

Approved _____

Date

2-28-85
ah

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at _____
Chairperson

1:30 a/m/p.m. on February 26, 1985 in room 423-S of the Capitol.

All members were present except:

Rep. Bill Bryant, excused
Rep. Judy Runnels, excused

Rep. Jess Harder, excused
Rep. Gary Blumenthal, excused

Committee staff present:

Emalene Correll, Research
Norman Furse, Revisor
Sue Hill, Secy., to committee

Conferees appearing before the committee:

Rep. Bill Buntun
Rep. Denise Apt.
Mr. Bill Kauffman, Former Board member of Pioneer Village, Topeka, Ks.
Ms. Linda Crowl, Acting Administrator of Pioneer Village
Ms. Barbara Sabol, Secy. Department of Health and Environment
Ms. Sharon Cook, Dept. of SRS, Heaf and Hearing Impaired Division
Rep. Arthur Douville
Mr. Fred Murphy, President of Kansas Association for Deaf
Mr. Ken Clark, Instructor at Kansas School for Deaf
Mr. Mitch Cooper, Exec. Director Topeka Resource Center for Handicapped
Mr. Ray Petty, Legislative Liaison, Kansas Dept. of Human Resources

Visitor's register, (see Attachment No. 1.)

Chairman called meeting to order and recognized Rep. Buntun as sponsor of HB 2304.

Hearings on HB 2304 began:

Rep. Buntun spoke to HB 2304, in that it would permit licensing of intermediate nursing care homes for mentally retarded on one site or on contiguous sites. The bill refers to Pioneer Village, Inc. in Topeka, Ks., as well as other nursing care homes with the same circumstances. He stated HB 2304 would solve specific problems that are now being faced by these institutions, and he urged committee for favorable support of HB 2304.

Chair then recognized Rep. Apt. as sponsor of HB 2301.

Hearings on HB 2301 began:

Rep. Apt said she introduced this bill in the interest of identification of children hoping that it would perhaps help to locate some who might later be missing. It seemed a reasonable process that could be done in hospitals at the time of birth of the infant. She answered numerous questions from committee, i.e., no footprint is not a part of the birth certificate presently; yes, she felt it would be good to have a central repository for this type of record; the fiscal note would be low because of slight change in the birth certificate document would be necessary at the out-set, but after that time no further expense would be indicated; etc.

Chair then directed committee's attention back to hearings on HB 2304.

HB 2304:

Mr. Bill Kauffman, former Board member of Pioneer Village spoke in support of HB 2304. He said there is a particular problem currently being faced by Pioneer Village because they lease their facility, and because of the lease, the name of the person they lease from must have his name on their license request. He stated they are trying to comply with all regulations and go through proper channels to get the needed additional space to serve the mentally retarded. He offered an amendment, (see Attachment No. 3.), for details. Line 0179 of this amendment would add language to read, "except that in no case shall the total resident population at any one site or contiguous sites exceed 75 residents". He asked for favorable consideration of HB 2304. Further, he stated that the dept. of SRS has given their support of this bill.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S, Statehouse, at 1:30 a.m./p.m. on February 26, 1985.

Hearings on HB 2304 continue:

Ms. Linda Crowl, Acting Administrator of Pioneer Village, stated her remarks were in line with Mr. Kauffman, and rather than repeat the same things, she would welcome any questions committee might have in regard to their position on HB 2304. She stated they are at 100% capacity at their facility, and have a waiting list. Have one private pay individual she stated. Most of their money comes from Title 19, etc., were some of questions she answered.

There was some in-put from staff at this point in regard to specific rules and regulations. Hearings closed on HB 2304.

Hearings on HB 2301:

Secy Sabol was recognized by chairman, and she presented testimony, (see Attachment No. 4.), for details. The fingerprinting required for infants by hospitals within 5 days would require some specific changes she stated, a skilled employee to do said fingerprinting; special equipment; change in the birth-certificate form; etc. She agrees with Rep. Apt in developing a mechanism in which children can be tracked when lost, but there are weaknesses with this proposal. Derman ridges are poorly developed at such an early age, she stated, and when not classifiable, are of little benefit, further, fingerprint creases may change during the first six months of life. With these insights, she said, she would like committee to know that their Department should support any effort to help find lost children, but the process of placing fingerprints on the official birth certificate may not be the most effective. She then answered questions from committee.

