THE SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

February 9, 1984

Conferees:

Gabe Faimon, Commissioner of Rehabilitation Services, SRS
Sharon Cook, Executive Director, Kansas Commission for Hearing
Impaired
Fred Murphy, Commission Member
Mike Nunn, Constituent
Jerry Buckley, Johnson County Community College
Sharaine Rice, Constituent
Rick McAdams
Mike Byington

It's always rough getting a meeting started right after lunch with everybody getting back from lunch so that's the reason for the delay. Committee, if you will turn your attention to Senate Bill #536 which is the Sunset bill for the Kansas Commission for the Hearing Impaired and the chief sponsor of the bill a couple of years ago was Representative Art Douville and Art, I would like to call you before the committee at this time.

Well, thank you very much, Mr. Chairman. This is sort of an emotional thing for me because it seems like just yesterday I was over at the University of Kansas Medical Center meeting with a group of people. The hearing impaired, one of the big problems at that time was whether or not the hospitals were training impaired first aid people and persons that work in medical facilities to identify people with hearing impairment. Because a lot of times persons with hearing impairments, of course, have speech impediments and this was a real problem. That was one of the problems. There were a tremendous number of other problems at the time when we started trying to figure out how do we best approach the problem of communicating these problems that the hearing impaired have to the rest of the population and we worked on it for a couple of years and didn't seem to get any place. Finally, we got together with the Governor

and got in this budget and eventually we got the Commission for the Hearing Impaired started. So the question comes up, "Is it serving it's purpose?" And I wrote a letter to the Governor and I asked him. I said, "You know it was understood at the time that this Commission was appointed that you would keep track of what goes on or at least have Bob Wooten keep track of-is it effective? Is it well respected

And I got a letter from the Governor on this and I hope that somebody from the Governor's office comes over. He said that the Commission on the Hearing Impaired has been effective. It does represent the hearing impaired throughout the state of Kansas. I have talked with a great number of folks who have hearing impaired parents particularly. How is it working? They say to me that it is well established. It is well respected and that we should continue the hearing impaired. There is going to be a lot of problems develop. You know the change in the society and we have ups and downs in the number of hearing impaired and new lines of communication have to be established. So we are going to continue to have problems with the hearing impaired but they really do a good job of being a part of our whole society. They are not a part that sits back. They get involved in everything and I am really proud of the hearing impaired and I am really glad they are here today and I hope that this committee will act favorably on their request for continuation of the Hearing Impaired Commission. I thank you very much.

Thank you Representative Douville. Has anybody in the room - the sunset provision we put in the bill two years ago was more or less of a review to see that the commission got off on the right track and that review their organization to see that they were doing the

job that the Legislature wanted them to do and that is, of course, the reason for the review today. Senator Roitz.

Thank you, Mr. Chairman. Representative Art, could you please tell me a little bit about what the Commission does.

Well, we have people from the agency. They are going to appear today. We have several conferees today and he was the chief sponsor and it was his bill and he was the one that presented it to the Legislature and that was the reason I called Representative Douville before the committee today. Did you have a question, Ron?

I have a couple of questions. First of all, you know I have sugar diabetes and I serve on the State Board of Directors of the American Diabetes Association. I had been requested by the State Board to request legislation and create an advisory commission on diabetes because diabetics, much like the hearing impaired have problems of their own separate and apart from certain other diseases. My response to them was essentially at this point that I didn't think that there was going to be a great deal of interest by the Legislature in creating a new commission and to try start, say okay we are going to have a commission on sickle cell anemia, we are going to have a commission on diabetics, we are going to have a commission on this and a commission on that above and beyond what we currently have. Gabriel Faimon that you may or may not know, and I have discussed the possibility of trying to consolidate some of the various commissions that we have with regards to the needs and problems of the handicapped. I guess my first question would be, "What are your thoughts about some of these consolidations of some of the various programs we have and secondarily, do you think

we have gotten to the point now, whether it be the hearing impaired or any of these other advisory committees or any of the handicapped programs we have in the state, have we improved the private services and functions of these these entities to the point that now maybe the government can step out of the picture and let the people funnel their input in just as they are today by being here from a private group just like the American Diabetes Association, I assume, will continue their progress.

You asked me and I will tell you that I think that the hearing impaired have special problems of communication. You know the blind, for instance, that they have ways to communicate with each other and communicate with the rest of the world but I tell you that when you can't communicate because of speech and hearing it is a tremendous disability. It seems like to me that their problems are special. Certainly at this time I would think it would be wrong to combine it with any other committee at this time. I simply feel that they ought to be given an opportunity to work - they are working with private industry all the time. They are working with the government to try to solve the various problems that the hearing impaired have so I would at least might hope that you would not consider combining it with anybody at this time.

Okay, thank you Art. I appreciate your being here.

Thank you very much for the opportunity. It's nice to see you all again.

Now, we would like to have the agency presentation from Gabe Faimon, Commissioner of Rehabilitation Services with SRS. Gabe.

Mr. Chairman, representatives of the Senate Governmental Organization Committee, ladies and gentlemen. I am Gabe Faimon, Commissioner of

