

SENATE BILL NO. 61—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE AGING AND  
DISABILITY SERVICES DIVISION)

PREFILED DECEMBER 20, 2012

Referred to Committee on Health and Human Services

SUMMARY—Revises certain provisions relating to persons with communications disabilities. (BDR 38-310)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public welfare; revising provisions relating to the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities of the Nevada Commission on Services for Persons with Disabilities; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law creates the Subcommittee on Communication Services for Persons  
2 Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities within the  
3 Nevada Commission on Services for Persons with Disabilities. The Subcommittee  
4 is authorized to: (1) make recommendations to the Commission concerning  
5 programs for persons with communications disabilities; (2) recommend to the  
6 Commission proposed legislation concerning persons with communications  
7 disabilities; and (3) collect information concerning persons with communications  
8 disabilities. The Subcommittee consists of 11 members (8 voting, 3 nonvoting) who  
9 represent various interests related to communications disabilities. (NRS 427A.750)  
10 **Section 1** of this bill removes five positions from the Subcommittee (including  
11 all three nonvoting members), changes the criteria for three positions, adds two  
12 positions reserved for a user of telecommunications relay services or the services of  
13 persons engaged in the practice of interpreting or the practice of realtime captioning  
14 and adds one position reserved for a parent of a child who is deaf, hard of hearing  
15 or speech-impaired. **Section 1** also allows the Subcommittee to create and annually  
16 review a strategic plan and to provide certain advice to the Aging and Disability  
17 Services Division of the Department of Health and Human Services and to the  
18 Department of Education.



\* S B 6 1 R 1 \*

19 **Section 2** of this bill provides that the terms of the Subcommittee members  
20 whose positions are being removed end on the effective date of this bill and that the  
21 new members must be appointed in a manner consistent with the staggered terms  
22 currently served by the Subcommittee members.

---

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 427A.750 is hereby amended to read as  
2 follows:

3 427A.750 1. The Subcommittee on Communication Services  
4 for Persons Who Are Deaf or Hard of Hearing and Persons With  
5 Speech Disabilities of the Nevada Commission on Services for  
6 Persons with Disabilities is hereby created. The Subcommittee  
7 consists of ~~four~~ *nine* members appointed by the Administrator. The  
8 Administrator shall consider recommendations made by the Nevada  
9 Commission on Services for Persons with Disabilities and appoint  
10 to the Subcommittee:

11 (a) One member who is employed by the Division and who  
12 participates in the administration of the program of this State that  
13 provides services to persons with communications disabilities which  
14 affect their ability to communicate;

15 (b) One *member* who is a member of the Nevada Association of  
16 the Deaf ~~};~~ *, or, if it ceases to exist, one member who represents*  
17 *an organization which has a membership of persons who are deaf,*  
18 *hard of hearing or speech-impaired;*

19 (c) One member who ~~is professionally qualified in the field of~~  
20 ~~deafness;}~~ *has experience with or an interest in and knowledge of*  
21 *the problems of and services for the deaf, hard of hearing or*  
22 *speech-impaired;*

23 (d) The Executive Director of the Nevada Telecommunications  
24 Association or, in the event of its dissolution, a member who  
25 represents the telecommunications industry;

26 (e) ~~One member}~~ *Three members* who ~~is a consumer}~~ *are*  
27 *users of telecommunications relay services };* *or the services of*  
28 *persons engaged in the practice of interpreting or the practice of*  
29 *realtime captioning;*

30 (f) ~~One member who is a consumer of Communication Access~~  
31 ~~Realtime Translation or realtime captioning;~~

32 ~~—(g) One member who is a consumer of services provided by a~~  
33 ~~person engaged in the practice of interpreting;~~

34 ~~—(h) One nonvoting member who is registered with the Division~~  
35 ~~pursuant to NRS 656A.100 to engage in the practice of interpreting~~  
36 ~~in a community setting and holds a certificate issued by the Registry~~  
37 ~~of Interpreters for the Deaf, Inc., or its successor organization;~~



1 ~~—(i) One nonvoting member who is registered with the Division~~  
2 ~~pursuant to NRS 656A.100 to engage in the practice of interpreting~~  
3 ~~in an educational setting and has completed the Educational~~  
4 ~~Interpreter Performance Assessment administered by the Boys~~  
5 ~~Town National Research Hospital, or its successor organization, and~~  
6 ~~received a rating of his or her level of proficiency in providing~~  
7 ~~interpreting services at level 4 or 5;~~

8 ~~—(j) One nonvoting member who is registered with the Division~~  
9 ~~pursuant to NRS 656A.400 to engage in the practice of realtime~~  
10 ~~captioning; and~~

11 ~~—(k) *One member who is a parent of a child who is deaf, hard*~~  
12 ~~*of hearing or speech-impaired; and*~~

13 (g) One member who represents educators in this State and has  
14 knowledge concerning the provision of communication services to  
15 persons with communications disabilities in elementary, secondary  
16 and postsecondary schools and the laws concerning the provision of  
17 those services.

18 2. After the initial term, the term of each member is 3 years. A  
19 member may be reappointed.

20 3. If a vacancy occurs during the term of a member, the  
21 Administrator shall appoint a person similarly qualified to replace  
22 that member for the remainder of the unexpired term.