Hearings closed on HB 2301.

Hearings began on HB 2221:

Ms. Sharon Cook, Dept. of SRS, division of deaf and hearing impaired spoke to HB 2221, distributing (Attachments 5,5-A), see for details. This bill, she said attempts to insure against conflict of interest in providing interpreting services to the deaf; addresses the subject of quality assurance of interpreters, as it identifies the Kansas Commission for Deaf and Hearing Impaired as being responsible for maintaining a list from which qualified interpreters shall be appointed; and will help allow deaf citizens full participation in society. She spoke of fiscal impact being based on usage of such interpreter services, and that the cost would be borne by the various appointing authorities throughout the state. She urged committee for favorable passage of HB 2221. Questions were then answered.

Rep. Arthur Douville spoke to HB 2221, stating that this legislation will permit participation and protection for deaf citizens. They want to be heard in public meetings, forums, etc., and can also be protected when protection is needed, in having adequately trained interpreter services. He spoke of how proud they are of their school in Olathe for the hearing impaired, and thanked committee for their attention.

Mr. Fred Murphy, President of Kansas Association for Deaf used an interpreter for his testimony, as he signed to her. He spoke of a mock jury trial in which he took part, using the same testimony of an actual trial, and the jury of deaf citizens returned the same verdict in half the time that the hearing and speaking jury did. He stated they are not asking for anything unreasonable, just to be considered in the same ways as hearing individuals. This legislation will allow deaf citizens to participate in jury duty, or town meetings, or other public forums if they choose to do so, and will help them to become much more active participants in their communities. He answered questions from committee.

Mr. Ken Clark, an Instructor at School for Deaf in Olathe, spoke to HB 2221, saying how important the technical equipment is to this committee in regard to the speakers, microphones, etc., and how important communication is in our world, and correlated that meaning to the deaf citizens of Kansas, and how important this legislation is to them. He stated they are so grateful for interpreters, and are most anxious to take a more active role in community affairs. He urged committee for favorable passage of HB 2221. Mr. Clark also used an interpreter as he signed to her.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S, Statehouse, at 1:30 a.m./p.m. on February 26, 1985.

Hearings continue on HB 2221:

Mr. Mitch Cooper, Executive Director of Topeka Resource Center for Handicapped, spoke to HB 2221, saying they provide a wide range of services for persons with all types of disabilities. Our encounters with deaf persons he said have taught them a great deal. They found that hiring qualified interpreters at their center has made a major difference in offering expanded services for the deaf. He stated HB 2221 is extremely important to their Center and to the deaf persons for whom they make resources available. It is, he said, one more dramatic step in making our communities, our government, and our judiciary system accessible to disabled citizens, and he then urged for committee's favorable consideration of HB 2221. (See attachment No. 6.), for his testimony.

Mr. Ray Petty, Legislative Liaison of Kansas Dept. of Human Resources gave printed testimony to committee, (see Attachment No. 7.), for details. He said that HB 2221 would provide more and better communication access for the deaf citizens of Kansas, as it would promote quality assurance, reduce potential for conflict of interest in interpretation, and spread the cost of services across various agencies and departments in the state. He urged support of HB 2221.

Hearings closed on HB 2221.

Chair then announced to committee the decision had been reached to recommend the Occupational Therapists, and Respiratory Therapists bills that had been introduced by this committee, to go to Interim Study. Both of these bills were introduced too late in the session to receive adequate consideration by the committee. There are many other disciplines that wish to be included in the Occupational Therapists bill, and credentialing process is not a rubber stamp procedure. It was a decision that will be in the best interest of most. There was some in-put from committee following chair's remarks.

Meeting adjourned at 3:00 p.m.

