

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1345 Florida Commission on Deafness
SPONSOR(S): Bilirakis
TIED BILLS: **IDEN./SIM. BILLS:** SB 2244

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) State Administration		Brazzell	Everhart
2) Future of Florida's Families			
3) Appropriations			
4)			
5)			

SUMMARY ANALYSIS

The bill creates the Florida Commission on Deafness, a nine-member commission whose members are appointed by the Governor; these members are to be recommended by and represent organizations, as provided in the bill. The Commission is to hire an executive director, who in turn hires and supervises staff. The Commission's main office is to be in a centrally located area with an active population of individuals who are deaf, hard-of-hearing, and late-deafened. The bill provides for six regional offices throughout the state.

This bill has a nonrecurring fiscal impact of at least \$1.2 million to the state and a recurring fiscal impact of \$1 million annually. However, given the requirements for providing other services, total fiscal impact is indeterminate but is expected to be much greater. The bill does not appear to have a fiscal impact on local governments.

The bill takes effect upon becoming a law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1345.sa.doc
DATE: April 4, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

For any principle that received a “no” above, please explain:

This bill creates a new government entity, the Florida Commission on Deafness, and empowers it to regulate certain private activity.

B. EFFECT OF PROPOSED CHANGES:

Background:

Currently there is no state program specifically dedicated to meeting the broad needs of individuals of all ages who are deaf, hard-of-hearing, and late-deafened. Other state programs may provide some assistance but have limited eligibility criteria or limited scope of services. For instance, children may be served by Children’s Medical Services. Adults who are deaf, hard-of-hearing, and late-deafened who have other disabilities may be served by the Developmental Disabilities Program or Adult Services Program of the Department of Children and Families. The Vocational Rehabilitation Program with the Department of Education serves qualifying individuals with disabilities including hearing impairment in securing and maintaining employment.

Various community programs may provide assistance as well. There are deaf service centers in many areas of the state, which provide services including education and information and referral. Other organizations, such as Independent Living Centers, which serve the needs of individuals with a range of disabilities also assist those who are deaf, hard-of-hearing, and late-deafened.

Chapter 83-182, Laws of Florida, created the Florida Council for the Hearing Impaired. Its duties and responsibilities included overseeing services affecting hearing impaired persons in the areas of public services, health care, and educational opportunities; determining ways to improve the level of services provided by state agencies to hearing impaired persons; serve as an advisory body on the needs of the hearing impaired; review state services available to identify areas of duplication; and preparing an annual report. This council was eliminated by ch. 95-327, L.O.F., effective July 1, 1995.

Sign-language interpreters are not currently licensed by the state. The National Registry of Intepreters for the Deaf certifies interpreters who pass its exams and agree to comply with its code of ethics, among other requirements; there is a Florida affiliate, the Florida Registry of Interpreters for the Deaf. Certification is not required for employment as an interpreter.

Regarding other specialized services for individuals who are deaf, hard-of-hearing, and late-deafened:

- Part I of ch. 468, F.S., regulates speech-language pathologists and audiologists through the Board of Speech-Language Pathology and Audiology in the Department of Health.
- Part II of ch. 484 provides for regulation of the dispensing of hearing aids; the Board of Hearing Aid Specialists in the Department of Health oversees that activity.

- In accordance with provisions of part II of ch. 427, the Florida Public Service System implements, promotes, and oversees the administration of a statewide telecommunications access system to provide access to telecommunications relay services.

Proposed Changes:

The bill creates the Florida Commission on Deafness (Commission), a nine-member commission whose members are appointed by the Governor; these members are to be recommended by and represent organizations, as provided in the bill. Except for some member's initial terms, all terms shall be for 4 years. The Commission's quorum is 8 members.

The Commission hires an executive director, who in turn hires and supervises staff.

The Commission's main office is to be in a centrally located area of the state with an active population of individuals who are deaf, hard-of-hearing, and late-deafened. The bill provides for six regional offices throughout the state.

Key responsibilities of the Commission include:

- Providing technical assistance, advocacy, and education.
- Providing information and referral services.
- Ensuring that various services and activities are fully accessible, working with other state agencies to do so when necessary.
- Having oversight responsibility related to standards for and licensure of sign-language interpreters and providers of Computer-Aided Real-time Translation services and other service provider accreditation standards where another agency is not providing oversight.

In carrying out its responsibilities, the Commission may:

- Secure assistance from other state agencies.
- Accept grants and use these funds for programs and providing other assistance.
- Contract for necessary goods and services.

The Commission shall provide funding via a request-for-proposal process for:

- Regional core services.
- Local direct services.
- Licensure of sign-language interpreting services.
- Accreditation of providers.
- Assistance to state agencies in enforcing laws to ensure services are accessible.

C. SECTION DIRECTORY:

Section 1: Creates an unnumbered section of law which establishes the Florida Commission on Deafness; specifies the membership; provides powers and duties.

Section 2: Provides that the bill shall take effect upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.
2. Expenditures: Start-up costs for basic operation of the Commission are estimated to be \$980,000 for staff (2 persons per office), operation of 7 offices, and travel expense for commissioners and

staff. Recurring costs are estimated at \$870,000. This estimate does not include funding for direct services required by the bill, such as one-stop centers and licensure of sign-language interpreters, which would require large contracts or additional staff and office space; the cost for such services could be significant.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.
2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: Providers of sign-language interpreting services and other services envisioned as being regulated by the Commission may experience increased costs of doing business.

D. FISCAL COMMENTS: None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not applicable.
2. Other: None.

B. RULE-MAKING AUTHORITY: This bill does not provide for rulemaking authority for the Commission; however, responsibilities granted this Commission such as the licensure of sign-language interpreters require that rules be promulgated.

C. DRAFTING ISSUES OR OTHER COMMENTS: Section 20.052, F.S., provides that commissions or similar bodies must be established in accordance with specific provisions. To comply with those provisions, a statement must be included in the bill that the Commission is found to be necessary and beneficial to the furtherance of a public purpose.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

N/A.