Rehabilitation Services with the state department of Social Rehabilitation Services. Due to conflicting legislative schedules the secretary of Social Rehabilitation Services, Dr. Harder, was unable to appear before this body at this time. He asked that I express his regrets for not being able to appear before you and quite frankly I feel it is my good fortune and honor to appear before you to stand in. I want to share with you the Department's position concerning the abolition of the Commission of the Hearing Impaired on July 1, 1984, unless it is re-established by the Legislature. My comments will be broad in nature. I am looking at it from the perspective of the sunset review to discuss the role and relationship of the Commission along with recommendations of the Commission in future and legislative proposals related thereto including Senate Bill 536. Turning to the role the Commission is playing - it was established by the 1982 session of the Legislature and its duties specified in KASA 1983 Supplement 75-5391 . The Commission was created to serve as a collector and clearing house of information and as an advocate and coordinator of services and programs for deaf and hearing impaired persons. Considering the very brief time of its existence the activities and accomplishments of the Commission to date speak well of its effectiveness as an initial response to a gap in services to a significant segment of the Kansas population. Its most singularly distinctive hallmark is that it is has started to collect and organize a body of information that reflects a composite of needs for 173,000 hearing impaired persons in the population of this state. As that information is being developed clear evidence is emerging that communication access to the community to society is a major problem for hearing impaired Kansans. The very lack of access and the absence of means to effectively communicate

that lack of access has resulted in a large part over the years in denial of the problem. Senator Hein you made reference to the discussions we had earlier so far as consolidation. I myself have gained a lot out of the experience with this Commission the last two years. It really gave a full understanding of the communications problem that Mr. Douville alluded to. I think it is very unique for his particular disability group, because without communication they have and any group has a very difficult time accessing the participating governmental operation. Some of the most difficult areas of access involve basic rights of participation in government. Our governmental system is still on the premise of individual initiative and freedom. Government needs to pursue or promote that premise so that each individual can participate in the community and contribute to society rather than be deterred. Also its existence has been brief. The Kansas Commission for the hearing impaired has demonstrated a most appropriate role of government to pursue and promote individual initiative and freedom. In order to thus duplicate comments of the Executive Directors of Commission, Sharon Cook, I will not site specific examples of how the commission has conducted its operation. Turning to the relationship of the commission, with the SRS, with other state agencies and its relationship with agencies of political subdivisions of the state, I call your attention to the fact that the budgeting, purchasing, -----functions necessary for a commission to operate. -----statutory charges that are administered under the direction and supervision of the Secretary of Social Rehabilitation Services and delegated committee. As a result, SRS provides office space, facilities, and experienced professional

assistance for administration of the Commission. Through these efforts a sound working relationship has developed, continues to evolve. The executive director is a participant in the weekly senior staff meetings of Rehabilitation Services, in its monthly administrative staff meetings. Through joint efforts involving a number of SRS activities of several agencies including Health and Environment, Education, Human Resources and others. The Commission prepared a 1983 directory of resources for hearing impaired Kansans of which over 2,000 copies were distributed statewide. Within the confines of the scarce physical resources the Commission co-sponsored a sign language leadership training seminar with the interpreter sign language training program at Johnson County Community College in July, 1983. The Commission co-sponsored with the SRS Division of Services for the Blind the 1983 Conference on Deaf/Blindness in cooperation with Washburn University and through private donations and contributions the Commission co-sponsored the Topeka appearance of Sunshine II, a peer group from the National Technical Institute for the Deaf of Rochester, New York. Through these efforts and the efforts of its executive director the Commission has actively pursued and developed a sound working relationship not only within the Department of Social Rehabilitation Services and its many activities but also other jurisdictions. The many responsibilities and administrative oversight of the operation of the Commission I am aware of many additional needs for developing working relationships with other organizations the time and budgetary considerations control. Based on the accomplishments thus far the Commission has demonstrated the initiative and good faith efforts needed to meet its statutory responsibilities. In that process it has also become aware of the particular shortcomings and the needs that need to be addressed. It has presented these as recommendations based on statutory authority to

make recommendations for needed improvement and to serve as an advisory board in regards to new legislation affecting hearing impaired Kansans. The Commission has developed the following recommendations:

(1) Enactment of legislation which would extend the life of the Commission for eight years beyond the abolition date of July 1, 1984, continuing existing statutory authorities for its operation.

(2) Provide authority for the Commission to operate interpretative services funded from these receipts.

(3) Provide authority for the commission to expand it's message relay services by implementing a state-wide toll free line.

(4) Provide authority for the commission to conduct these supportive sign language classes in various communities across the state.

(5) Enactment of amendments to clarify terminology and establish uniformity in the statute government in the delivery of our interpretative services in the state.

Governor Carlin has endorsed these recommendations of the commission including them in the governor's legislative message, which he presented on January 10, 1984. The above legislative recommendations of the commission have been presented in legislative proposals to the House Public Health and Welfare Committee by the Secretary of Social & Rehabilitation Services. The legislative proposal related to amendments to clarify terminology and establish uniformity for the delivery of appropriate interpretative services has been introduced by the House Committee on Health and Welfare House Bill 2715. The legislative proposal related to the extension of the life of the commission and provision of additional authority to enable it to better serve the communications needs of deaf and

hearing impaired Kansans was introduced yesterday as House Bill 2893. Senate Bill 536 before this committee would continue the commission operations thru Jun 30, 1992, with no change in existing operations. After the presentation by Sharaine Cook, the commission director I would be happy to respond to any questions any member of this committee may have relating to this matter. Thank you.

Any questions for the aide? Thank you Gabe. I'd like to call on Sharon Cook, Executive Director of the Kansas Commission of the Hearing Impaired. Sharon, welcome.

Mr. Chairman, I have some copies of my speech and of the fact sheets that we have prepared and I'd like to pass them out. Pass them out that will be fine. Gabe, I would like to ask you a question. Is 2893, it says it was related to the extension of the life of the commission. Was that a house bill introduced to continue the under Sunset provision?

A legislative proposal that was taken up and introduced by the House Health and Welfare Committee. It is not a provision that came out of Health Governmental Organization.

Does it deal with the Sunset?

Yes, it does deal with the Sunset, extending it eight years like 36 proposal, it provides additional authority based on recommendations of the commission. Mr. Chairman, is this the bill originally created, the Commission for the hearing impaired, did we have an automatic sunset in it. No, we had a two year sunset and the reasoning behind that was just to review to make off the ground, they got started, and to review them. We put it in, in this committee two year sunset. And that's why it's before us, Yes, that's why it's before us. Well, I presume that's also why it's before us now.

The thing is I don't understand why they put the sunset before the House just yesterday when we introduced this the first week of the legislative session and I don't understand where this bill came from. Why they put the sunset provision in this bill. But that is neither here nor there. I'm just curious.

