

SB 480

RECEIVED

APR 13 12 11 07

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

RECEIVED

MAR - 30 11: 27

CLERK OF SENATE

STATE HOUSE

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.

1 The West Virginia commission for the deaf and
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 commis-
7 sion shall meet no less than four times annually. All
8 meetings and activities held by the commission shall be
9 attended by at least two qualified interpreters who shall
10 be hired at the commission's expense or provided free of
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.

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

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

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
23 services or information about such services, including, but
24 not limited to, education, communication (including
25 interpreters), group home facilities, independent living
26 skills, recreational facilities, employment, vocational
27 training, health and mental health services, substance
28 abuse and other services necessary to assure their ability
29 to function in society. The commission shall consult

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 enrolled.

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within..... *approved* this the *4th*
Day of..... *April* 2000.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/31/00

Time 4:05 p