GUEST REGISTER

2-26-1985

HOUSE

PUBLIC HEALTH AND WELFARE

NAME	ORGANIZATION	ADDRESS
Caroline Prache	visitor	from France
Donald Johnson	"	Salina KS
Sharon K. Cook	KCDHF	Topeka
Katie Ash	Topeka Resource Center for the H.C.	Topeka
Kim Ash	visitor	Topeka
Ron Waddell	visitor	Topeka
Eugene Ash	Topeka Assn of Deaf	Topeka
Fred Murphy	Kansas Assn of Deaf	Olathe
Ken Clark	Kans. School for the Deaf	Olathe
John Kelly	DD Council MH/RS	Topeka
Joan Watson	Rehab. Ctr. SAS	Topeka
Ray Pitty	KACEH	Topeka
Ron Bates	-	Topeka
KETH R LINDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS	"
P. J. SABOL	KDHF	"
Jill McBride	United Way	"
Lynelle King	Kans. Nurses' Assn.	"
Ed Martin	Topeka Resource Center for the Handicapped member	Topeka
Bobby G. Fisher	TAD member	Topeka
Mitch Cooper	Topeka Resource Center for the Handicapped	Topeka
Patricia Brecht	KS Commission for the Deaf & Hearing Impaired	Topeka

Attn. # 1.
2-26-85



TOPEKA

HOUSE OF
REPRESENTATIVES

February 26, 1985

WILLIAM W. BUNTEN
REPRESENTATIVE, FIFTY-FOURTH DISTRICT
SHAWNEE COUNTY
1701 W. 30TH
TOPEKA, KANSAS 66611

Attn. # 2
2-26-85
COMMITTEE ASSIGNMENTS
CHAIRMAN: WAYS AND MEANS

The Honorable Marvin L. Littlejohn
Chairman, Public Health and Welfare Committee
Room 425-S, Statehouse
Topeka, KS 66612

Re: HOUSE BILL 2304

Dear Representative Littlejohn:

I am writing in support of House Bill 2304, a measure introduced by me on behalf of Pioneer Village, Incorporated, which would permit the licensing of intermediate nursing care homes for the mentally retarded on one site or on contiguous sites.

Pioneer Village, Inc. is a Kansas not-for-profit corporation located in the City of Topeka and operating as an intermediate care facility for the mentally retarded. In providing care to 60 mentally retarded adults, Pioneer Village has had an opportunity to have new facilities constructed for them by a Topeka developer. The corporation went through the certificate of need process during 1984; but due to an administrative regulation of the Department of Health and Environment precluding construction of such facilities on the same or contiguous sites and an interpretation of K.S.A. 1984 Supp. 39-924(13) which provide the landlord of Pioneer Village an interest in its license, Pioneer Village has been unable to secure the final approval of the Secretary of the Department of Health and Environment to relocate the facility.

The amendment as proposed by House Bill 2304 would statutorily permit the licensure of intermediate care facilities for the mentally retarded when more than one residential building is located on one site or contiguous sites. It is my judgment that Pioneer Village is making a conscientious effort to provide quality care to 60 mentally retarded residents of this community, and I urge this committee's favorable action.

Ms. Lynda Crawl, Acting Administrator of Pioneer Village, and Mr. William Kauffman, a former member of the Board of Directors of Pioneer Village, will be in attendance at today's hearing and will be prepared to testify in support of this measure.

Sincerely,

William W. Bunten
Representative
Fifty-Fourth District

Attn. # 2
2-26-85

Attn. # 3
2-26-84

0157 respective categories of facilities so long as the above categories
0158 for adult care homes are used as guidelines to define and identify
0159 the specific acts.

