WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000

ENROLLED

SENATE BILL NO. 480

(By Senators Bowman and Bailey)

PASSED March 11, 2000
In Effect ninety days from Passage
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Senate Bill No. 480

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[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 hard-of-hearing is hereby continued within the department of health and human resources consisting of seventeen persons, eight of whom shall serve ex officio. The remaining members are appointed by the governor by and with the advice and consent of the Senate. The commission shall meet no less than four times annually. All meetings and activities held by the commission shall be attended by at least two qualified interpreters who shall be hired at the commission’s expense or provided free of charge by agencies, organizations or individuals willing to volunteer qualified interpreters. The members are:

1. The secretary, or his or her designee, of the department of health and human resources; the commissioner, or his or her designee, of the division of labor; the director, or his or her designee, of the division of health; the state superintendent of schools, or his or her designee, of the state board of education; the director, or his or her designee, of the division of rehabilitation; the director, or his or her designee, of the division of handicapped children’s services in the division of human services; the chairman, or his or her designee, of the advisory council for the education of exceptional children; and the superintendent, or his or her designee, of the West Virginia school for the deaf and blind, all of whom serve ex officio; and

2. Nine persons appointed by the governor, at least five of whom are deaf or hard-of-hearing, one of whom is the parent of a deaf child, one of whom is a certified teacher of the hearing-impaired, one audiologist and one otolaryngologist. Of the five deaf people, at least three shall be selected from a list of five people recommended by the 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 persons who are deaf or hard-of-hearing in the state. For each hearing-impaired person, the register shall describe the condition and cause of the hearing problem, the person's capacity for education and industrial training and any other facts the commission considers valuable. Identifying information contained in the register is confidential: Provided, That information collected and maintained in the register will be available upon request to other government agencies in order to facilitate services to their hearing-impaired clients. Every health, educational and social agency and physician or other medical professional serving hearing-impaired individuals shall report to the commission, in writing, the name, age and residence of persons who are deaf or hard-of-hearing.

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.

The commission shall maintain a clearinghouse of information, the purpose of which is to aid hearing-impaired persons and others in obtaining appropriate services or information about such services, including, but not limited to, education, communication (including interpreters), group home facilities, independent living skills, recreational facilities, employment, vocational training, health and mental health services, substance abuse and other services necessary to assure their ability to function in society. The commission shall consult
existing public and private agencies and organizations in
compiling and maintaining the clearinghouse.

The commission shall establish, maintain and coordinate
a statewide service to provide courts, state and local
legislative bodies and others with a list of qualified and
certified interpreters for the deaf and a list of qualified
and certified teachers of American sign language.

The secretary of the department of health and human
resources shall promulgate rules pursuant to article three,
chapter twenty-nine-a of this code for the state quality
assurance evaluation, including the establishment of
required qualifications and ethical standards for interpre-
ters, the approval of interpreters, the monitoring and
investigation of interpreters and the suspension and
revocation of approvals. The commission may conduct
national association of the deaf interpreter evaluations
and collect and expend funds with regard thereto.

The commission shall develop an outreach program to
familiarize the public with the rights and needs of hear-
ing-impaired people and of available services.

The commission shall investigate the condition of the
hearing-impaired in this state with particular attention to
those who are aged, homeless, needy, victims of rubella
and victims of abuse or neglect. It shall determine the
means the state possesses for establishing group homes for
its hearing-impaired citizens and the need for additional
facilities. The commission shall also determine the
advisability and necessity of providing services to the
multihandicapped hearing-impaired.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ................................................................. approved ............... this the ............

Day of ................................................................., 2006.

Governor
PRESENTED TO THE
GOVERNOR

Date: 3/31/00
Time: 4:05 p.m.