

By the Committee on Governmental Oversight and Productivity;  
and Senator Fasano

302-1335-04

1                                   A bill to be entitled  
2           An act relating to the Florida Council on  
3           Deafness; creating the Florida Council on  
4           Deafness; providing for the appointment of  
5           members and the organization of the council;  
6           requiring the staff of the Department of  
7           Education to assist the council in its duties;  
8           providing the role, purpose, powers, duties,  
9           and responsibilities of the council; providing  
10          an effective date.

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

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14           Section 1. Florida Council on Deafness.--

15           (1)(a) There is established the Florida Council on  
16 Deafness. The council is assigned to the Department of  
17 Education for administrative and fiscal purposes, but it shall  
18 otherwise function independently of the control, supervision,  
19 and direction of the Department of Education.

20           (b) The council shall consist of nine members  
21 appointed by the Governor, after consultation with statewide  
22 not-for-profit professional organizations that represent deaf,  
23 hard-of-hearing, and late-deafened individuals. At least one  
24 member must be an audiologist licensed under part I of chapter  
25 468, Florida Statutes, at least one member must be an  
26 ontolaryngologist licensed under chapter 458 or chapter 459,  
27 Florida Statutes, and at least one member must be a hearing  
28 aid specialist licensed under part II of chapter 484, Florida  
29 Statutes. The members of the council must be confirmed by the  
30 Senate. The Governor shall make appointments to the council no  
31 later than July 1, 2004. Each member shall be appointed to a

1 term of 4 years; however, for the purpose of providing  
2 staggered terms, of the initial appointments, five members  
3 shall be appointed to a 2-year term and four members shall be  
4 appointed to a 4-year term. Any vacancy on the council shall  
5 be filled in the same manner as the original appointment, and  
6 any member appointed to fill a vacancy occurring because of  
7 death, resignation, or ineligibility for membership shall  
8 serve only for the unexpired term of the member's predecessor.

9 (c) The first meeting of the council shall be held no  
10 later than August 1, 2004. The council members, at the  
11 organizational meeting, shall elect by a majority vote of the  
12 members one member to serve as chair of the council for a term  
13 of 1 year. The council shall meet at least once each quarter.  
14 All meetings are subject to the call of the chair. Five  
15 members of the council shall constitute a quorum.

16 (d) Members of the council shall serve without  
17 compensation but may be reimbursed for per diem and travel  
18 expenses pursuant to section 112.061, Florida Statutes.

19 (e) Staff of the Department of Education shall be  
20 assigned by the Commissioner of Education to assist the  
21 council in the duties assigned to it by this section.

22 (2) It is the role of the council to serve as an  
23 advisory and coordinating body in the state which recommends  
24 policies that address the needs of deaf, hard-of-hearing, and  
25 late-deafened persons and which recommends methods that  
26 improve the coordination of services among the public and  
27 private entities that provide services pertaining to  
28 interpreter services, computer aided and real-time captioning  
29 services, and assistive listening devices, excluding hearing  
30 aids. The council is authorized to provide technical

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1 assistance, advocacy, and education. To that end, the council  
2 shall:

3 (a) Provide information and assistance to the  
4 Legislature;

5 (b) Provide technical assistance to other state  
6 agencies;

7 (c) Provide information and referral services;

8 (d) Promote public and individual advocacy for deaf,  
9 hard-of-hearing, and late-deafened citizens; and

10 (e) Conduct public hearings as needed.

11 (3) The council shall prepare a report, which shall be  
12 filed with the Governor, the President of the Senate, the  
13 Speaker of the House of Representatives, and the Chief Justice  
14 of the Supreme Court by January 1, 2005, which must include:

15 (a) A review of state agencies to determine if they  
16 are in compliance with accessibility standards as they relate  
17 to services for deaf, hard-of-hearing, and late-deafened  
18 individuals.

19 (b) A review of federal and state statutes, rules, and  
20 regulations that establish requirements that agencies must  
21 comply with, including, but not limited to, equipment and  
22 communication accessibility standards in the provision of  
23 services to deaf, hard-of-hearing, and late-deafened  
24 individuals.

25 (c) A comparison of the licensure and accreditation  
26 requirements for sign-language interpreters, oral  
27 interpreters, real-time captioning, and entities providing  
28 services, except for those entities licensed under part I of  
29 chapter 468 or part II of chapter 484, Florida Statutes, both  
30 directly and indirectly, to individuals with hearing loss  
31 among the 10 most populous states.

1           (d) Recommendations for standards for and licensure of  
2 sign-language interpreters and providers of Computer-Aided  
3 Real-time Translation services (CART) and other accreditation  
4 standards for service providers that are not subject to  
5 regulation by the state.

6           (4) The council may:

7           (a) Secure assistance from all state departments and  
8 agencies in order to avail itself of expertise at minimal  
9 cost.

10           (b) Obtain information and assistance from the state  
11 or any political subdivision, municipal corporation, public  
12 officer, or governmental department or agency thereof.

13           (c) Apply for and accept funds, grants, gifts, and  
14 services from local or state government or the Federal  
15 Government, or from any of their agencies, or any other public  
16 or private source and may use funds for the purposes  
17 authorized by this section.

18           (5) All executive branch state agencies are  
19 instructed, and all other state agencies are requested, to  
20 assist the council in accomplishing its purposes.

21           (6) This act does not extend the duties or  
22 responsibilities of the council to any program, service, or  
23 activity that is subject to the jurisdiction or oversight of  
24 the Public Service Commission or that is subject to regulation  
25 under part I of chapter 468 or part II of chapter 484, Florida  
26 Statutes.

27           Section 2. This act shall take effect upon becoming a  
28 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 206

Specifies that at least one member of the council must be an audiologist licensed under Part I of chapter 468, F.S.; at least one member of the council must be an otolaryngologist licensed under chapter 458, F.S., or chapter 459, F.S.; and that at least one member must be a hearing aid specialist licensed under Part II of chapter 484, F.S..

Limits the scope of the council report comparing licensure and accreditation requirements of the 10 most populous states by excluding from the report those entities licensed under Part I of chapter 468, F.S., or Part II of chapter 484, F.S., both directly or indirectly.

Makes explicit that the act does not extend the responsibilities of the council to any program, service, or activity that is subject to regulation under Part I of chapter 468 or Part II of chapter 484, F.S.