



**STATE OF NEW MEXICO  
COMMISSION FOR DEAF AND HARD OF HEARING PERSONS**

**Wednesday, July 17, 2013**

Albuquerque Marriott Uptown

2101 Louisiana Blvd. NE

Albuquerque, NM 87110

4:00 p.m.

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**I. CALL TO ORDER AND ROLL CALL**

Chairman Mark Apodaca called the meeting to order at 4:36 p.m. when Commissioner Welborn arrived and quorum was met.

Present: Mark Apodaca, Chair Austin Welborn  
John Johnson Luis Quinonez  
James DeBee arrived after meeting began

Absent: Dr. Ron Stern Deb Hambel

Seven staff members from NMCDHH were present: Interim Director Lisa Dignan, Sam Martinez, Deborah Romero, Cheryl Padilla, Lori Neubauer, Joyce Croker, and Roger Robb. Five interpreters were present: Rhiannon Sykes-Chavez, Julayne Feilbach, Risa Roybal, Shaundra Sanders and Monica Sower. Fifteen members of the community were in the audience.

**II. APPROVAL OF AGENDA**

Chair Apodaca asked for approval of the agenda.

**13.14**

Commissioner Luis Quinonez made a motion to approve the agenda.

Commissioner Austin Welborn seconded.

Motion passed unanimously.

**III. PUBLIC COMMENTS**

Chair Apodaca opened the meeting for Public Comments and reminded everyone that they cannot discuss any personnel or staff member.

Dom Bonura had several comments. His first question was why the budget wasn't on the agenda. Chair Apodaca explained that the FY14 Budget was actually approved by the Legislature quite some time ago. Mr. Bonura said that he would like to see where we stand with the budget and Chair Apodaca stated it was on the books and he could share that information with him.

Mr. Bonura stated his concern over the status of the MOU between NMCDHH and DVR. Lisa Dignan, Interim Director for NMCDHH, responded that a number of staff members at DVR as well as Nathan Gomme and herself, were hard at work hammering out the details to make sure there is an agreement that both the Commission and the Community will be satisfied with for FY14. Ms. Dignan said they hope to have that completed soon. Mr. Bonura asked if rehab counselors for the Deaf had been included in the MOU. Ms. Dignan stated that until the MOU is completed, it would not be appropriate to discuss its contents publicly, but she did believe that the Deaf Community, the Commission and DVR will be satisfied with the requirements that are being placed in the MOU. Mr. Bonura asked if it would be possible for the Deaf Community to see what's included in the MOU at a later date. Ms. Dignan said that was a good question, but off hand she did not know if it was a public document. She will do some checking on that and will let him know.

Mr. Bonura said that he just learned that the Executive Director resigned and that meant that there were three executive directors within a period of seven years, with interim periods with no director at all. He suggested to the board hire someone from New Mexico so they will be familiar with the culture here.

Mr. Bonura was also concerned about financial cuts to the program even though we had hired new staff. Chair Apodaca clarified that no cuts to any programs and they have remained stable, and CDHH was working alongside of the Legislature to get an increase in the phone surcharge so we can increase staff as well. *(Correction from Interim Executive Director: NMCDHH has seen ongoing budget cuts, but has not cut any programs or services. No new staff have been hired; vacant positions have been filled that were already included in the NMCDHH budget allocation.)*

Another item of concern was how advocacy was handled. He stated that when a Deaf individual comes for help with legal services, that person should be referred without being questioned about everything. Charlie Grote explained that what Mr. Bonura was trying to say was that if a person needs legal services, they should be referred to those services rather than having the Advocate control the situation by inquiring about details and making the decision for the client. Mr. Bonura went on to say that he had information from the National Association of the Deaf on legal services. He explained that there are six states that have funding to provide legal services and would make copies so the Board could look into that.

Mr. Bonura asked that the Board have a workshop on the appeal process in Order of Selection.

Another concern Mr. Bonura brought up was licensure. In the south and east parts of the state where interpreters are lacking, there are available interpreters from Texas, but Mr. Bonura thought they couldn't be licensed in New Mexico. Lisa Dignan, Interim Director and Director of Communication Access and Development, stated that interpreters outside of New Mexico absolutely could hold licenses to interpret in New Mexico. Also the cost of the license is very reasonable and it is easy for out-of-state interpreters to maintain New Mexico licensure. Lisa also stated that she was aware of the interpreter shortage in the southern part of the state and that problem exists all over the United States. NMCDHH has always taken an interest in interpreter development, and was heavily invested in helping interpreters from all over the state to hone their skills.

Ms. Dignan explained the three types of licenses an interpreter can get in New Mexico. Ms. Dignan also explained that the manner in which New Mexico Interpreter Licensure is enforced is through the community filing complaints with the Signed Language Interpreting Practices Board.

So if anyone in the community sees an interpreter working without a license, or working inappropriately, they have the opportunity to take it to the Licensure Board who will investigate.

