

By Senators Fasano and Sebesta

11-1094-03

See HB

1                                   A bill to be entitled  
2           An act relating to the Florida Commission on  
3           Deafness; creating the Florida Commission on  
4           Deafness; providing membership and organization  
5           of the commission; providing role, purpose,  
6           powers, duties, and responsibilities of the  
7           commission; providing an effective date.

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9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Florida Commission on Deafness.--

12           (1)(a) There is established the Florida Commission on  
13 Deafness. The commission is assigned to the Executive Office  
14 of the Governor for administrative and fiscal accountability  
15 purposes, but it shall otherwise function independently of the  
16 control, supervision, and direction of the Executive Office of  
17 the Governor.

18           (b) The commission shall consist of 15 members  
19 appointed by the Governor, nine of whom shall be at-large  
20 members, five of whom shall be representatives of and  
21 recommended by statewide not-for-profit professional  
22 organizations that represent deaf, hard-of-hearing, and  
23 late-deafened individuals, and one of whom shall be a  
24 representative of the Department of Management Services. Each  
25 member shall serve a term of 4 years; however, for the purpose  
26 of providing staggered terms, of the initial appointments,  
27 seven members shall be appointed to a 2-year term and eight  
28 members shall be appointed to a 4-year term. Any vacancy on  
29 the commission shall be filled in the same manner as the  
30 original appointment, and any member appointed to fill a  
31 vacancy occurring because of death, resignation, or

1 ineligibility for membership shall serve only for the  
2 unexpired term of the member's predecessor.

3 (c) The commission shall elect one member to serve as  
4 chair of the commission for a term of 1 year. The commission  
5 shall meet at least once each quarter. All meetings are  
6 subject to the call of the chair. Eight members of the  
7 commission shall constitute a quorum.

8 (d) Members of the commission shall serve without  
9 compensation but may be reimbursed for per diem and travel  
10 expenses pursuant to section 112.061, Florida Statutes.

11 (e) The commission shall employ and supervise an  
12 executive director. The executive director shall report  
13 directly to the commission. The executive director shall be  
14 responsible for employing and supervising all employees and  
15 staff members of the commission.

16 (2) The commission shall have a main office, which  
17 shall be centrally located in the state in an area where there  
18 are large, active deaf, hard-of-hearing, and late-deafened  
19 communities, and shall establish six regional offices  
20 throughout the state to provide services to deaf,  
21 hard-of-hearing, and late-deafened citizens and to assist  
22 local service providers in the delivery of such services.

23 (3)(a) It shall be the role of the commission to  
24 address the needs of deaf, hard-of-hearing, and late-deafened  
25 individuals by providing technical assistance, advocacy, and  
26 education. To that end, the commission shall:

27 1. Provide information and assistance to the  
28 Legislature.

29 2. Provide technical assistance to other state  
30 agencies.

31 3. Provide information and referral services.

1           4. Promote public and individual advocacy for deaf,  
2 hard-of-hearing, and late-deafened citizens.

3           5. Conduct public hearings as needed.

4           (b) It shall be a primary role of the commission to  
5 ensure that educational, mental health, medical, legal,  
6 social, and vocational services and activities are fully  
7 accessible by deaf, hard-of-hearing, and late-deafened  
8 citizens. The commission shall initiate recommendations to  
9 state agencies regarding compliance with accessibility issues  
10 and standards as they relate to services for deaf,  
11 hard-of-hearing, and late-deafened individuals and may file  
12 deficiency reports with agencies when it has deemed that  
13 services are inaccessible to such individuals. It shall be a  
14 duty of the commission to ensure compliance by state agencies  
15 with equipment and communication accessibility standards in  
16 the provision of services to deaf, hard-of-hearing, and  
17 late-deafened individuals. The commission shall also exercise  
18 oversight and enforcement responsibilities with respect to  
19 licensure and accreditation of sign-language interpreters,  
20 oral interpreters, and entities providing services, both  
21 directly and indirectly, to individuals with hearing loss.

22           (c) The commission shall have the authority to  
23 withdraw any contract or agreement it has entered into or to  
24 revoke any license issued under the authority of the  
25 commission if at any time it determines that the service or  
26 services provided by the person or entity with whom the  
27 commission has a contract or agreement or to whom a license  
28 has been issued are inaccessible to individuals with hearing  
29 loss. In instances in which the commission determines that a  
30 service or services are inaccessible to individuals with  
31 hearing loss and the jurisdiction to take remedial action lies

1 with a state agency, the commission may offer technical  
2 assistance, information, and support to the state agency.

3 (d) The commission shall have oversight responsibility  
4 in areas related to accessibility to individuals with hearing  
5 loss, including, but not limited to, standards for and  
6 licensure of sign-language interpreters and providers of  
7 Computer-Aided Real-time Translation services (CART) and other  
8 service provider accreditation standards for which oversight  
9 is not provided by a state agency. In areas in which oversight  
10 responsibility resides with a state agency, the commission  
11 shall provide technical assistance and information exchange.

12 (e) The commission may:

13 1. Secure assistance from all state departments and  
14 agencies in order to avail itself of expertise at minimal  
15 cost.

16 2. Procure information and assistance from the state  
17 or any political subdivision, municipal corporation, public  
18 officer, or governmental department or agency thereof.

19 3. Apply for and accept funds, grants, gifts, and  
20 services from local or state government or the Federal  
21 Government, or from any of their agencies, or any other public  
22 or private source and may use funds derived from these sources  
23 to defray administrative costs, implement programs as may be  
24 necessary to carry out the commission's charge, and assist  
25 agencies, institutions, and individuals in the implementation  
26 of programs designed to ensure full accessibility to services  
27 by individuals with hearing loss.

28 4. Contract for necessary goods and services.

29 (f) The commission shall provide funding for direct  
30 services through the request-for-proposal process, which shall  
31 include, but not be limited to, regional core services, local

1 direct services such as one-stop centers that provide services  
2 to facilitate communication accessibility among individuals  
3 with hearing loss, licensure of sign-language interpreters in  
4 the state, accreditation of service providers for individuals  
5 with hearing loss, and assistance to state agencies in the  
6 enforcement of existing laws to ensure that public-sector and  
7 private-sector services are accessible to individuals with  
8 hearing loss.

9 (4) All executive branch state agencies are  
10 instructed, and all other state agencies are requested, to aid  
11 and assist the commission in the accomplishment of its  
12 purposes.

13 Section 2. This act shall take effect upon becoming a  
14 law.

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