

LEGISLATIVE BILL 334

Approved by the Governor May 25, 2001

Introduced by Jensen, 20

AN ACT relating to the Commission for the Deaf and Hard of Hearing; to amend sections 71-4720.01, 71-4727, and 71-4732, Revised Statutes Supplement, 2000; to establish a telehealth system; to provide duties; to create a fund; to harmonize provisions; and to repeal the original sections.

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

Section 1. (1) The commission shall establish a telehealth system to provide access for deaf and hard of hearing persons in remote locations to mental health, alcoholism, and drug abuse services. The telehealth system shall (a) provide access for deaf or hard of hearing persons to counselors who communicate in sign language and are knowledgeable in deafness and hearing loss issues, (b) promote access for hard of hearing persons through contacts with counselors in which hard of hearing persons receive both visual cues, or reading lips, and auditory cues, (c) offer remote interpreter services for deaf or hard of hearing persons to interact with counselors who are not fluent in sign language, and (d) promote participation in educational programs.

(2) The commission shall set and charge a fee between the range of twenty and one hundred fifty dollars per hour for the use of the telehealth system. The commission shall remit all fees collected pursuant to this section to the State Treasurer for credit to the Telehealth System Fund.

(3) For purposes of this section, telehealth has the same meaning as in section 71-8503.

Sec. 2. The Telehealth System Fund is created. The fund shall be used for any expenses related to the operation and maintenance of the telehealth system established in section 1 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 3. Section 71-4720.01, Revised Statutes Supplement, 2000, is amended to read:

71-4720.01. For purposes of sections 71-4720 to 71-4732 and sections 1 and 2 of this act:

(1) Commission means Commission for the Deaf and Hard of Hearing;

(2) Deaf means a hearing impairment, with or without amplification, which is so severe that the person with the impairment may have difficulty in auditorily processing spoken language without the use of an interpreter; and

(3) Hard of hearing means a hearing loss, permanent or fluctuating, which may adversely affect the ability to understand spoken language without the use of an interpreter or auxiliary aid.

Sec. 4. Section 71-4727, Revised Statutes Supplement, 2000, is amended to read:

71-4727. The commission may employ any employees, including interpreters, it considers necessary to carry out the purposes of sections 71-4720 to 71-4732 and sections 1 and 2 of this act.

Sec. 5. Section 71-4732, Revised Statutes Supplement, 2000, is amended to read:

71-4732. There is hereby created a Commission for the Deaf and Hard of Hearing Fund to consist of such funds as the Legislature shall appropriate, any funds received under section 71-4731, and any fees collected for interpreter services as provided in section 71-4728. The fund shall be used to administer sections 71-4720 to 71-4732 and sections 1 and 2 of this act, except that (1) money in the fund from fees collected for interpreter services shall be used only for expenses related to the provision of such services and (2) money in the fund may only be used to provide services pursuant to section 1 of this act if there is no money in the Telehealth System Fund. Any money in the ~~fund~~ Commission for the Deaf and Hard of Hearing Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Any money in the Commission for the Hearing Impaired Fund on September 13, 1997, shall be transferred to the Commission for the Deaf and Hard of Hearing Fund.

Sec. 6. Original sections 71-4720.01, 71-4727, and 71-4732, Revised Statutes Supplement, 2000, are repealed.