0160 Sec. 2. K.S.A. 1984 Supp. 39-927 is hereby amended to read
0161 as follows: 39-927. An application for a license to operate an
0162 adult care home shall be made in writing to the licensing agency
0163 upon forms provided by it and shall be in such form and shall
0164 contain such information as the licensing agency shall require,
0165 which may include affirmative evidence of the applicant's ability
0166 to comply with such reasonable standards and rules and regula-
0167 tions as are adopted under the provisions of this act. ~~Such~~
0168 ~~application, except an application for a one-bed adult care home~~
0169 ~~and a two-bed adult care home, shall be accompanied by a~~
0170 ~~certificate of need issued by the state agency authorized by law~~
0171 ~~to issue such certificate.~~ The application shall be signed by the
0172 person or persons seeking to operate an adult care home, as
0173 specified by the licensing agency, or by a duly authorized agent
0174 of any person so specified. *An applicant for a license to operate*
0175 *an intermediate nursing care home for the mentally retarded*
0176 *which includes more than one residential building located on*
0177 *one site or on contiguous sites may apply for one license for each*
0178 *residential building located on the site or for one license for the*
0179 *group of buildings located on the site.*

0180 Sec. 3. K.S.A. 1984 Supp. 39-923 and 39-927 are hereby
0181 repealed.

0182 Sec. 4. This act shall take effect and be in force from and
0183 after its publication in the statute book.

, except that in no case shall the total resident population at any one site or contiguous sites exceed 75 residents

*Attn. # 4
2-26-85*

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON HB 2301

PRESENTED TO House Committee on Public Health and Welfare
February 26, 1985

This is the official position taken by the Kansas Department of Health and Environment on HB 2301.

BACKGROUND INFORMATION:

The bill would require the addition of a child's fingerprint to the birth certificate at the time of registration, within five days after birth. Since 99.5% of deliveries occur in hospitals, this would be almost entirely a responsibility of hospital staff, but about 185 births per year are home births and these would be most difficult to get fingerprinted. They are generally also higher risk babies. It would also not catch out-of-state births to Kansas residents. According to the Registration Methods Branch of the National Office of Vital Statistics no other state has such a statutory requirement.

STRENGTHS:

Would possibly create an awareness among parents and in the community that efforts are being made to establish an identification system for tracing missing children.

WEAKNESSES:

In view of the registration and reproduction processes, this would require court orders, time delays and extra expenses in making the original certificate available for investigations.

Since about 7% of births to Kansas residents occur in other states, it would be a problem to secure fingerprints on 3,000 newborn Kansas citizens per year.

It would be difficult to enforce the provisions of the bill because there would be no significant penalty for non-compliance and once the child leaves the hospital, there would be no practical way to secure the fingerprint.

It would require the revision of the standard birth certificate form, hence would mean crowding present items or sacrificing some information to make room for the fingerprint.

*Attn. #4
2-26-85*

According to FBI and KBI agents it would be difficult to fingerprint babies with good results. Dermal ridges are poorly developed at such an early age, hence chances of classifying such prints would be remote and when they are not classifiable they are probably not worth doing. It was also pointed out that the fingerprint creases may change during the first six months of life. They also emphasized that it takes a degree of skill to do fingerprinting right under any circumstances and that it would take some training and/or special instructions for whoever is involved in doing it. It would also require using the right kind of stamp pads.

In view of the inherent difficulties of producing identifiable fingerprint impressions, to place them on an official form could leave a bunch of black blobs if repeated efforts are made to record a clear fingerprint.

DEPARTMENT'S POSITION:

Would support any effort to help find lost children, but the process of placing fingerprints on the official birth certificate may not be the most effective.

Presented by: Barbara J. Sabol, Secretary
Kansas Department of Health
and Environment

Birth Certificate

SAMPLE

This Certifies

That

[REDACTED]

was born in

Mercy Hospital

Fort Scott, Kansas

at 12:09 a.m. Thursday, July 20 1955

[REDACTED SIGNATURE]
ATTENDING PHYSICIAN

In Witness Whereof the said Hospital has caused this Certificate to be signed by its duly authorized officer and its Corporate Seal to be hereunto affixed.

FAMILY HISTORY

Father's Full Name [REDACTED]

[REDACTED SIGNATURE] SUPERINTENDENT

Residence Fort Scott, Kans

Birthplace Fort Scott, Kans Date [REDACTED]

Mother's Maiden Name [REDACTED]

Birthplace Fort Scott, Kans Date 10-2-55

MOTHER'S FINGERPRINT

BABY'S PALMPRINT OR FOOT PRINT

This is an example of the kind of foot and/or finger printed documents some hospitals have issued.

