



STATE OF NEW MEXICO
COMMISSION FOR DEAF AND HARD OF HEARING
Thursday, September 21, 2017
NMCDHH Conference Room
505 Marquette Ave. NW, Suite 1550
Albuquerque, NM 87102
3:00 p.m.

I. CALL TO ORDER AND ROLL CALL

Vice-Chair Concha Dunwell announced that Chair Welborn would not be at the meeting and called the meeting to order at 3:01 p.m.

Present: Concha Dunwell, Vice-Chair Don Johnson
Joanne Corwin, designee for Rosemary Gallegos Johnny Robertson

Not yet arrived: Joe Cordova

Absent: Austin Welborn, Chair

Quorum was met.

Ten staff members from NMCDHH were present: Executive Director Nathan Gomme, Jason Siergey, Corina Gutiérrez, Lisa Dignan, Deborah Romero, Cheryl Padilla, Lori Neubauer, Roger Robb, Rich Bailey, and Andrea Ginn. Five interpreters were present, Andrea Ginn, Rachelle Clifford, Orlando Obeso, Risa Roybal and Teri Jaquez. Four members of the community were in the audience.

II. APPROVAL OF AGENDA

17.20

Commissioner Johnny Robertson made a motion to approve the agenda.
Commissioner Don Johnson seconded.
Motion Passed unanimously.

III. APPROVAL OF JUNE 15, 2017 MINUTES

17.21

Commissioner Don Johnson made a motion to approve the minutes as presented.
Commissioner Robertson seconded.
Motion passed unanimously.

IV. REPORTS

a. Executive Director's Report

Executive Director Nathan Gomme told the commissioners that he had attended the HLAA Convention in Salt Lake City. On the first day he attended the National Association of State Agencies for the Deaf and Hard of Hearing (NASADHH) meeting. At that meeting, there was

discussion of a bill introducing the over-the-counter (OTC) hearing aids. People were able to voice their feelings and concerns. HLAA did speak in favor of that bill which will allow OTC hearing aids to be distributed without having to see an audiologist. Anyone with a mild to moderate hearing loss will be able to go to a retail store to purchase these hearing aids. Executive Director Gomme clarified that, although the bill has passed, it will take some time to go through all the necessary processes to they can be FDA approved. He said that the OTC hearing aid will have an icon that will differentiate them from a personal sound amplification product.

Vice-Chair Concha Dunwell welcomed Commissioner Joe Cordova who arrived at the meeting at this time.

Executive Director Gomme continued with his report on the OTC hearing aid bill by adding that it was not a stand-alone bill; it is under the FDA reauthorization. The FDA will determine the regulations on how they will be distributed over the next year or two. He would like the Commission to be able to address the concerns that the members of the community have, e.g. making sure that children don't have access to OTC hearing aids. He stated that CDHH has information on their website.

Executive Director Gomme reported that he had recently returned from the NASRA/TEDPA conferences. Both conferences had a lot of information about technology and the statistics involved. Lisa Furr, a representative of Hamilton Relay, was in the audience and she was at the conferences as well. Other discussion included Real-Time Text (RTT) and SMS texts to 911, and internet based services combined with captioned telephone services (IPCTS). Executive Director Gomme stated that he was excited about the shift in technology, but he has concerns about the access to RTT in the rural areas of New Mexico. RTT currently has a requirement of 4G LTE access. There is not consistent 4G LTE access in New Mexico and those concerns need to be addressed. The providers are working to make sure there is access for deaf and hard of hearing as well as Deaf-Blind users. Tier 1 providers, AT&T, Verizon, T-Mobile, and Sprint, will need to have RTT by December 31st of this year. iPhone users should be aware that there is already TTY software on their device and RTT will be similar. The sunset date for TTYs is 2021, so there is a few years before they are no longer supported.

At the TEDPA conference, Executive Director Gomme was excited to see new technologies being distributed. The mobile devices have Bluetooth technology, and can notify deaf and hard of hearing users with vibrating alarm systems. He felt the Commission should re-evaluate the equipment it distributes to match the needs of the future.

CDHH is working on a long-term plan with Helen Keller National Center to develop a two year plan regarding Haptics. Executive Director Gomme explained that Haptics is a touch system for Deaf-Blind individuals and helps them be more aware of their surroundings. Both he and Director of Community Advocacy, Corina Gutiérrez, have been working on this project and will be working on a plan to provide training statewide.

