

ASSEMBLY BILL NO. 200—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

FEBRUARY 26, 2015

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the program to provide devices for telecommunication to persons with impaired speech or hearing. (BDR 38-419)

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 persons with disabilities; revising provisions relating to the program to provide devices for telecommunication to persons with impaired speech or hearing; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The Aging and Disability Services Division of the Department of Health and
2 Human Services is required to develop and administer a program to provide devices
3 for telecommunication to persons with impaired speech or hearing and to fund
4 centers for persons who are deaf or hard of hearing operated by this State. (NRS
5 427A.797) This bill requires that this program include the provision of certain
6 services by such centers, including, without limitation: (1) facilitating the provision
7 and distribution of devices for telecommunication to persons with impaired speech
8 or hearing; (2) assisting persons with impaired speech or hearing in accessing
9 assistive devices; (3) expanding service capacity for devices for telecommunication
10 in areas where there is a need and services are not available; and (4) providing
11 instruction in language acquisition. This bill also requires that funding be provided
12 for these centers, including, without limitation, these specific services, from the
13 surcharge imposed on each telephone and wireless telephone line of each customer
14 in this State.



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

Section 1. NRS 427A.797 is hereby amended to read as follows:

427A.797 1. The Division shall develop and administer a program whereby:

(a) Any person who is a customer of a telephone company which provides service through a local exchange or a customer of a company that provides wireless phone service and who is certified by the Division to be deaf or to have severely impaired speech or hearing may obtain a device for telecommunication capable of serving the needs of such persons at no charge to the customer beyond the rate for basic service; and

(b) Any person who is deaf or has severely impaired speech or hearing may communicate by telephone, including, without limitation, a wireless phone, with other persons through a dual-party relay system.

➤ The program must be approved by the Public Utilities Commission of Nevada.

2. *The program developed pursuant to subsection 1 must include the establishment of centers for persons who are deaf or hard of hearing that provide services which must include, without limitation:*

(a) *Facilitating the provision and distribution of devices for telecommunication to persons with impaired speech or hearing;*

(b) *Assisting persons who are deaf or have severely impaired speech or hearing in accessing assistive devices, including, without limitation, hearing aids, electrolarynxes and devices for telecommunication;*

(c) *Expanding the capacity for service using devices for telecommunication in areas where there is a need for such devices and services for persons with impaired speech or hearing are not available; and*

(d) *Providing instruction in language acquisition to persons determined by the center to be eligible for services.*

3. A surcharge is hereby imposed on each access line of each customer to the local exchange of any telephone company providing such lines in this State and on each personal wireless access line of each customer of any company that provides wireless phone services in this State which is sufficient to:

(a) Cover the costs of the program;

(b) Fund the centers for persons who are deaf or hard of hearing operated by this State **H** *established pursuant to subsection 2;* and



(c) Cover the costs incurred by the Division to carry out the provisions of chapter 656A of NRS that are not covered by the civil penalties received by the Division pursuant to NRS 656A.800.

➤ The Commission shall establish by regulation the amount to be charged. Those companies shall collect the surcharge from their customers and transfer the money collected to the Commission pursuant to regulations adopted by the Commission.

~~13.1~~ 4. The Account for Services for Persons With Impaired Speech or Hearing is hereby created within the State General Fund and must be administered by the Division. Any money collected from the surcharge imposed pursuant to subsection ~~12.1~~ 3 must be deposited in the State Treasury for credit to the Account. The money in the Account may be used only:

(a) For the purchase, maintenance, repair and distribution of the devices for telecommunication, including the distribution of devices to state agencies and nonprofit organizations;

(b) To establish and maintain the dual-party relay system;

(c) To reimburse telephone companies and companies that provide wireless phone services for the expenses incurred in collecting and transferring to the Commission the surcharge imposed by the Commission;

(d) For the general administration of the program developed and administered pursuant to subsection 1;

(e) To train persons in the use of the devices;

(f) To fund the centers for persons who are deaf or hard of hearing operated by this State ~~14.1~~ *established pursuant to subsection 2*; and

(g) To cover the costs incurred by the Division to carry out the provisions of chapter 656A of NRS that are not covered by the civil penalties received by the Division pursuant to NRS 656A.800.

~~14.1~~ 5. For the purposes of this section:

(a) "Device for telecommunication" means a device which is used to send messages through the telephone system, including, without limitation, the wireless phone system, which visually displays or prints messages received and which is compatible with the system of telecommunication with which it is being used.

(b) "Dual-party relay system" means a system whereby persons who have impaired speech or hearing, and who have been furnished with devices for telecommunication, may relay communications through third parties to persons who do not have access to such devices.