08625
03301
\$3.00
\$5.00
\$4.00
\$3.00
\$4.00
\$4.00

*Attn. #5
2-26-85*

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Testimony in Support of House Bill 2221

Mr. Chairman, Members of the Committee, I am appearing today in support of House Bill 2221 which is innovative in three ways. First it attempts to insure against conflict of interest in providing interpreting services. Individuals may not serve as an interpreter for a person if such individual is married to the person, related to the person within the first or second degrees of consanguinity, living with that person or is otherwise interested in the outcome of the proceedings. It may be appropriate to allow an exception in a foreign language situation where there may only be a handful of people in the entire country who can speak a certain dialect. Consider the case of the Taiwanese. However, in interpreting for deaf people, we have the capability through the Kansas Commission for the Deaf and Hearing Impaired of locating an appropriate interpreter within 48 hours. Secondly, this bill addresses the subject of quality assurance of interpreters. It identifies the Kansas Commission for the Deaf and Hearing Impaired as responsible for maintaining a list from which qualified interpreters shall be appointed. The significance of identifying the Kansas Commission for the Deaf and Hearing Impaired as a resource for obtaining interpreters in the statute cannot be overstated in terms of assisting the appointing authority. The third and maybe most important innovation that occurs in this bill is the change from a reactive to a proactive stance: from that of taking care of deaf people in trouble to one of allowing deaf citizens full participation in society. The Commission has the capability of coordinating, upon request, the provision of the interpreting services for an appointing authority. Whether we provide our own staff interpreters for a fee or identify and coordinate with appropriate free-lance interpreters, we do not charge for the coordinating service.

*Attn. #5
2-26-85*

The fiscal impact to any one agency can only be estimated, since costs will be based on usage. Because the service must be specifically requested 48 hours in advance, it is difficult to determine what the usage will be. For example, two hundred deaf and hearing impaired citizens could each attend ten separate, hour long events at a total cost of \$25,000.00. Since public meetings have not been accessible to deaf and hearing impaired individuals, only a small number of such individuals are projected to participate the first few years. The total fiscal impact is estimated to range from \$500.00 to \$1,000.00 in Fiscal Years '86 and '87. This cost would be borne by the various appointing authorities throughout the state who use this service.

I urge your passage of House Bill 2221 which extends equal opportunity for deaf and hearing impaired citizens to participate in public meetings.

Sharon K. Cook, Executive Director
Kansas Commission for the Deaf and
Hearing Impaired
Social and Rehabilitation Services
296-2874
February 26, 1985

*Attn. # 5-A
2-26-85*

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Statement Regarding H.B. 2221

Title:

An Act Concerning the Appointment of Interpreters for Deaf, Hearing or Speech Impaired Persons; Amending K.S.A. 75-4351, 75-4353 and 75-4354, and Repealing the Existing Sections.

Purpose:

The bill separates interpreting for disabled individuals (deaf, hearing impaired, or speech impaired) from interpreting for individuals whose primary language is one other than English. This change recognizes the complex disparity between interpreting from one spoken language to another versus interpreting from a spoken language to a manual form of communication. The bill defines appointing authority, deaf person, hearing impaired person, and speech impaired person. It allows for intermediary interpreters as needed. The bill requires that deaf and hearing impaired persons will have the availability of qualified interpreters in these circumstances:

- grand jury proceeding (when a witness);
- court proceeding (when plaintiff, defendant or witness);
- proceeding before a board, commission, agency, licensing authority or advisory committee of the state or any of its political subdivisions (when principal party in interest or witness AND when ask for interpreter 48 hours prior to proceedings);
- committee or subcommittee of the state legislature, commission created by the legislature (when appearing to present testimony AND when ask for interpreter 48 hours prior to proceedings);
- alleged violation of criminal law or city ordinance (when arrested and before statement is taken);
- jury duty (when summoned).