Commissioner Dunwell mentioned that she would like more information on the OTC hearing aids. She wondered if a person buys an OTC hearing aid, if they would still need to see an audiologist to adjust them to their specific hearing needs. She already knew some audiologists will not take care of a person's hearing needs unless they buy hearing aids from them. She felt that the hard of hearing community would not get appropriate services.

Executive Director Gomme said he did not know what regulations the FDA would have on the OTC hearing aids. The concept of the bill was to make hearing aids affordable for those in the mild to moderate hearing loss range. With that said, as Executive Director and a person with

hearing loss, he would strongly recommend that people go to an audiologist and learn about their hearing loss before they make a decision on what to purchase. If someone wanted to walk into a store and purchase a device, though, that would be their decision. NASADHH and HLAA will take an active role in getting information out to the community. There will be a lot of discussion and CDHH will need to watch carefully to make sure we are ready to address concerns.

b. Department Reports

i. Community Advocacy

Community Advocacy Director, Corina Gutiérrez, mentioned at the last meeting that Luke Adams resigned from his position and Community Advocacy Specialist, Cheryl Padilla, has taken over much of his caseload. Community Education Specialist, Roger Robb, has also taken over part of the caseload and Ms. Gutiérrez wanted them recognized for their hard work.

Ms. Gutiérrez wanted to update the commissioners on the project of putting video phones in public libraries. The Commission already posted the vlog about the video phone that was put in the main library in Albuquerque. People have already used the one placed there. She asked everyone to share this with the community. Her department is starting to work on getting video phones in public libraries all around the state.

Ms. Gutiérrez stated that Roger Robb was working with a gentleman who is an interpreter coordinator at Presbyterian Hospital (for both signed and spoken languages). They have been meeting regularly to discuss making a training video for the staff in order to better assist Deaf individuals. Communication Development Specialist Andrea Ginn is also a part of that project.

The studio for making vlogs is improving as it has upgraded software, new studio lights, new monitors, and a microphone. Moving forward there will be some beautiful productions from CDHH.

Ms. Gutiérrez introduced Community Education Specialist Roger Robb to discuss their department's advocacy efforts, Coffee with a Cop and the Real ID Act. Mr. Robb announced that the Coffee with a Cop was a successful event. There were about 40 in attendance and three law enforcement officials from the community plus Albuquerque Police Chief Gordon Eden, Jr. It was an occasion for the community to speak with law enforcement officers and ask questions. The Deaf Community had several concerns and this gave the officers the opportunity to address those concerns. This was a chance for both parties to gain a better understanding of each other's perspectives and there will be more events like this in the future.

Commissioner Johnny Robertson commented that he was glad to hear about the Coffee with a Cop event especially after the shooting in Oklahoma City. He suggested that training law enforcement on how to interact with Deaf people would be better than the communication failures that put law enforcement in a position where they take action. Executive Director Gomme explained that they did meet with a lieutenant from the police department to recommend a change in their standard operating procedure. If they change their protocol in how to address Deaf, hard of hearing and Deaf-Blind individuals, that means that all officers are obliged to follow that SOP. He said there needs to be a shift from the foundational process of how they interact so we can use that to make a broader change in Albuquerque and throughout the state. At the Coffee with a Cop event, the law enforcement there had some great questions for the Deaf and hard of hearing community. It was an experience where law enforcement viewed the community as humans and vice-versa. Executive Director Gomme added that what happened in Oklahoma City was tragic. The plan here is to have an on-going relationship with law enforcement and keep the lines of communication open.

Commissioner Robertson also asked if other law enforcement agencies would be participating as well. Mr. Robb responded that they will be working all over the state; that is part of the two year strategic plan.

Commissioner Joe Cordova said he was formerly a director of the Oklahoma Department of Rehabilitation so he would be interested in getting more information about what happened in Oklahoma City. Executive Director Gomme said he would be happy to send the information he currently has and follow up as he learns more about the shooting.

