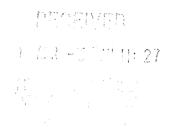
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000

ENROLLED

SENATE BILL NO. 480	<u> </u>
(By Senators bown and Bailey)

PASSED March 11, 2000
In Effect hinely days from Passage



ENROLLED

Senate Bill No. 480

(By Senators Bowman and Bailey)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact sections three and five, article fourteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to the commission for the deaf and hard-of-hearing; increasing the membership of the committee to seventeen; altering the membership to place the deaf and hard-of-hearing in the majority; and granting the secretary rule-making capability and the commissioner the authority to test interpreters for certification and to collect and expend funds for that purpose.

Be it enacted by the Legislature of West Virginia:

That sections three and five, article fourteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 14. WEST VIRGINIA COMMISSION FOR THE DEAF AND HARD-OF-HEARING.

§5-14-3. Continuation of commission; membership.

- The West Virginia commission for the deaf and 1 2 hard-of-hearing is hereby continued within the depart-3 ment of health and human resources consisting of seven-4 teen persons, eight of whom shall serve ex officio. The 5 remaining members are appointed by the governor by and 6 with the advice and consent of the Senate. The commission shall meet no less than four times annually. All 7 8 meetings and activities held by the commission shall be 9 attended by at least two qualified interpreters who shall be hired at the commission's expense or provided free of 10 11 charge by agencies, organizations or individuals willing to 12 volunteer qualified interpreters. The members are:
- 13 (1) The secretary, or his or her designee, of the depart-14 ment of health and human resources; the commissioner, or 15 his or her designee, of the division of labor; the director, or 16 his or her designee, of the division of health; the state 17 superintendent of schools, or his or her designee, of the 18 state board of education; the director, or his or her 19 designee, of the division of rehabilitation; the director, or 20 his or her designee, of the division of handicapped chil-21 dren's services in the division of human services: the 22 chairman, or his or her designee, of the advisory council 23 for the education of exceptional children; and the superin-24 tendent, or his or her designee, of the West Virginia school 25 for the deaf and blind, all of whom serve ex officio; and
- 26 (2) Nine persons appointed by the governor, at least five 27 of whom are deaf or hard-of-hearing, one of whom is the 28 parent of a deaf child, one of whom is a certified teacher 29 of the hearing-impaired, one audiologist and one otolar-30 yngologist. Of the five deaf people, at least three shall be 31 selected from a list of five people recommended by the 32 board of the West Virginia association of the deaf.

§5-14-5. Powers and duties of the commission; register of hearing-impaired; duty to report to the commission; census; information clearinghouse; coordination of interpreters; outreach programs; seminars and training sessions.

The commission shall maintain a complete register of 1 2 persons who are deaf or hard-of-hearing in the state. For 3 each hearing-impaired person, the register shall describe 4 the condition and cause of the hearing problem, the person's capacity for education and industrial training and 5 6 any other facts the commission considers valuable. 7 Identifying information contained in the register is 8 confidential: Provided. That information collected and maintained in the register will be available upon request 9 10 to other government agencies in order to facilitate services to their hearing-impaired clients. Every health, educa-11 tional and social agency and physician or other medical 12 professional serving hearing-impaired individuals shall 13 14 report to the commission, in writing, the name, age and

In addition to the register, the commission is responsible for conducting and maintaining a census of both the deaf and hard-of-hearing populations in West Virginia. Such census shall contain state, county and city figures.

residence of persons who are deaf or hard-of-hearing.

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20 The commission shall maintain a clearinghouse of 21 information, the purpose of which is to aid hearing-22 impaired persons and others in obtaining appropriate 23services or information about such services, including, but 24 not limited to, education, communication (including 25 interpreters), group home facilities, independent living skills, recreational facilities, employment, vocational 26 27training, health and mental health services, substance 28 abuse and other services necessary to assure their ability to function in society. The commission shall consult 29

- 30 existing public and private agencies and organizations in
- 31 compiling and maintaining the clearinghouse.
- 32 The commission shall establish, maintain and coordinate
- 33 a statewide service to provide courts, state and local
- 34 legislative bodies and others with a list of qualified and
- 35 certified interpreters for the deaf and a list of qualified
- 36 and certified teachers of American sign language.
- 37 The secretary of the department of health and human
- 38 resources shall promulgate rules pursuant to article three,
- 39 chapter twenty-nine-a of this code for the state quality
- 40 assurance evaluation, including the establishment of
- 41 required qualifications and ethical standards for interpret-
- 42 ers, the approval of interpreters, the monitoring and
- 43 investigation of interpreters and the suspension and
- 44 revocation of approvals. The commission may conduct
- 45 national association of the deaf interpreter evaluations
- 46 and collect and expend funds with regard thereto.
- 47 The commission shall develop an outreach program to
- 48 familiarize the public with the rights and needs of hear-
- 49 ing-impaired people and of available services.
- 50 The commission shall investigate the condition of the
- 51 hearing-impaired in this state with particular attention to
- 52 those who are aged, homeless, needy, victims of rubella
- 53 and victims of abuse or neglect. It shall determine the
- 54 means the state possesses for establishing group homes for
- 55 its hearing-impaired citizens and the need for additional
- 56 facilities. The commission shall also determine the
- 57 advisability and necessity of providing services to the
- 58 multihandicapped hearing-impaired.

The Joint Committee on Enrolled Bills hereby certifies that the
foregoing bill is correctly e nro lled.
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