I hate to refer to Dr. Harder's package but I don't know whether he knew about that you were gonna do this yet or not when he did that. Mr. Chairman, Sarah Myers is correct on that. Dr. Harder was unaware at the time that you worked with SRS was developing into a legislative package. But a specific proposal for continuing operation of the -----legislature. Will therefore be included in the legislative package of SRS. Also the House Governmental Organization Committee has held its sunset review hearing on this information and they haven't taken any action beyond that hearing to the best of my knowledge. I will talk to the Chairman of this Committee and tell him that it is unnecessary to call you all back in again for review of the agency because we're taking care of that. I don't like the duplication because busy enough without having to take your time off so to bring you before two committees on the same subject in the House and so I'll see that that doesn't happen.

The Kansas Commission for the Hearing Impaired was established by the 1983 Legislature. The purpose of this commission is to provide a sense ----- for information collected and the -----and to facilitate coordination between public and private organizations concerning hearing impaired individuals. I'd like to stop here from reading from my testimony and respond to ----- a little backlog information about ----- and hearing impairment. We talked about a person having diabetes. We generally think of one condition. We talked about a

person having deafness, we talk about a person having four disabling conditions. A person who is totally deaf from birth, cannot hear, has real trouble, anybody who is deaf, even if it is not from birth, has trouble understanding what people say to them, depending on what people say to them, depending whether they have ultimate modes of communications. If they cannot get it to auditory channels so they accept the disability of not being able to hear. The second disability is not being able to speak. Very few hearing impaired people, especially those who are hearing impaired from birth, learn how to speak in a way that they are not embarrassed to use their voices they may be able to speak with their families or friends, but they are not going to go into a restaurant and order something, they are going to point to the menu. They are not going to be able to speak for themselves. I feel that is the second handicapped condition. The third one is the ability to learn English. Sign language is the visual, gestural mode of communications, and it is independent of English. People who are deaf from birth learn, they develop a way of thinking that is not tied to English. Little tiny babies who can hear develop English and they think in English and the next thing you know English is the same as their thoughts. Our little deaf babies do not think in English. They think in a visual mode of communication and when they grow up they still think in that mode of communication. American sign language is the language that is built on the visual, gestural perception. It is not at all connected to English. We also have our official sign languages, the signing exact English, seeing essential possessions, linguistic but visual English, which are modes of communications in English that can be seen on a hand. What we see here today with our interpreters...

is pidgin sign English another mode of communication which is primarily a self structure with a lot of English involved with it. So there is a real variety of communication just among the different sign languages. The ability to learn English is a difficult question because people tend to say well why don't the schools just teach it then kids will all know English. It's not that easy it's very difficult when you look at the level, the reading levels and they give them a grade point when the graduate of the school for the deaf often read at fifth or sixth grade level. They do not read at twelfth grade level. It's a rare exception who can really do that. It's also the kids who have lost their hearing later in life who are going to read at twelfth grade. Those who have had some hearing all along who are going to read at twelfth grade level and are going to college. But the majority our deaf kids do not read out loud. They score very high in vocabulary. They learn a lot of isolated words, if they can't put it together in the paragraph. So written communication is not necessarily something that we can expect will be corrected for hearing impaired individuals. The -----position is the inability to really understand the culture of what is going on in our hearing world and what is expected of people. And this is where deaf people are sometimes compared with the mentally retarded population. Because they don't know how to open a bank account, they don't know what's expected when they are going to try to rent an apartment or if they are going to go to the hospital. They don't know how to get into childbirth classes. They don't know a lot of the everyday living situation things that we all take pretty much for granted. Because they don't hear it and they live in their own culture. So that is what I consider to be four handicapping conditions of the deaf person which really cuts them off from the society. It really makes deafness a distinct disability group in itself.

In the diversity of the hearing impaired community-----in directing the broad scope of needs. Not understood by many ---- providers and the limitations of our -----of the hearing impaired has never the less maintained the quality of life for many hearing impaired individuals. The information is destroyed ----- we are measured by the number of requests for information received. Bills are referred to the appropriate agencies ----- . As well as the number of coordination models----- . Within fiscal year "83" we began meetings of the commission matters in the hiring of the executive director. I -----January 10, 1983. But the office does not get into full swing until mid-March, when we finally have a secretary on staff and moved into our present office day. In only a few months-----we're 91% accomplished. We had a lot of people calling up because they were curious of what we were. With the exception of the referrals to agencies and organizations and that is a point we'll probably never reach. We cannot refer people to organizations because there are very few organizations serving the hearing affairs. We've made a few referrals to----- . We've made a few referrals to Topeka Research Center for the Handicapped here in Shawnee County but the rest of the state is primarily not served for hearing impaired individuals. There is just so many times you can tell people "Yes we have no services, yes we know you have needs, thank you for calling, we will document your needs." Without being able to provide any service at all. Thats the reason we developed a package that which was submitted to Dr. Harder and became this House Bill. That was apparently submitted yesterday. It does extend our sunset and it also adds the permission to provide three very important services. We would like to hire on our staff as parttime

-----employees, interpreters for hearing impaired individuals. We would like to be able to offer sign language classes throughout the communities in Kansas to help people who want to learn a little bit of sign will at least be able to get that and maybe encourage them to go on and become interpreters. We don't project in being able to have an interpreter training program. We'd like to refer them to the Johnson County Community College training program, if possible. And we'd like to have a message relay service, which would be operated by a toll free line, so that hearing impaired people could call in to one central place, our office, and we could then broker their calls to other places, their doctors appointments, not every doctor in the state of Kansas has a TTY. Not very many hearing impaired people have TTY services, they're expensive pieces of equipment. The prices have just come down, there is a new model that sells for a \$159.00, we're hoping that we can get that information out. Telephone service will become within the reach of the hearing impaired people. Southwestern Bell currently offers a TTY to residents who want the message, that it is about \$27.00 a month, and the hearing impaired people never own the equipment. How does it work? I don't know what it is for sure. Okay, there are several different kinds and there are some new computer kinds that you can come out and you can talk to your computer on it too. But it's basically a key-board and it has a coupler that you put your telephone receiver down after you have called your number, put your receiver down on it and it will read out what the person on the other end is typing and then you type GA for go ahead and then you know it's your turn, then you type, then they type GA and you type your communications back and forth. TTY's are very popular among the 15% of the hearing impaired population who