Commissioner Robertson also wanted to know what was happening with the placards for Deaf and hard of hearing drivers. Mr. Robb said they are working on getting them printed and having trainings. Executive Director Gomme added they were trying to get things done quickly because there would soon be a new leadership in Albuquerque when the new mayor takes office.

ii. Community Engagement

Lisa Dignan, Director of Community Engagement, stated that everything done in the last quarter of FY17 was in the board report so she would be focusing on what they've been working on in the first quarter of FY18 which began July 1st. Ms. Dignan said she had been involved with a lot of things related to Interpreter Licensure. She was delighted that the board office was once again fully staffed. The last group of rule changes have been implemented and sent out to the community. She has a document highlighting the most recent group of changes and there are about six changes that are significant. The changes could be discussed during the meeting or the document could be sent out for the commissioners to review in their own time. They are very positive changes that will help the interpreting community be able to work around the changes that are happening within RID and help grow our pool of qualified interpreters in New Mexico.

Currently there is a big push since the majority of licenses that were issued in the original group in 2009 all expire on September 30th. Ms. Dignan said she is working with the community to make sure that all of the interpreters know what they need to do to get their licenses renewed.

Ms. Dignan wanted to make sure all the commissioners were aware that the interpreter licensure board is funded through a transfer of funds from CDHH, written in the original licensure statute in 2007. She, along with CFO Deborah Romero and Executive Director Nathan Gomme, would be meeting with the Regulation and Licensing Department (RLD) budget staff to discuss the further of the transfer going forward. They are getting to the place where they need a little more money and the Commission doesn't have it. It will take some creative negotiation to make sure everything keeps going.

CDHH continually expands our reach with social media and with email blasts that we do every two weeks. Ms. Dignan said we are getting good responses from that, so she suggested if anyone was not signed up for that, to go ahead and do that on the home page of CDHH's website. The website and several Fact Sheets have been updated, and Administrative Operations Specialist, Lori Neubauer, does a great deal of work to keep those resources current.

Communication Development Specialist, Andrea Ginn, is working with three brand new apprentices that started at the beginning of FY18. Ms. Dignan introduced Anna McMillian, who was in the audience, as one of those apprentices. The name of the other Albuquerque apprentice is Cameron Flores and the Las Cruces apprentice is Magdalena Barnett. Since one is a UNM graduate, one is a Santa Fe Community College graduate, and one is an El Paso Community College grad, CDHH has all three programs represented.

Ms. Ginn has had creative ideas to outreach to other novice interpreters. She is doing monthly mini-workshops where recent graduates can come to a safe space and learn foundational

information. Ms. Ginn also has an exciting project through CDHH's Culture and Arts Accessibility Project (CAAP) that both she and Roger Robb work on: training interpreters to do performing arts interpreting. Cheryl Padilla will also be part of that project.

Community Engagement Specialist, Richard Bailey, recently attended the National Black Deaf Advocates Conference in Baltimore. He attended workshops on advocacy, education, collaboration, technology, employment, and social justice. Ms. Dignan stated that she was very excited that CDHH was able to send Mr. Bailey to that conference. Mr. Bailey also is very involved with the New Mexico Technical Assistance Advisory Council and is also working on the Southwest Conference on Disability planning committee.

Ms. Dignan said that the grant for the organization Pepnet ended and is transitioning to the new organization, the National Deaf Center on Postsecondary Outcomes (NDC), and Mr. Bailey will be involved in that. He was heavily involved in Pepnet and NDC has tapped his expertise for that organization.

Commissioner Dunwell asked if she could have a summary of the new changes for licensing. Ms. Dignan said she would be happy to do that. The new information is also on several fact sheets on the website and the Yahoo group that goes out to interpreters. Also the changes are being posted bit by bit on the NMCDHH Facebook page, because she didn't want to overwhelm anyone with several changes. Some of the changes are:

- Non-resident interpreters who come to work in New Mexico temporarily don't have to be licensed, but they have to register with the board so that the board office and staff know they are here. Forms were developed that they can fill out and email to the board office.
- A student in the interpreter training program who enters their internship and is out in the community doing supervised work has to register with the board office. They will get licensed when they graduate from the program.
- The criteria to get the educational license that is valid in K-12 settings is to have the ED:K-12 credential from RID, but that credential is not currently available. The rules have been changed so that if an interpreter meets all of the criteria for that credential, they can still be qualified to get the educational license.
- Now an interpreter can hold a provisional and educational license simultaneously. So an interpreter who is not yet RID certified, but can meet the ED:K-12 requirements can go ahead and get an educational license. The provisional license allows them to continue working in the community since the educational license does not allow that.
- Ms. Dignan said that interpreters with an education license have sometimes been called upon to work in community colleges for GED programs. That was not the intent so the rules have been clarified to indicate that if a student is still enrolled in high school, and is in a secondary education program that is not for credit, then an interpreter with the educational license may provide that service. However if it is a dual credit program with the high school and college combined, those services must be provided by an interpreter with the community license.
- When licensure originally went into effect, in order to get a provisional license, an interpreter must have graduated from an interpreter training program or had to be working as an interpreter at the time that the statute was passed in 2007. There have been a number of interpreters who came to New Mexico and applied for a provisional license, but some had graduated from an interpreter training program several years before. Now a requirement has been added that those interpreters need to simply provide documentation that they have been somehow involved in the community or working as an interpreter; something to make sure they are keeping up their interpreting skills.