In these instances the Kansas Commission for the Deaf and Hearing Impaired is charged with identifying qualified interpreters by K.S.A. 75-5393(b)(6).

Background:

Persons who are deaf, hearing or speech impaired often require a special interpreter whose communication skills are greater than those necessary for foreign language interpreters. Interpreters for hearing impaired individuals

*Attn. # 5-A
2-26-85*

must render information from a spoken language, that is standardized and fairly consistent, such as English, to a visual-gestural language, and then reverse the process. Depending upon education, age, and other factors, a hearing impaired individual may be able to communicate through a fairly consistent language with its own rules of grammar, syntax, etc., (e.g., American Sign Language); pantomime; any of three major manual codes for English; oral interpreting; or any combination of the preceding approaches. Using written communication for persons who have been hearing impaired from birth is often inadequate, because such persons may have limited reading comprehension, which is largely built on speech reception. Most people are not aware of the variety of communication needs of the hearing impaired population. Involving the Kansas Commission for the Deaf and Hearing Impaired in the selection of interpreters for deaf and hearing impaired individuals provides needed technical assistance; this intends to insure accessibility to effective communication when a hearing impaired person is the plaintiff, defendant or witness in civil or criminal action, or in any proceeding before a board, commission, agency or licensing authority of the State or any of its political subdivisions.

Effect of Passage:

The Kansas Commission for the Deaf and Hearing Impaired has immediate information about the location, skills and availability of qualified interpreters. This coordination will result in greater efficiency in the delivery of these services. No changes are anticipated for agencies, organizations and others utilizing interpreting services other than identifying billing procedures to pay for interpreting services. The appointing authority retains final authority to appoint an interpreter and to make a preliminary determination regarding such interpreter's ability to perform in the particular setting.

SRS Recommendation:

The Department of Social and Rehabilitation Services urges favorable consideration of this Bill.

Office of the Secretary
Social & Rehabilitation Services
296-3271
February 26, 1985

Attn. # 6

2-26-85

Testimony
to
House Committee on Public Health & Welfare
Regarding HB 2221
A Bill Pertaining to the Appointment of
Interpreters for Deaf, Hearing or Speech Impaired Persons
February 26, 1985

Presenter: Mitch Cooper, Executive Director
Topeka Resource Center for the Handicapped
Location: Room 423 South
Time: 1:30 PM

I am the director of a Center for Independent Living. We provide a wide range of services for persons with all types of disabilities. Our encounters with deaf persons have taught us a great deal and I would like to share some of these experiences with you.

When we first opened our doors, we had a TDD (telecommunication device for the deaf) and a lot of good will. We felt that with patience and with our wonderful TDD that would let us communicate over the telephone lines that not having an interpreter for deaf on staff would not be an insurmountable problem.

The next few years proved to be difficult ones in terms of the provision of adequate services to deaf persons. Written messages in person and TDD messages over the telephone represented a poor means of communication with deaf persons in need of our resources. The language structure used by persons whose primary means of communication was ASL (American Sign Language) presented a barrier to effective conversation. There were many occasions when miscommunication occurred, causing wasted staff efforts and the needs of deaf persons going unmet.

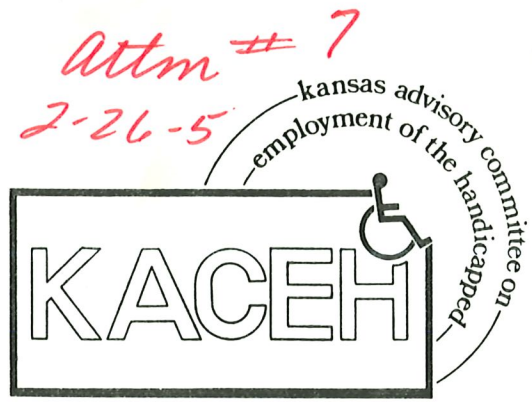
The Center responded with an intense effort to improve the knowledge of sign language among staff persons. Armed with a rudimentary knowledge of fingerspelling, where each individual letter of the alphabet is

Attn. #6
2-26-85

represented by a sign, and a long laundry list of vocabulary words, we felt as though we were ready to communicate at last. Though helpful in terms of simple conversations, this limited understanding of ASL fell far short in cases involving deaf persons under stress and where delicate negotiations with employers, landlords and other significant third parties were required.

