

ASSEMBLY BILL NO. 206—ASSEMBLYWOMAN BROWN-MAY

FEBRUARY 21, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing the Nevada Commission for Persons Who Are Deaf and Hard of Hearing. (BDR 38-563)

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

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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; increasing the membership of the Nevada Commission for Persons Who Are Deaf and Hard of Hearing; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law creates the Nevada Commission for Persons Who Are Deaf and
2 Hard of Hearing, which consists of 11 members appointed by the Governor.
3 Existing law requires the Governor to consider the recommendations of the Nevada
4 Commission on Services for Persons with Disabilities when appointing such
5 members. (NRS 427A.750) This bill: (1) adds a twelfth member to the Nevada
6 Commission for Persons Who Are Deaf and Hard of Hearing; and (2) requires that
7 member to be registered with the Aging and Disability Services Division of the
8 Department of Health and Human Services to engage in the practice of sign
9 language interpreting and possess certain experience and knowledge.

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

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

3 427A.750 1. The Nevada Commission for Persons Who Are
4 Deaf and Hard of Hearing is hereby created within the Division. The
5 Commission consists of ~~11~~ **12** members appointed by the
6 Governor. The Governor shall consider recommendations made by
7 the Nevada Commission on Services for Persons with Disabilities



1 and appoint to the Nevada Commission for Persons Who Are Deaf
2 and Hard of Hearing:

3 (a) One nonvoting member who is employed by the State and
4 who participates in the administration of the programs of this State
5 that provide services to persons who are deaf, hard of hearing or
6 speech impaired;

7 (b) One member who is a member of the Nevada Association of
8 the Deaf, or, if it ceases to exist, one member who represents an
9 organization which has a membership of persons who are deaf, hard
10 of hearing or speech-impaired;

11 (c) One member who has experience with and knowledge of
12 services for persons who are deaf, hard of hearing or
13 speech-impaired;

14 (d) One nonvoting member who is the Executive Director of the
15 Nevada Telecommunications Association or, in the event of its
16 dissolution, who represents the telecommunications industry;

17 (e) One member who is a user of telecommunications relay
18 services or the services of persons engaged in the practice of sign
19 language interpreting or the practice of realtime captioning;

20 (f) One member who is a parent of a child who is deaf, hard of
21 hearing or speech-impaired;

22 (g) One member who represents educators in this State and has
23 knowledge concerning the provision of communication services to
24 persons who are deaf, hard of hearing or speech impaired in
25 elementary, secondary and postsecondary schools and the laws
26 concerning the provision of those services;

27 (h) One member who represents an advocacy organization
28 whose membership consists of persons who are deaf, hard of
29 hearing or speech-impaired;

30 (i) One member who is deaf or hard of hearing;

31 (j) One member who specializes in issues relating to the
32 employment of persons with disabilities; ~~and~~

33 (k) One member who is the parent or guardian of a child who is
34 less than 6 years of age and is deaf or hard of hearing ~~and~~ ; and

35 (l) *One member who:*

36 (1) *Is registered with the Division pursuant to NRS*
37 *656A.100 to engage in the practice of sign language interpreting;*
38 *and*

39 (2) *To the extent practicable, has experience with and*
40 *knowledge of interpreting in a primary or secondary educational*
41 *setting and a post-secondary educational setting and freelance*
42 *interpreting.*

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



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

4. The Commission 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 Governor or the Chair or a majority of its voting members as is necessary to carry out its responsibilities.

5. A majority of the voting members of the Commission 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 Commission.

6. Members of the Commission serve without compensation, except that each member is entitled, while engaged in the business of the Commission, 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 Commission 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 Commission and perform any work necessary to carry out the duties of the Commission 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 Commission to make up the time he or she is absent from work to carry out his or her duties as a member of the Commission or use annual vacation or compensatory time for the absence.

8. The Commission may:

(a) Make recommendations to any state agency, including, without limitation, the Division, concerning the establishment and operation of programs for persons who are deaf, hard of hearing or speech impaired to ensure equal access to state programs and activities.

(b) Recommend to the Governor any proposed legislation concerning persons who are deaf, hard of hearing or speech impaired.

(c) Collect information concerning persons who are deaf, hard of hearing or speech impaired.

(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 Commission must solicit input from various persons, including, without limitation, persons who are deaf, hard of hearing or speech impaired.



(e) Review the goals, policies, programs and services of state agencies, including, without limitation, the Division, that serve persons who are deaf, hard of hearing or speech impaired and advise such agencies regarding such goals, policies, programs and services, including, without limitation, the outcomes of services provided to persons who are deaf, hard of hearing or speech impaired 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.

(g) Consult with the personnel of any state agency, including, without limitation, the Division, concerning any matter relevant to the duties of the Commission. A state agency shall make available to the Commission any officer or employee of the agency with which the Commission wishes to consult pursuant to this paragraph.

9. The Commission shall:

(a) Make recommendations to the Division concerning the practice of sign language interpreting and the practice of realtime captioning, including, without limitation, the adoption of regulations to carry out the provisions of chapter 656A of NRS.

(b) Make recommendations to the Division concerning all programs and activities funded by the surcharge imposed pursuant to subsection 3 of NRS 427A.797.

(c) Provide persons who are deaf, hard of hearing or speech impaired with information concerning services and resources that promote equality for such persons in education, employment and socialization and referrals for such services and resources;

(d) Review the procedures and practices of state and local governmental entities to ensure that persons who are deaf, hard of hearing or speech impaired have equal access to resources and services provided by those governmental entities; and

(e) Make recommendations to state and local governmental entities concerning:

(1) Compliance with laws and regulations concerning persons who are deaf, hard of hearing or speech impaired, including, without limitation, the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.;

(2) Improving the health, safety, welfare and comfort of persons who are deaf, hard of hearing or speech impaired; and

(3) Integrating services and programs for persons who are deaf, hard of hearing or speech impaired and improving cooperation among state and local governmental entities that provide such services.



1 10. As used in this section:

2 (a) “Practice of sign language interpreting” has the meaning
3 ascribed to it in NRS 656A.060.

4 (b) “Practice of realtime captioning” has the meaning ascribed to
5 it in NRS 656A.062.

6 (c) “Telecommunications relay services” has the meaning
7 ascribed to it in 47 C.F.R. § 64.601.

8 **Sec. 2.** 1. As soon as practicable after July 1, 2023, the
9 Governor shall appoint to the Nevada Commission for Persons Who
10 Are Deaf and Hard of Hearing the new member required by
11 paragraph (l) of subsection 1 of NRS 427A.750, as amended by
12 section 1 of this act.

13 2. In making the appointment described in subsection 1, the
14 Governor shall, insofar as is possible, appoint the new member to an
15 initial term which is of such duration that the term is consistent with
16 the manner in which the terms of the other members of the
17 Commission are staggered.

18 **Sec. 3.** This act becomes effective on July 1, 2023.