are educated enough to feel very comfortable in English. The other deaf people, they use TTY to make appointments with their friends, just very quick kinds of communications. There are a large number of deaf people who are afraid of TTY. I talked to a mother, "well, you know if you go, only go three times they can perhaps help you in getting a baby cry alarm, so you can hear your baby", she was eight months pregnant when I say her, "and maybe a homemaker, under their homemaker program, you could get a TTY so that if something happened to your two year old and you had your baby you couldn't rush out you could at least call for emergency service" and she would say, "oh, but I can't use the TTY, I left school in the third grade up in Wisconsin, and I was in a main stream program and I was uncomfortable and I don't have any English and I don't want to use the TTY, because people will know that I'm not smart." So I think we need to do some --- with some of our consumers just so they will have access to basic services . She didn't get referred to --- --- by the way. My question is, are all the five proposals that you mention here, have they all been introduced and are going to get hearings, and they are in these house bills. Okay, they are in this house bill 2893, I just received a copy of it a few minutes ago. They are all in this bill? Um-hum, it's all in there, we did propose an amendment to the existing interpreting law, that was house bill 2715, and we've had some hearings on that in Public Health and Welfare, and as far as I know that s----- this one, that one is only an amendment to enable our deaf people to have access to the judicial system. Okay, I just wanted to make sure that because there would be no reason for us to discuss these five measures in this committee then, if it is in this house bill, your recommendations will get it's hearings.

Jan: Well, I noticed that it isn't forever, in other words it is sunsetted in eight years, for a review again. We'll make that decision in here, because the sunset is up for sunset again this year, so we're not sure exactly what's going to happen there. There's sentiment on both sides, so we may, it will be up to this committee to decide what we want to do with 536, whether to continue it forever or what? Anybody else have a question. Go ahead, Ron. Sharon, let me get back on the co-ordination of efforts, if not consolidation. Do you work with the commission on the employment of the handi-capped. Yes, I do. And do you work with Kansas Advisory of the Handi-capped, KCCR, and the, obviously the school for the blind, schools for the deaf, division for the blind services and I guess, where my concerns have been in the past, is the amount of co-ordination that goes on, then you get the division architectural services in, because they are to some extent involved at least on state buildings on handi-capped disabilities standards and what I have found in the past, in fact, I've raised these kinds of questions, as to providing, for instances, visual marquees, visual maps of the facilities, such as the historical society, because just in terms of accessability standards, I don't think there is a requirement that they do that for the hearing impaired, so that somebody who walks in and is not able to speak or hear can find their way around, at least a facility where they could sit or stand and read the exhibits, and that's the thing, if they had a visual display. And I guess, that's my concern, I don't see those kinds of things going on, I suggested four years ago that the tour guides down stairs getting one of the people on board who could sign. Because the only way the hearing im-paired could do it right now, is if they bring in one of their own interpretor. And I guess, where my concern has been is, it's strike me that the whole system is so fragemented

that we've got so many groups out there performing either an isolated functions, such as employment, or in case of the KCCR trying to get jobs back and everything else, and then we've got your advisory commission, then we've got the schools. We don't see ourselves as setting up any new agencies or any new functioning we see ourselves as an aid when other agencies are complying with federal law. Because deaf people have not been provided with interpreters when they go to apply for food stamps, when they go to Social Security, when we --- ---- --- even enough interpreters to ---- we don't have enough people on staff, except maybe a couple -- --- through out the state who can sign[†] so what we're talking about is just the basic services of living, that other disabled groups have access to, simply because they are hearing impaired. We are just talking about those barriers. Okay, here's what my question is, right now you, in order to even communicate with these fragmented groups have to, I assume, initiate the communication, I don't know, maybe you have regular meetings scheduled with every other entities throughout the state. We have some other groups represented on our board, which is one way we keep good contact. Jan Schalanisky (?), John Kelly from the Kansas Advisory Committee Employment of the Handicapped is on the board, we have a representative from the Health and Environment, we have quite a few groups who are on our board. I work closely with the Independent Living Centers --- ---- ---- have lots of conversations about interpreters -- -- and this agency has done enough to get their feet wet, like you know, they know what is going on and --- ---- has employed an interpreter full time on his staff to enable his staff to work with hearing impaired people. He has a lady who is a quadriplegic, who is going to Topeka State Hospital to work with a deaf man, who

is not being provided services there because, frankly, they don't know what to do with him. They contacted me, they said, great you do it, I'm not a counselor at the State Hospital, but Mitch has provided an interpreter which his staff person -- -- the state hospital -- --- ---- --- with the hearing impaired. There is another counselor, who is totally blind -- --- who is doing some independent living counseling with some deaf people in the community who need to learn how to budget their money, these kinds of things. Mitch using his staff, but he's paying for an interpreter to do that, so that his staff can communicate with deaf people. We have now written a grant to try and get an interpreter on his staff, that would still only serve Shawnee County, my concern is for the entire state, deaf people in Wichita, in Salina, Olathe as well as Lawrence, Oskaloosa all those places. You're thinking right now there is sufficient communication between all these entities just between State Government itself? I don't think it's sufficient, but I think it's started. Okay, then maybe that's what has been my gripe, and I know you haven't been on board for a long time so I'm certainly not criticizing you but I have not seen that communication in the past and maybe it's getting better, maybe that's the answer to my question. A lot of times, these kind of things have to happen one person at a time. -- --- policy -- -- and you're not going to listen to you but if you say we're calling about X person, then you get more attention. Thank you. Go ahead Jan. Do you do work with groups that function as far as the elderly are concerned. Not enough, we have tried to get that in a half hazard way, we are involved with --- --- - is putting on. He convinced the Governor to allow us to -- --- and closed caption, his speech the State of the State Address, so that it would be seen in ---

