

Amendment No. 55

Senate Amendment to Senate Bill No. 61 (BDR 38-310)

Proposed by: Senate Committee on Health and Human Services**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

AAK/RBL



Date: 4/4/2013

S.B. No. 61—Revises certain provisions relating to persons with communications disabilities. (BDR 38-310)



SENATE BILL NO. 61—COMMITTEE ON
HEALTH AND HUMAN SERVICES(ON BEHALF OF THE AGING AND
DISABILITY SERVICES DIVISION)

PREFILED DECEMBER 20, 2012

Referred to Committee on Health and Human Services

SUMMARY—Revises certain provisions relating to persons with communications disabilities. (BDR 38-310)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public welfare; revising ~~the number and qualifications of members of~~ provisions relating to the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities of the Nevada Commission on Services for Persons with Disabilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities within the Nevada Commission on Services for Persons with Disabilities. The Subcommittee is authorized to: (1) make recommendations to the Commission concerning programs for persons with communications disabilities; (2) recommend to the Commission proposed legislation concerning persons with communications disabilities; and (3) collect information concerning persons with communications disabilities. The Subcommittee consists of 11 members (8 voting, 3 nonvoting) who represent various interests related to communications disabilities. (NRS 427A.750)

Section 1 of this bill removes five positions from the Subcommittee (including all three nonvoting members), changes the criteria for three positions, ~~and~~ adds ~~one position~~ two positions reserved for a user of telecommunications relay services or the services of persons engaged in the practice of interpreting or the practice of realtime captioning. ~~It~~ and adds one position reserved for a parent of a child who is deaf, hard of hearing or speech-impaired. Section 1 also allows the Subcommittee to create and annually review a strategic plan and to provide certain advice to the Aging and Disability Services Division of the Department of Health and Human Services and to the Department of Education.

Section 2 of this bill provides that the terms of the Subcommittee members whose positions are being removed end on the effective date of this bill and that the new members must be appointed in a manner consistent with the staggered terms currently served by the Subcommittee members.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 427A.750 is hereby amended to read as follows:

427A.750 1. The Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities of the Nevada Commission on Services for Persons with Disabilities is hereby created. The Subcommittee consists of ~~HH~~ ~~seven~~ nine members appointed by the Administrator. The Administrator shall consider recommendations made by the Nevada Commission on Services for Persons with Disabilities and appoint to the Subcommittee:

(a) One member who is employed by the Division and who participates in the administration of the program of this State that provides services to persons with communications disabilities which affect their ability to communicate;

(b) One ~~person~~ member who is a member of the Nevada Association of the Deaf ~~HH~~ , or, if it ceases to exist, one member who represents an organization which has a membership of persons who are deaf, hard of hearing or speech-impaired ; ~~f~~ or a parent of a child who is deaf, hard of hearing or speech-impaired

(c) One member who ~~is professionally qualified in the field of deafness;~~ has experience with or an interest in and knowledge of the problems of and services for the deaf, hard of hearing or speech-impaired;

(d) The Executive Director of the Nevada Telecommunications Association or, in the event of its dissolution, a member who represents the telecommunications industry;

(e) ~~One member~~ Two Three members who ~~is a consumer~~ are users of telecommunications relay services ~~HH~~ or the services of persons engaged in the practice of interpreting or the practice of realtime captioning; ~~and~~

~~(f) One member who is a consumer of Communication Access Realtime Translation or realtime captioning;~~

~~—(g) One member who is a consumer of services provided by a person engaged in the practice of interpreting;~~

~~—(h) One nonvoting member who is registered with the Division pursuant to NRS 656A.100 to engage in the practice of interpreting in a community setting and holds a certificate issued by the Registry of Interpreters for the Deaf, Inc., or its successor organization;~~

~~—(i) One nonvoting member who is registered with the Division pursuant to NRS 656A.100 to engage in the practice of interpreting in an educational setting and has completed the Educational Interpreter Performance Assessment administered by the Boys Town National Research Hospital, or its successor organization, and received a rating of his or her level of proficiency in providing interpreting services at level 4 or 5;~~

~~—(j) One nonvoting member who is registered with the Division pursuant to NRS 656A.400 to engage in the practice of realtime captioning; and~~

~~—(k) One member who is a parent of a child who is deaf, hard of hearing or speech-impaired; and~~

(g) One member who represents educators in this State and has knowledge concerning the provision of communication services to persons with communications disabilities in elementary, secondary and postsecondary schools and the laws concerning the provision of those services.

