

LEGISLATIVE BILL 25

Approved by the Governor June 2, 1995

Introduced by Crosby, 29; Pedersen, 39

AN ACT relating to hearing-impaired persons; to amend sections 71-4720, 71-4727, 71-4728, 71-4729, and 71-4732, Reissue Revised Statutes of Nebraska; to provide duties for the Commission for the Hearing Impaired and the Department of Public Institutions; to provide for access to comprehensive mental health, alcoholism, and drug abuse services for hearing-impaired persons; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-4720, Reissue Revised Statutes of Nebraska, is amended to read:

71-4720. There is hereby created the Commission for the Hearing Impaired which shall consist of nine members to be appointed by the Governor subject to approval by the Legislature. The members of the commission shall be appointed within thirty days of August 24, 1979. Six of the members of the commission shall be hearing impaired and all members shall be familiar with the problems of the hearing-impaired community in the State of Nebraska. At least four of the six hearing-impaired members shall know manual communication. Hearing-impaired employees of any state agency other than employees of the commission shall be eligible to serve on the commission. When appointing members to the commission, the Governor shall consider recommendations provided by the Nebraska Association of the Deaf.

As used in sections 71-4720 to 71-4732 and sections 4 to 6 of this act, unless the context otherwise requires, commission shall mean means the Commission for the Hearing Impaired.

Sec. 2. Section 71-4727, Reissue Revised Statutes of Nebraska, is amended to read:

71-4727. The commission may employ any other employees it considers necessary to carry out the purposes of sections 71-4720 to 71-4732 and sections 4 to 6 of this act.

Sec. 3. Section 71-4728, Reissue Revised Statutes of Nebraska, is amended to read:

71-4728. The commission shall serve as the principal state agency responsible for advocating public policies and programs which shall improve the quality and coordination of existing services for the hearing impaired and promote the development of new services when necessary. To perform this function the commission shall:

(1) Inventory services available for meeting the problems of the hearing impaired and assist hearing-impaired persons in locating and securing such services;

(2) Prepare and maintain a statewide list of persons qualified in various types of interpreting and make this information available to local, state, federal, and private organizations and to any interested person;

(3) Promote the training of interpreters for the hearing impaired;

(4) Provide counseling to hearing-impaired persons or refer such persons to private or governmental agencies which provide counseling services;

(5) Conduct a voluntary census of hearing-impaired persons in Nebraska and compile a current registry;

(6) Promote expanded adult educational opportunities for hearing-impaired persons;

(7) Serve as an agency for the collection of information concerning the hearing impaired and for the dispensing of such information to interested persons by collecting studies, compiling bibliographies, gathering information, and conducting research with respect to the education, training, counseling, placement, and social and economic adjustment of the hearing impaired and with respect to the causes, diagnosis, treatment, and methods of prevention of impaired hearing;

(8) Appoint advisory or special committees when appropriate for indepth investigations and study of particular problems and receive reports of findings and recommendations;

(9) Assess and monitor programs for services to the hearing impaired and make recommendations to those state agencies providing such services regarding changes necessary to improve the quality and coordination of the services;

(10) Make recommendations to the Governor and the Legislature with

respect to modification in existing services or establishment of additional services for hearing-impaired persons;

(11) Promote awareness and understanding of the rights of hearing-impaired persons; and

(12) Promote statewide communication services for hearing-impaired persons; and

(13) Assist hearing-impaired persons in accessing comprehensive mental health, alcoholism, and drug abuse services.

Sec. 4. The commission shall not deliver direct mental health, alcoholism, and drug abuse services but shall assist in obtaining full access to comprehensive mental health, alcoholism, and drug abuse services for hearing-impaired persons by providing service coordination for hearing-impaired persons with mental health, alcoholism, and drug abuse disorders including:

(1) Meeting the communication needs of hearing-impaired persons including interpreter services and auxiliary aids;

(2) Education and training for persons who provide treatment for mental health, alcoholism, and drug abuse disorders to hearing-impaired persons; and

(3) Placement of assistive-listening devices for hearing-impaired persons in mental health, alcoholism, and drug abuse treatment facilities.

Sec. 5. The commission shall appoint a mental health specialist advisor. The specialist shall monitor and provide advice to mental health, alcoholism, and drug abuse programs which provide treatment for hearing-impaired persons. The specialist shall also serve as the commission's liaison to persons who provide treatment or intervention services for mental health, alcoholism, and drug abuse disorders which provide treatment for hearing-impaired persons.

Sec. 6. The commission shall implement section 5 of this act with the advice of a special advisory committee appointed by the commission. The committee shall consist of five members as follows: Three counselors familiar with mental health, alcoholism, and drug abuse disorders in hearing-impaired persons and two human services professionals. The Department of Public Institutions and the commission shall each have a representative who serves on the committee in a nonvoting technical capacity.

Sec. 7. Section 71-4729, Reissue Revised Statutes of Nebraska, is amended to read:

71-4729. The commission shall in fulfilling its responsibilities enumerated in section 71-4728 cooperate with any state agency having authority related to the problems of hearing-impaired persons. Such agencies shall also be directed to cooperate with the commission. Avoidance of unnecessary duplication of state-delivered services to the hearing impaired shall be a primary objective of such cooperation.

Sec. 8. Section 71-4732, Reissue Revised Statutes of Nebraska, is amended to read:

71-4732. There is hereby created a Commission for the Hearing Impaired Fund to consist of such funds as the Legislature shall appropriate and any funds received under section 71-4731. The fund shall be used to administer sections 71-4720 to 71-4732 and sections 4 to 6 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to Chapter 72, article 12 the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 9. The Department of Public Institutions with the assistance of the Commission for the Hearing Impaired shall adopt and promulgate rules and regulations to define criteria and standards for access by eligible hearing-impaired persons to mental health, alcoholism, and drug abuse treatment programs.

Sec. 10. Original sections 71-4720, 71-4727, 71-4728, 71-4729, and 71-4732, Reissue Revised Statutes of Nebraska, are repealed.