homes. We would like to convince nursing homes, that they need to purchase a color caption decoder so that their elderly people will have access to television again. They can read fine, they just need it to see it. I really, does this 173,000 figure, does that include the number of older people who can't even hear television. I think the number of people who are involved is what we should be looking at, Mr. Chairman. Just the incredible numbers, I don't have any idea what % of the elderly are involved, but I think it is large. We did some figures on that last week and came up with 20% of the people of Kansas as being elderly and I think of that you can consider half of that as having hearing impairment. Sharon, I want to cut you off but I appreciate you appearing before the committee, we do have a few more people who wish to speak and I want to call attention that we have to leave here in 12 minutes, because we do have session at 2:30 and I would like to call on Fred Murphy, one of the commission members at this time. I would like to present ---- this precise and concrete and very important. You betcha! That was very well put, and good testimony, I appreciate it. My name is Clair Murphay, I live Olathe, Kansas and I've a member of the commission of the hearing impaired, and the President of the Kansas Association of the Deaf

----- for the hearing impaired people all over the state of Kansas. -----

----- statistics for the state of Kansas on the number of Kansans who -- --- be served by the Kansas Commission for the hearing impaired. I don't intend to imply that all the ---- ----- of the 73, 000 Kansans who have auditory difficulties would be served by the -- --- but it shows there are many people would be served if

these services were made available to them by -- --- ----. In the past many of the existing state agencies have been promised --- ---- for their hearing impaired clients, but have not been able to serve their wants or needs because they were not familiar with their problems of the deaf. They lack the expertise and often are not aware of the pain -- --- ---- of the needed services. With a KTA office set up and operating this is no longer a problem. The commission is available to consult with agencies serving the deaf in order to make available and --- ---- the services provided by different agencies. Please do not turn a deaf ear to our request, but support the authorization of the -- --- ----. The deaf and hearing impaired tax paying citizens are proud of the Kansas Commission for the Hearing Impaired, which is meeting their needs and they are now enjoying unrestricted use of state services, which in the past were unknown to them, and if known, were inaccessible because of the communication problem. We may never be able to completely eradicate the hearing impairment among our fellow Kansans but we can insure our hearing impaired people are able to exercise their full right as tax paying citizens in this state. The operation of the Commission for the hearing impaired is the only way, in my mind that this can be made to happen. In closing, I would like to share with you an experience that I had two years ago, while I was attending ---- in the group sponsored by deaf people at the Kansas State Fair in Hutchinson. A former older deaf man stopped and spoke to me, I wasn't able to read his lips because of his beard which completely covered his lips while acting brought out his question. With some difficulty he wrote on a pad and handed it to me, it said, where is the school that teaches deaf children how to --- ----

to educate people to better understand -----
that have heart disease and or other cronic disabilites. You can
----- for the Kansas Commission for the hearing impaired
we have only touched the tip of the iceberg in the short time we have
been in existance. Please give the ~~--proposal--~~ for the re-
authorizing Kansas Commission for the Hearing Impaired for your
favorable consideration. ----- and please-----of Ahs.
We don't have time right now for questions, we have several more
people that would like to speak.

Mr. Chairman, we are very pleased and grateful to you for giving us
the opportunity to say how important the Commission is for the
hearing impaired and Kansas community. Hi, this is Mike Nun. I
am a deaf aircraft worker from Wichita. I'll give you a summary
of the services that are provided ----- through the director,
Sharon Cook. I must thank you for those of us who can't speak for
themselves. During the past forty years while we've been learning
communicate with our legislature----- . Some of you will
be surprised to know that there are nearly 175,000 hearing impaired
in this state. At first I thought that question wasn't direct at
the number of concerns with the service. But gradually I came to
realize that most of those who were asking-----really wanted
to know -----but rather where are these people? It became obvious
to me that they didn't have the experience of deaf people. I've
really met them people. I've never gone to school or socialized
with them. It also became obvious that we were truly an invisible
----- of this society. We're not saying-----because our handicap
is for the most part invisible. -----and the public-----
drinking in public and until quite recently that use of public
schools.

-----license because very few of us can communicate effectively with the proprietors and others are selling goods and services memo. We specialize in line with each other on those few exceptional hearing people who don't find it advertant to learn to communicate with us in our own language. The one plus -----graded at an opportunity to observe enough of those in public and be aware of them as in a work place. That's true because through the efforts of places like the Kansas State School for the Deaf, deaf citizens are being set out to ----- prepare the work. In fact, is the ~~te-the~~ point of great pride in us. But that-----do work and produce tax dollars and don't listen. Ladies and Gentlemen, historically deaf citizens of -----services that are available to hearing people. Those services are those have been been very hard pressed to use because we could not tighten ourselves on ---nor could we understand the service provided. I want you to try to understand something with pride -----of our commission. We have some improvements for commission to the extent that comes from interpreting, be allowed to stay within the commission for use of improving the levels of interpretor services throughout the state. -----excellent point which will ----sign language classes and interpretors ---most populated areas. Another area that has great promise of the use of the ----call forwarding. Twenty four hour emergency aid and telephones. Through the use of technology in the form of personal computers. I'd like you to understand and I hope that I can somehow make you understand what this commission for the deaf means in terms of the improvement of our second class citizenship. In terms of summarizing after a long and-----.

Ladies and gentlemen, the KCHI -----
apply for unemployment compensation ----- . It is no longer a
fact that I want to receive Social Security benefits that I have
earned because I can't understand. It was made plain to me and I
will not have to watch while medical people explain to someone else
what my medical problems are because I can't communicate with them
myself. I will no longer refuse interpretor services which are mine
by law because I don't have an ----- . I'll never again -----
because I can't communicate with with law inforcement people. If
you think these are -----let me assure you that each one of these
things has happened in the past and----- and also let me assure
you their commission which is engaged in an effort to educate and
promote deaf awareness and perform as our advocate with the frequency
with which we are subjected to these and other indignaties will be
-----and will fade into the past. I want to simply ask you -----
ask you who having errors and having heard us in the past hear us
again ----Kansas Commission for the Hearing Impaired.
Thank you very much Mr. Nun. Short of time. This committee helped
establish the Commission. Heard testimony two years ago.