2. After the initial term, the term of each member is 3 years. A member may be reappointed.

3. If a vacancy occurs during the term of a member, the Administrator shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.

4. The Subcommittee shall:

(a) At its first meeting and annually thereafter, elect a Chair from among its ~~+~~~~voting~~ members; and

(b) Meet at the call of the Administrator, the Chair of the Nevada Commission on Services for Persons with Disabilities, the Chair of the Subcommittee or a majority of its members as is necessary to carry out its responsibilities.

5. A majority of the ~~+~~~~voting~~ members of the Subcommittee constitutes a quorum for the transaction of business, and a majority of the ~~+~~~~voting~~ members of a quorum present at any meeting is sufficient for any official action taken by the Subcommittee.

6. Members of the Subcommittee serve without compensation, except that each member is entitled, while engaged in the business of the Subcommittee, to the per diem allowance and travel expenses provided for state officers and employees generally if funding is available for this purpose.

7. A member of the Subcommittee who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation so that the person may prepare for and attend meetings of the Subcommittee and perform any work necessary to carry out the duties of the Subcommittee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Subcommittee to make up the time he or she is absent from work to carry out his or her duties as a member of the Subcommittee or use annual vacation or compensatory time for the absence.

8. The Subcommittee may:

(a) Make recommendations to the Nevada Commission on Services for Persons with Disabilities concerning the establishment and operation of programs for persons with communications disabilities which affect their ability to communicate

~~+~~~~+~~ (b) Recommend to the Nevada Commission on Services for Persons with Disabilities any proposed legislation concerning persons with communications disabilities which affect their ability to communicate. ~~+~~~~+~~

(c) Collect information concerning persons with communications disabilities which affect their ability to communicate.

(d) Create and annually review a 5-year strategic plan consisting of short-term and long-term goals for services provided by or on behalf of the Division. In creating and reviewing any such plan, the Subcommittee must solicit input from various persons, including, without limitation, persons with communications disabilities.

(e) Review the goals, programs and services of the Division for persons with communications disabilities and advise the Division regarding such goals, programs and services, including, without limitation, the outcomes of services provided to persons with communications disabilities and the requirements imposed on providers.

(f) Based on information collected by the Department of Education, advise the Department of Education on research and methods to ensure the availability of language and communication services for children who are deaf, hard of hearing or speech-impaired.

9. The Subcommittee shall make recommendations to the Nevada Commission on Services for Persons with Disabilities concerning the practice of

1 interpreting and the practice of realtime captioning, including, without limitation,
2 the adoption of regulations to carry out the provisions of chapter 656A of NRS.

3 10. As used in this section:

4 (a) "Nevada Commission on Services for Persons with Disabilities" means the
5 Nevada Commission on Services for Persons with Disabilities created by NRS
6 427A.1211.

7 (b) "Practice of interpreting" has the meaning ascribed to it in NRS 656A.060.

8 (c) "Practice of realtime captioning" has the meaning ascribed to it in NRS
9 656A.062.

10 (d) "Telecommunications relay services" has the meaning ascribed to it in 47
11 C.F.R. § 64.601.

12 **Sec. 2.** 1. The terms of the current members of the Subcommittee appointed
13 pursuant to paragraphs ~~(b), (c)~~ (c) and (e) to (j), inclusive, of subsection 1 of NRS
14 427A.750, as that section existed before the effective date of this act, expire on the
15 effective date of this act.

16 2. As soon as practicable after the effective date of this act, the Administrator
17 shall appoint to the Subcommittee the new members required by paragraphs ~~(b), (c)~~
18 (c), ~~(d)~~ (e) and (f) of subsection 1 of NRS 427A.750, as amended by section 1 of
19 this act. A member may be reappointed pursuant to this subsection if the member
20 meets the applicable criteria of subsection 1 of NRS 427A.750, as amended by
21 section 1 of this act.

22 3. In making the appointments described in subsection 2, the Administrator
23 must, insofar as is possible, appoint the new members to initial terms which are of
24 such durations that the terms are consistent with the manner in which the terms of
25 the other members of the Subcommittee are staggered.

26 4. As used in this section:

27 (a) "Administrator" has the meaning ascribed to it in NRS 427A.021.

28 (b) "Subcommittee" means the Subcommittee on Communication Services for
29 Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities of
30 the Nevada Commission on Services for Persons with Disabilities.

31 **Sec. 3.** This act becomes effective upon passage and approval.