Commissioner James DeBee agreed with the comments made by Mr. Bonura that he has witnessed people complaining about interpreters and education. Mr. DeBee stated that the interpreting services and the system in general need to be improved.

Comment was made that there are hearing people in Clovis and Roswell who were interested in interpreting, but to travel to Albuquerque to get the education is too far away, and therefore a training program is needed in Southern New Mexico.

Charlie Grote introduced himself as a Deaf Professional and a federal employee. He expressed concern that recent events might trigger the Legislators to view Deaf people as not being able to run an agency. He also expressed concern over community trust of CDHH. Mr. Grote would like to see the Commission Board be involved with the community to give hope and positivity in light of recent events.

As a federal employee, Mr. Grote stated that federal agencies only have to follow Section 503; equal access with qualified interpreters means they must have RID certification and that is all. The bidding process stays within federal law and federal regulations. Interim Director Lisa Dignan responded that Mr. Grote was absolutely correct that the bidding process only has to comply with federal regulations, but if the interpreter is working inside the borders of the state of New Mexico he or she must be licensed. This is where state law and federal law intersect. Ms. Dignan also stated that if anyone interpreting in New Mexico did not have a license, they would be committing a misdemeanor punishable by up to 364 days in jail and/or a \$1000 fine. Mr. Grote stated that Deaf federal employees have the right to choose who they want as an interpreter. He was only asking to protect the Deaf federal employees' rights; however Ms. Dignan wanted to make sure the interpreters were protected from prosecution.

Edina Jambor, the Agency Director for COPD-NM, asked if there could have been a formal announcement to the public when there are changes in staff. Chair Apodaca explained that it was announced on the website, Twitter and Facebook. Ms. Jambor stated that it was difficult for her and her staff to know who to contact and that a more formal announcement would have been appreciated.

Steve Frasier from the Hearing Loss Association of America said that none of the chapters were notified of the recent changes, either. He said he heard rumors, but it wasn't until he arrived at this meeting that the rumors were confirmed. Mr. Frasier said that when major changes are made, the Commission should inform stakeholders of such changes because it can impact their activities as well.

#### **IV. ACTION ITEMS**

##### **a. Approval of Minutes**

Chair Apodaca announced that the Board needed to approve the minutes, but understood there needed to be some corrections. James DeBee stated there were two corrections regarding Public Comments. First, Chris Kemp from Roswell was having issues with SSP's from COPD, not Social Security. Mr. Kemp's girlfriend has a disability, went to the hospital for surgery and was requesting help from COPD and no one got back to him and no services were provided. Second, Dom Bonura had some corrections which were written out. These corrections were given to Lori Neubauer, Administrative Assistant, who will revise the minutes. Commissioner John Johnson also noticed a grammatical error that needed to be corrected as well.

**13.15**

Commissioner Welborn made a motion to approve the minutes with the aforementioned corrections.  
Commissioner DeBee seconded.  
Motion passed unanimously.

**V. AGENCY REPORTS**

Chair Apodaca reminded the Board Members and audience that the room had been reserved only until 6:00 p.m. and therefore they only had a half hour left. He asked the Board if they had any comments from the staff reports. Commissioner DeBee had said he did have a lot of notes that he had written regarding the Quarterly Report. Chair Apodaca said the discussion could be tabled until the next meeting.

**13.16**

James DeBee made a motion to table the discussion on Agency Reports until the next meeting.  
Motion passed unanimously.

**VI. NEW BUSINESS**

Commissioner DeBee had some discussions with several people regarding the NMAD Conference. It was a successful conference and it was noticed that there were several conferences which created a separation amongst the different groups, i.e. Deaf, Deaf-Blind, and Hard of Hearing. The Florida Association for the Deaf actually, for economy reasons, combined conferences: interpreters, parents, education as well as other groups all coming together. Commissioner DeBee asked CDHH not to have the Conference on Hearing Loss without working with the other groups. If everyone collaborated it would be a great improvement. Chair Apodaca said that would become an action item for the next meeting.

**VII. EXECUTIVE SESSION**

**13.17**

Mark Apodaca called for a vote to go into Executive Session.

Roll Call Vote:

Commissioner Welborn	yes	Commissioner DeBee	yes
Commissioner Johnson	yes	Commissioner Quinonez	yes

Board members went into Executive Session at 5:37 p.m.

**13.18**

Mark Apodaca called for a vote to end Executive Session

Roll Call Vote:

Commissioner Welborn	yes	Commissioner DeBee	yes
Commissioner Johnson	yes	Commissioner Quinonez	yes

Board members exited Executive Session at 6:00 p.m.

**13.19**  
Commissioner DeBee made a motion to adjourn.  
Commissioner Welborn seconded.  
Motion passed unanimously.

Meeting adjourned at 6:02 p.m.

Respectfully Submitted,

  
Lori G. Neubauer, Administrative Assistant

  
Mark Apodaca, Board Chair