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Testimony Concerning Kansas Commission for the Hearing Impaired Relating to Abolition Under Provisions of the Kansas Sunset Law

Mr. Chairman, members of the Senate Governmental Organization Committee, ladies and gentlemen, I am Gabriel R. Faimon, Commissioner of Rehabilitation Services, State Department of Social and Rehabilitation Services. Due to conflicting Legislative schedules, the Secretary of Social and Rehabilitation Services, Dr. Robert C. Harder, was unable to appear before this body at this time. He asked that I express his regrets for not being able to appear before you. I will share with you the Department's position concerning abolition of the Kansas Commission for the Hearing Impaired on July 1, 1984, unless it is reestablished by the Legislature. My comments will address the role and relationship of the Commission, along with recommendations of the Commission, its future, and Legislative proposals related thereto.

Role

The Kansas Commission for the Hearing Impaired was established by the 1982 Legislature. Duties of the Commission are set forth in K.S.A. 1983 Supp. 75-5391 et seq. The Commission was created to serve as a collector and clearinghouse for information and as an advocate and coordinator of services and programs for deaf and hearing impaired Kansans.

Considering the very brief time of its existence, the activities and accomplishments of the Commission to date speak well of its effectiveness as an initial response to a gap in services to a significant segment of the Kansas population. Its singularly most distinctive hallmark is that it has started to collect and organize a body of information that reflects a composite of needs of 173,000 hearing impaired persons in the population of this State. As that information is being developed, clear evidence is emerging that communication access to the community, to society, is a major problem for hearing impaired Kansans. The very lack of access, and the absence of a means to effectively communicate that lack of access, has resulted, in large part over the years, in denial of the problem. Some of the most difficult areas of access involve basic rights of participation in government. Our governmental system is built on the premise of individual initiative and freedom. Government needs to pursue and promote that premise so that each individual can participate in the community and contribute to society, rather than be deterred. Although its existence has been brief, the Kansas Commission for the Hearing Impaired has demonstrated a most appropriate role of government to pursue and promote individual initiative and freedom. In order to not duplicate comments of the Executive Director of the Commission, Ms. Sharon Cook, I will not cite specific examples of how the Commission conducted its operations.

Relationship

Budgeting, purchasing, and related management functions necessary for the Kansas Commission for the Hearing Impaired to carry out its statutory charges are administered under the direction and supervision of the Secretary of Social and Rehabilitation Services, as delegated to me. As a result, the

Department of Social and Rehabilitation Services provides office space, facilities and experienced professional assistance for administration of the Commission. Through these efforts, a sound working relationship has developed and continues to evolve. The Executive Director is a participant in the weekly senior staff meetings of Rehabilitation Services and its monthly administrative staff meetings. Through joint efforts involving a number of SRS and other state agency activities, the Commission prepared a 1983 Directory of Resources for Hearing Impaired Kansans, of which over 2,000 copies were distributed statewide. Within the confines of austere fiscal resources, the Commission co-sponsored a Sign Language/Leadership Training seminar with the Interpreter and Sign Language Training Program at Johnson County Community College in July, 1983. The Commission co-sponsored, with the SRS Division of Services for the Blind, the 1983 Conference on Deaf/Blindness. In cooperation with Washburn University and through private donations and contributions, the Commission co-sponsored the Topeka appearance of Sunshine TOO (a theater group from the National Technical Institute for the Deaf, Rochester, New York). Through these efforts, and the efforts of its Executive Director, the Commission has actively pursued and developed a sound working relationship with the Department of Social and Rehabilitation Services, many of its activities and other jurisdictions. Through my responsibilities for administrative oversight of the operation of the Commission, I am aware of many additional needs for developing working relationships with other organizations, but time and budgetary considerations control. Based on the accomplishments thus far, the Commission has demonstrated initiative and good faith efforts to meet its statutory responsibilities.

Recommendations

With its statutory authority to make recommendations for needed improvements and serve as an advisory board with regard to new legislation affecting deaf and hearing impaired Kansans, the Commission has developed the following recommendations:

1. Enactment of legislation which would extend the life of the Commission for eight years beyond its current abolition date of July 1, 1984, continuing existing statutory authority for its operations;
2. Provide authority for the Commission to offer interpreter services, funded from user fees;
3. Provide authority for the Commission to expand its message relay services by implementing a statewide toll-free line;
4. Provide authority for the Commission to conduct fee-supported sign language classes in various communities across the state; and
5. Enactment of amendments to clarify terminology and establish uniformity for the delivery of appropriate interpreter services.

Governor Carlin has endorsed these recommendations of the Commission, including them in "The Governor's Legislative Message", presented on January 10, 1984.

Legislative Proposals

The above legislative recommendations of the Commission have been presented as legislative proposals to the House Public Health and Welfare Committee by the Secretary of Social and Rehabilitation Services. The legislative proposal related to amendments to clarify terminology and establish uniformity for delivery of appropriate interpreter services has been introduced by the House Committee on Public Health and Welfare as House Bill No. 2715. The legislative proposal related to extension of the life of the Commission and provision of additional authority to enable it to better serve the needs of deaf and hearing impaired Kansans was introduced yesterday as House Bill 2893. Senate Bill No. 536, before this Committee, would continue the Commission operations through June 30, 1992, with no change in existing operations.

After the presentation by Sharon Cook, I would be happy to respond to any questions any member of this Committee may have related to this matter.

Thank you.