Last spring we finally took the major step of hiring a qualified interpreter. This has made a drastic difference in terms of the success of our Center in working with deaf persons. Staff now uses their signing skills in greeting deaf persons coming into the Center and in communicating simple messages. The interpreter is used only as needed in the provision of Center services. She also provides her services for a nominal fee to businesses, agencies and organizations to facilitate their communications with deaf persons.

HB 2221 is extremely important to our Center and the deaf persons for whom we make our resources available. It is one more dramatic step in making our communities, our government and our judiciary system accessible to disabled citizens. It is one more progressive effort to reinforce the Kansas participatory form of government.



HOUSE BILL 2221

KACEH fully supports HB 2221 which provides for more and better communication access for deaf persons in Kansas. The Kansas Commission for the Deaf and Hearing Impaired has expanded its services to the deaf population in recent years. This bill promotes quality assurance, reduces the potential for conflict of interest in interpretation, and spreads the cost of services across the various agencies and departments of the state.

The bill was one of the two top legislative priorities established by the coalition on disability at the recent Legislative Conference on Human Services. A brief of that position may be found on the reverse side of this sheet.

Ray Petty, Legislative Liaison, KACEH

Attn # 7
2-26-5

1985 LEGISLATIVE CONFERENCE ON HUMAN SERVICES
January 21-22

Human Services Legislative Agenda
Recommended Actions

COALITION: Disabled

SPECIFIC POLICY AREA: Communication Access for Deaf, Hearing Impaired and Speech Impaired Citizens

STATEMENT OF THE PROBLEM: The current interpreting laws do not distinguish between interpreters for disabled individuals and interpreters of foreign languages. Persons who are deaf, hearing or speech impaired often require a special interpreter whose communication skills are greater than those necessary for foreign language interpreters. Interpreters for hearing impaired individuals must render information from a spoken language, that is standardized and fairly consistent, such as English, to a visual-gestural language, and then reverse the process. Depending upon education, age, and other factors, a hearing impaired individual may be able to communicate through a fairly consistent language with its own rules of grammar, syntax, etc., (e.g. American Sign Language); pantomime; any of three major manual codes for English; oral interpreting; or any combination of the preceding approaches. Using written communication for persons who have been hearing impaired from birth is often inadequate, because such persons may have limited reading comprehension, which is largely built on speech reception. Most people are not aware of the variety of communication needs for the hearing impaired population. Without access to qualified interpreters, deaf people are often excluded from the mainstream of public life.

PROPOSED LEGISLATIVE ACTION: The Kansas Legislature should pass the amendments to the current interpreting law as proposed by the Secretary of Social and Rehabilitation Services and included in the Governor's Legislative Package for 1985. This Bill is innovative in three ways. First it attempts to insure against conflict of interest in providing interpreting services. Individuals may not serve as an interpreter for a person if such individual is married to the person, related to the person within the first or second degrees of consanguinity, living with that person or is otherwise interested in the outcome of the proceedings. It may be appropriate to allow an exception in a foreign language situation where there may only be a handful of people in the entire country who can speak a certain dialect. Consider the case of the Taiwanese. However, in interpreting for deaf people, the capability exists through the Kansas Commission for the Deaf and Hearing Impaired of locating an appropriate interpreter within 48 hours. Secondly, this bill addresses the subject of quality assurance of interpreters. It identifies the Kansas Commission for the Deaf and Hearing Impaired as responsible for maintaining a list from which qualified interpreters shall be appointed. Third and perhaps the most important innovation that occurs in the Bill is the change from a reactive to a proactive stance: from that of taking care of deaf people in trouble to one of allowing deaf citizens full participation in society.