

By the Committees on Appropriations; Governmental Oversight  
and Productivity; and Senator Fasano

309-1937-04

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 twelve 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, seven members,  
3 including the audiologist, otolaryngologist, and the hearing  
4 specialist, shall be appointed to a 2-year term and five  
5 members shall be appointed to a 4-year term. Any vacancy on  
6 the council shall be filled in the same manner as the original  
7 appointment, and any member appointed to fill a vacancy  
8 occurring because of death, resignation, or ineligibility for  
9 membership shall serve only for the unexpired term of the  
10 member's predecessor.

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

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

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

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

1 aids. The council is authorized to provide technical  
2 assistance, advocacy, and education. To that end, the council  
3 shall:  
4 (a) Provide information and assistance to the  
5 Legislature;  
6 (b) Provide technical assistance to other state  
7 agencies;  
8 (c) Provide information and referral services;  
9 (d) Promote public and individual advocacy for deaf,  
10 hard-of-hearing, and late-deafened citizens; and  
11 (e) Conduct public hearings as needed.  
12 (3) The council shall prepare a report, which shall be  
13 filed with the Governor, the President of the Senate, the  
14 Speaker of the House of Representatives, and the Chief Justice  
15 of the Supreme Court by January 1, 2005, which must include:  
16 (a) A review of state agencies to determine if they  
17 are in compliance with accessibility standards as they relate  
18 to services for deaf, hard-of-hearing, and late-deafened  
19 individuals.  
20 (b) A review of federal and state statutes, rules, and  
21 regulations that establish requirements that agencies must  
22 comply with, including, but not limited to, equipment and  
23 communication accessibility standards in the provision of  
24 services to deaf, hard-of-hearing, and late-deafened  
25 individuals.  
26 (c) A comparison of the licensure and accreditation  
27 requirements for sign-language interpreters, oral  
28 interpreters, real-time captioning, and entities providing  
29 services, except for those entities licensed under part I of  
30 chapter 468 or part II of chapter 484, Florida Statutes, both  
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1 directly and indirectly, to individuals with hearing loss  
2 among the 10 most populous states.

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

8 (4) The council may:

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

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

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

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

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

29 Section 2. This act shall take effect upon becoming a  
30 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS/SB0206

The Committee Substitute increases the membership of the council from 9 to 12 and makes corresponding changes in the staggered terms of initial council appointees. The size of a quorum is increased from 5 to 7. The Committee Substitute also makes a technical change in correcting the term computer aided real-time captioning services.