23 4. The Subcommittee shall:

24 (a) At its first meeting and annually thereafter, elect a Chair  
25 from among its ~~{voting}~~ members; and

26 (b) Meet at the call of the Administrator, the Chair of the  
27 Nevada Commission on Services for Persons with Disabilities, the  
28 Chair of the Subcommittee or a majority of its members as is  
29 necessary to carry out its responsibilities.

30 5. A majority of the ~~{voting}~~ members of the Subcommittee  
31 constitutes a quorum for the transaction of business, and a majority  
32 of the ~~{voting}~~ members of a quorum present at any meeting is  
33 sufficient for any official action taken by the Subcommittee.

34 6. Members of the Subcommittee serve without compensation,  
35 except that each member is entitled, while engaged in the business  
36 of the Subcommittee, to the per diem allowance and travel expenses  
37 provided for state officers and employees generally if funding is  
38 available for this purpose.

39 7. A member of the Subcommittee who is an officer or  
40 employee of this State or a political subdivision of this State must be  
41 relieved from his or her duties without loss of regular compensation  
42 so that the person may prepare for and attend meetings of the  
43 Subcommittee and perform any work necessary to carry out the  
44 duties of the Subcommittee in the most timely manner practicable.  
45 A state agency or political subdivision of this State shall not require



1 an officer or employee who is a member of the Subcommittee to  
2 make up the time he or she is absent from work to carry out his or  
3 her duties as a member of the Subcommittee or use annual vacation  
4 or compensatory time for the absence.

5 8. The Subcommittee may:

6 (a) Make recommendations to the Nevada Commission on  
7 Services for Persons with Disabilities concerning the establishment  
8 and operation of programs for persons with communications  
9 disabilities which affect their ability to communicate. ~~†~~

10 (b) Recommend to the Nevada Commission on Services for  
11 Persons with Disabilities any proposed legislation concerning  
12 persons with communications disabilities which affect their ability  
13 to communicate. ~~† and †~~

14 (c) Collect information concerning persons with  
15 communications disabilities which affect their ability to  
16 communicate.

17 *(d) Create and annually review a 5-year strategic plan*  
18 *consisting of short-term and long-term goals for services provided*  
19 *by or on behalf of the Division. In creating and reviewing any*  
20 *such plan, the Subcommittee must solicit input from various*  
21 *persons, including, without limitation, persons with*  
22 *communications disabilities.*

23 *(e) Review the goals, programs and services of the Division for*  
24 *persons with communications disabilities and advise the Division*  
25 *regarding such goals, programs and services, including, without*  
26 *limitation, the outcomes of services provided to persons with*  
27 *communications disabilities and the requirements imposed on*  
28 *providers.*

29 *(f) Based on information collected by the Department of*  
30 *Education, advise the Department of Education on research and*  
31 *methods to ensure the availability of language and communication*  
32 *services for children who are deaf, hard of hearing or speech-*  
33 *impaired.*

34 9. The Subcommittee shall make recommendations to the  
35 Nevada Commission on Services for Persons with Disabilities  
36 concerning the practice of interpreting and the practice of realtime  
37 captioning, including, without limitation, the adoption of regulations  
38 to carry out the provisions of chapter 656A of NRS.

39 10. As used in this section:

40 (a) "Nevada Commission on Services for Persons with  
41 Disabilities" means the Nevada Commission on Services for  
42 Persons with Disabilities created by NRS 427A.1211.

43 (b) "Practice of interpreting" has the meaning ascribed to it in  
44 NRS 656A.060.



1 (c) "Practice of realtime captioning" has the meaning ascribed to  
2 it in NRS 656A.062.

3 (d) "Telecommunications relay services" has the meaning  
4 ascribed to it in 47 C.F.R. § 64.601.

5 **Sec. 2.** 1. The terms of the current members of the  
6 Subcommittee appointed pursuant to paragraphs (c) and (e) to (j),  
7 inclusive, of subsection 1 of NRS 427A.750, as that section existed  
8 before the effective date of this act, expire on the effective date of  
9 this act.

10 2. As soon as practicable after the effective date of this act, the  
11 Administrator shall appoint to the Subcommittee the new members  
12 required by paragraphs (c), (e) and (f) of subsection 1 of NRS  
13 427A.750, as amended by section 1 of this act. A member may be  
14 reappointed pursuant to this subsection if the member meets the  
15 applicable criteria of subsection 1 of NRS 427A.750, as amended by  
16 section 1 of this act.

17 3. In making the appointments described in subsection 2, the  
18 Administrator must, insofar as is possible, appoint the new members  
19 to initial terms which are of such durations that the terms are  
20 consistent with the manner in which the terms of the other members  
21 of the Subcommittee are staggered.

22 4. As used in this section:

23 (a) "Administrator" has the meaning ascribed to it in  
24 NRS 427A.021.

25 (b) "Subcommittee" means the Subcommittee on  
26 Communication Services for Persons Who Are Deaf or Hard of  
27 Hearing and Persons With Speech Disabilities of the Nevada  
28 Commission on Services for Persons with Disabilities.

29 **Sec. 3.** This act becomes effective upon passage and approval.