Gabriel R. Faimon, Commissioner
Rehabilitation Services
Social and Rehabilitation Services
296-3911
February 9, 1984

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Testimony Concerning Sunset Review

Relating to Kansas Commission for the Hearing Impaired

The Kansas Commission for the Hearing Impaired was established by the 1982 Legislature (K.S.A. 1982 Supp. 75-5391 et. seq.). The purpose of the Commission is to provide a centralized source for information collection and dissemination and to facilitate coordination between public and private organizations that serve hearing impaired individuals.

Given the diversity of the hearing impaired community, the complexity of addressing the broad scope of needs not readily understood by many service providers and the limitations of our staff of two, the Kansas Commission for the Hearing Impaired has nevertheless made gains in improving the quality of life for many hearing impaired individuals.

As an information and referral agency, we are measured by the number of requests for information received, filled, referred to appropriate agencies and organizations, as well as the number of coordination models implemented. Fiscal Year 1983 began with meetings of the Commission members and the hiring of the Executive Director. I assumed my duties January 10, 1983, but the office did not get into full swing until mid-March when our secretary began work and we moved into our present office space. In only a few months, the performance goals for the year were 91% accomplished with the exception of referrals to agencies and organizations. We are currently exceeding the performance goals outlined in our budget and should easily surpass the goals for FY '84 with the exception of referrals. Statistics for the first quarter of Fiscal Year 1984 show requests for information to be already at 36% of our goal or a total of 71 calls. This is particularly significant as the obstacles to telephone accessibility are considerable for most hearing impaired individuals. The requests reflect three major areas of need: interpreting - 51%; sign language instruction - 44%; and telephone/TDD message relay - 25%. These three areas of need have been incorporated in our legislative proposals submitted to Social and Rehabilitation Services administration. A copy of this proposal has been distributed to you.

Sharon K. Cook, Executive Director
Kansas Commission for the Hearing Impaired
Social and Rehabilitation Services
296-2874
February 9, 1984

KANSAS COMMISSION FOR THE HEARING IMPAIRED

FACT SHEET

February 9, 1984

Significant accomplishments during the first year of operation include:

- Published 1983 Directory of Resources for Hearing Impaired Kansans. A 50 page booklet distributed free-of-charge to consumers, service providers and other interested parties. Copies were distributed via deaf clubs, the school for the deaf, the booth at the state fair, parents groups, audiologists and speech therapists, conferences, state agencies and board members. Of the 2,000 copies printed approximately 1500 were distributed as listed above while 400 were mailed upon request from the KCHI office. Reactions to the Directory have been positive.
- Published the Survey of Kansas Families with Hearing Impaired Children by Marnie Campbell. Distributed to board members, leaders in the deaf and hearing impaired community in Kansas and in the United States, to various individuals (professionals, parents, deaf individuals) upon request, and to the Kansas legislators. Approximately 300+ copies have been distributed. Reactions to the Survey have been positive, with deep concern over the needs and lack of coordination of services to hearing impaired children and their families in Kansas.
- Co-sponsored 1983 Conference on Deaf-Blindness, September 26-28, 1983 with Kansas PLAN for Deaf-Blind. The conference featured nationally recognized experts in the field of deaf-blindness as well as a panel of consumers who represented the various degrees and combinations of hearing and visual impairment and the specific needs of each group. Approximately 210 individuals attended the conference. The reactions were positive and there are plans to make it an annual conference.
- Co-sponsored Sign Language Instructor/Leadership Training, July 10-15, 1983 with Johnson County Community College Interpreter Training Program and the National Association of the Deaf/NEPTSLI. Thirteen individuals were selected to participate in this week long training, seven of whom were hearing impaired. Reactions were positive and further training was requested by the participants for next year.

Other activities include:

- Provided information and referral to the public and maintained a log of contacts from information and referral
- Coordinated five sign language classes in Topeka with community agencies
- Gave speeches on the Kansas Commission for the Hearing Impaired and on deafness to: Sertoma of Topeka, Rotary Club of Olathe, 3rd grade public school classes in Junction City, Kansas Chapter of the International Association of Personnel in Employment Security, College class at Emporia State University, Kansas Association of the Deaf, Inc. Convention

- Attended conferences and conventions: Governor's Conference on Agricultural Disability (March, 1983), American Deafness and Rehabilitation Association (June, 1983), Kansas University's Legislative Conference (January, 1983 and 1984) and Kansas Association of the Deaf, Inc. Convention (June, 1983)
- Co-sponsored appearance in Topeka of Sunshine T00, theatre group from National Technical Institute for the Deaf (March, 1983)
- Attended meetings of consumer groups including: Kansas Association of the Deaf, Kansas Council of Disabled Persons, Kansas Roundtable of Organizations Serving the Hearing Impaired, Inc., Missouri-Kansas Telecommunications for the Deaf, Topeka Association of the Deaf, Olathe Club of the Deaf, Salina Club of the Deaf, Kansas City Chapter of the Registry of Interpreters for the Deaf
- Member of Hearing Conservation Advisory Board and attended meetings thereof
- Wrote bi-monthly articles for Kansas Association of the Deaf, Inc. Newsletter
- Provided materials for Kansas Roundtable of Organizations Serving the Hearing Impaired to distribute at the State Fair (September, 1983)
- Met with hospital administrators and concerned deaf individuals to promote compliance with Section 504 of Public Law 93-112
- Coordinated training for Topeka Association of the Deaf from the Office of Civil Rights
- Wrote issue papers for Vocational Rehabilitation budget justification
- In addition to this the Executive Director has interpreted for countless meetings, Vocational Rehabilitation counseling situations, and emergency situations (hospital, police, etc.) -- all of this making heavy inroads on the director's time and energies

POPULATION STATISTICS

DEAF AND HEARING IMPAIRED POPULATION OF KANSAS

In 1969, the Social and Rehabilitation Service of the Department of Health, Education and Welfare awarded a grant to the National Association of the Deaf to conduct a national census of the deaf population. The results of this census were summarized and published in 1974 by Jerome D. Schein, Director, Deafness Research & Training Center, New York University and Marcus T. Delk, Jr., Coordinator of Survey Research, Deafness Research & Training Center, New York University.