iii. Administrative Services

Deborah Romero, Director of Administrative Services/CFO/CPO announced that the closing of FY17 went smoothly; all payments and vouchers were submitted on time. CDHH expended 80% of the budget. The opening of FY18 has also gone smoothly. Financial Services Specialist Louise Chavez-Rasgado and Lori Neubauer worked together to make sure purchase orders for operations were approved and processed as well as incoming invoices.

Ms. Romero stated that CDHH was currently in the middle of the FY17 audit and she projected that we would meet the November 1st deadline to submit it to the State Auditor.

Ms. Romero mentioned that the Commission continues to have issues with the revenue. CDHH has already received the revenue from the TRS fund for July and August, and it was lower. Ms. Romero said she and the other directors would need to monitor the budget closely to make sure there is enough revenue to cover our expenditures.

For FY19, CDHH did submit the request and it is a flat budget of 2.9 million. Ms. Romero said that they can only project covering 1.7 million of that with TRS funds; the rest will have to come out of the General Fund. She added that things might change and it could increase, but she didn't think it would be enough to cover all of the budget. CDHH will present their budget to the Legislative Finance Committee (LFC) in October, then they won't know if it's approved or changed until sometime between January and March.

In FY18, Ms. Romero said CDHH will continue the transfer of \$25,000 of revenue to RLD, and \$91,000 to DVR.

Commissioner Robertson asked about the recent passing of the bill regarding receiving funding from VoIP and pre-paid phone services and when CDHH would see that revenue. Executive Director Gomme said that even though the bill successfully passed, the Commission will still need to work with the Taxation and Revenue Department on how they will collect from online and pre-paid sources. It may take six months to see an increase, but the Commission will have to go ahead and project the budget for FY19, so CDHH will work with the revenue they now have. He expects to see a change, but cannot speculate.

Commissioner Dunwell asked who set the amounts designated for RLD and DVR and if they are negotiable. Ms. Romero responded that CDHH works with their Department of Finance and Administration (DFA) analyst and LFC analyst to come up with the amounts. CDHH was able to reduce the amount transferred to DVR from last year. In the next budget request they are planning to eliminate the transfer to DVR, but ultimately it will be up to the governor and the LFC.

Executive Director Gomme also clarified that CDHH also has legal mandates and requirements. For example, it is a federal requirement to pay for relay services. If CDHH can't afford to pay for those, and are transferring funds to another agency, then the Commission is not in compliance with federal law. CDHH needs to submit their budget and must prioritize those federally mandated services first.

Commissioner Robertson asked if CDHH would continue funding senior programs at COPD. Executive Director Gomme clarified that senior services are an additional service that COPD provides, but the program is not funded by CDHH. The contract CDHH has with COPD is for the Deaf-Blind/Deaf Plus program and SSP services.

V. ACTION ITEMS

Vice-Chair Concha Dunwell said that the board would need to postpone the action items, because there was not a full board in attendance. Executive Director Gomme said that it would

be his recommendation that the board table both the bylaws and the election of officers until the next meeting.

17.22

Commissioner Robertson made a motion to table bylaw discussion and election of officers until the next meeting.

Commissioner Joe Cordova seconded.

Motion passed unanimously.

VI. NEW BUSINESS

There was no new business.

VII. ADJOURNMENT

17.23

Commissioner Robertson made a motion to adjourn.

Commissioner Cordova seconded.

The motion passed unanimously.

Vice-Chair Dunwell adjourned the meeting at 4:12 p.m.



Lori G. Neubauer

Administrative Operations Specialist



Austin Welborn, Board Chair