There have been no attempts to conduct either national or state census of the deaf and/or hearing impaired populations since the census of 1969-1971. However, smaller and independent surveys conducted by various interested individuals have brought to light certain percentage figures which closely approximate the figures established by the so-called Schein - Delk report.

It is therefore possible to arrive at population statistics by using the percentage figures established by Schein - Delk (1974) and repeated by subsequent surveys by others.

Based on the 1980 census which places the Kansas population at 2,363,208 we conservatively estimate the deaf and hearing impaired population as follows:

Total hearing impaired population - Kansas	<u>173,000</u>
Deaf citizens (became deaf after age of 19)	<u>22,000</u>
Pre-vocationally deaf (became deaf before the age of 19)	<u>6,000</u>
Hearing impaired citizens who experience difficulties due to their hearing impairment	<u>145,000</u>

There were 253,000 Kansans over the age of 65. Applying the same formulas we find that there were 50,600 Senior citizens of Kansas who experience hearing impairment significant enough to impair their communication.

The 1983, and the 1984 census figures for the State of Kansas are larger than the 1970 census figures used in this estimate of the Kansas deaf and/or hearing impaired population--therefore the number of deaf and hearing impaired will be proportionally larger now.

TESTIMONY PRESENTED TO SENATE GOVERNMENTAL
ORGANIZATIONAL COMMITTEE
SUBMITTED FEBRUARY 9, 1984

MR. CHAIRMAN, SENATORS, LADIES AND GENTLEMEN.

MY NAME IS RICK McADAMS. I AM THE EXECUTIVE DIRECTOR OF THE DEAF AND HARD OF HEARING COUNSELING SERVICE IN WICHITA. THANK YOU FOR THE OPPORTUNITY TO SUBMIT WRITTEN TESTIMONY REGARDING HOUSE BILL NO. 2715.

DEAF AND HARD OF HEARING COUNSELING SERVICE IS A UNITED WAY SOCIAL SERVICE AGENCY AND THE PRIMARY RESOURCE FOR INTERPRETER SERVICES FOR THE WICHITA AREA.

I AM A REPRESENTATIVE OF AN ESTIMATED 18,400 DEAF AND HEARING IMPAIRED INDIVIDUALS FROM THAT AREA AND THE PROFESSIONALS WHO STRIVE TO MEET THE DAILY NEEDS OF THAT POPULATION.

DUE TO A GRAVE LACK OF DEAF AWARENESS ON THE PART OF THE HEARING COMMUNITY TOGETHER WITH FAILURE AND OFTEN REFUSAL ON THE PART OF AGENCIES, TO COMPLY WITH SECTION 504, I TELL YOU NOW THAT THE LEGAL RIGHTS AND PERSONAL WELL BEING OF THAT POPULATION I REPRESENT, ARE AT RISK.

THE FIRST STEP TOWARD REDUCING THAT RISK WAS MADE BY THE ESTABLISHMENT OF THE KANSAS COMMISSION FOR THE HEARING IMPAIRED. FOR THE FIRST TIME, DEAF AND HEARING IMPAIRED

PEOPLE WERE GIVEN A VOICE AT THE STATE LEVEL TO ASSIST THEM. FOR THE FIRST TIME, WE AS INTERPRETERS AND PROFESSIONALS SERVING THE DEAF WERE GIVEN A FOUNDATION TO STAND ON WHILE ATTEMPTING TO EDUCATE AND ENLIGHTEN THE HEARING COMMUNITY.

WITHIN THE PAST YEAR ALONE I'VE BEEN IN MANY SITUATIONS WHERE THIS LACK OF AWARENESS AND UNCLEAR REQUIREMENTS HAS RESULTED IN INCIDENTS SUCH AS: A HEARING IMPAIRED MAN BEING INCARCERATED WITHOUT HIS HEARING AID AND BEING DENIED AN INTERPRETER DURING HIS QUESTIONING: OR A PATIENT GOING IN FOR MAJOR SURGERY WITH THE ONLY EXPLANATION BEING GIVEN THROUGH WRITING NOTES, AND AN UNQUALIFIED SIGNING EXACT ENGLISH SIGNER. THIS PATIENT DID NOT READ OR WRITE ENGLISH WELL AND HER NATIVE LANGUAGE OF AMERICAN SIGN LANGUAGE HAS NO WRITTEN FORM. ONE OF THE MOST SHOCKING INDICATIONS OF THIS DEFICIENCY OCCURRED WHILE I WAS INTERPRETING IN COURT AND A JUDGE STATED THAT I WOULD BE INTERPRETING FROM SPOKEN ENGLISH INTO DEAF AND DUMB SIGN LANGUAGE.

AS AN INTERPRETER, I BECOME INVOLVED IN EVERY ASPECT OF THE LIVES OF INDIVIDUALS IMAGINABLE. BUT THE TWO MOST CRUCIAL AREAS THAT DEMAND CLEAR COMMUNICATION ARE MEDICAL AND LEGAL, AS THEY DEAL WITH THE LIFE AND DEATH AND FREEDOM OF THAT PERSON. THEREFORE ADDED TO THE FOUNDATION OF OUR COMMISSION, WE MUST HAVE THE SUPPORT AND STRENGTH THAT WILL COME FROM CLEARLY DEFINED REQUIREMENTS AND GUIDELINES FOR THE PROTECTION OF THOSE RIGHTS, NOW AT RISK.

OUR ONLY HOPE IS THAT WITH YOUR HELP, AND THAT OF OUR COMMISSION,
WE CAN ARRIVE AT A TIME WHEN THE PROVISION OF QUALIFIED
INTERPRETER SERVICE IS ASSURED BY ENLIGHTENED UNDERSTANDING
AND CLEARLY DEFINED CRITERIA. THEN AND ONLY THEN CAN WE CHANGE
INCIDENTS LIKE THOSE I HAVE MENTIONED FROM BEING THE REALITY
OF OUR PRESENT, TO BEING HORROR STORIES OF OUR PAST.