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**Report on the Mission and Services of
the Division of Deafness**

**as required by
L.D. 1964**

**“A Resolve to Ensure that Services for the Deaf and Hard of Hearing are
Provided in an Efficient, Accessible, and Cost-effective Manner”**

Maine Department of Labor
Bureau of Rehabilitation Services

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Report Prepared by:

Anna O'Connell, Rehabilitation Counselor

Jodi Siviski, Project Intern

John G. Shattuck, Director, Bureau of Rehabilitation Services

I. Executive Summary

L.D. 1964: "A Resolve to Ensure that Services for the Deaf and Hard of Hearing Are Provided in an Efficient, Accessible and Cost Effective Manner," requires the Commissioner of the Department of Labor to:

1. assess the extent to which the Division of Deafness is currently meeting its statutory responsibilities,
2. assess the extent that the population of deaf and hard of hearing persons could be served by the Division of Deafness within the Bureau of Rehabilitation Services (BRS),
3. identify the extent that persons who are deaf and hard of hearing currently access services provided by the Department of Labor and the Division of Deafness,
4. identify the funds expended serving persons who are deaf and hard of hearing and whether this funding is commensurate with identified need, and
5. identify the core needs for which services should be provided by the State for persons who are deaf and hard of hearing.

After reviewing the statutes that identify the responsibilities of the Division of Deafness it is apparent that although there are some obligations that the Division does meet, there are obligations that the Division of Deafness only partially address and some that are not being met.

The needs assessment conducted by the BRS utilized various forums and interviews involving more than 300 people. There were many needs identified which generally fell within four different areas: health and safety, education, access to state services, and support for community service centers.

After reviewing the information from the needs assessment and the status of the Division's statutory obligations, the Commissioner offers the following recommendations:

1. the BRS designate a person to oversee direct and contracted services for persons who are deaf and hard of hearing,
2. the Department of Mental Health and Mental Retardation and Substance Abuse Services commit to hiring professionals fluent in American Sign Language within each service area. The Department of Human Services increase their efforts to recruit professionals with American Sign Language fluency,
3. the BRS provide additional financial support to the Maine Center for the Deaf in Portland, and provide start-up financial support to establish a community service center for deaf and hard-of-hearing people in Bangor,
4. funding appropriated to the BRS for the purpose of providing interpreting services within a legal proceeding be transferred to the Court System.

II. Findings

1. Overview

The Department of Labor's Bureau of Rehabilitation Services helps people with disabilities get the skills and assistance they need to work and to live independently.

The Bureau of Rehabilitation Services has provided vocational rehabilitation services to people who are deaf or hard of hearing since the Bureau's inception. The Bureau has 5 rehabilitation counselors who provide services statewide to people who are deaf. In state fiscal year 1998, over \$750,000 in state and federal funds were used to provide vocational services to this population.

In addition to these general vocational rehabilitation services which are available to all disability clients, the Bureau also operates a Division of Deafness (DOD) that provides people who are deaf or hard of hearing with advocacy, referral and other services. The Division was created by the Maine Legislature in 1985.

Earlier this year, legislation was enacted that asked the Department to (1) review the mission and services provided by the Division, (2) review the extent to which statutory obligations were being met, (3) quantify the population of persons who are deaf or hard of hearing who could be served, (4) quantify funds expended serving people who are deaf or hard of hearing, and (5) identify core needs for the community.

To prepare this report, the Department reviewed state laws that dictate the Division of Deafness role and mission. Needs assessment tools and models in other states in connection with Deafness Research and Training Centers were used for data base assistance. In conjunction with this research, information was solicited from deaf and hard-of-hearing consumers via 5 regional focus groups and 3 public forums held in Portland, Augusta and Bangor. In addition, numerous interviews were conducted with state agencies, advocacy groups, and specialty groups. This ongoing exchange provided insight and information regarding the status of services for people in Maine who are deaf and hard of hearing.

The Department welcomed the opportunity provided by this report to review the Division of Deafness, as well as services and needs of the this population in Maine. This review is consistent with the Department's ongoing efforts to improve accessibility and services to all people with disabilities. For example, services available at the Department's new One Stop Career Centers have been designed to maximize accessibility for people with disabilities, including those who are deaf and hard of hearing. The Department has also made increased accessibility and full inclusion of people with disabilities a priority within our strategic plan. The information gathered through this report will help our ongoing efforts to better serve deaf, hard of hearing and other disability populations.

2. Statutory Obligations of the Division of Deafness

In addition to traditional vocational services for people who are deaf and hard of hearing, BRS provides advocacy, outreach and other services through the Division of Deafness. The statutory reference for the Division is: Public Law 1995, Title 26, Chapter 19, subchapter II "Rehabilitation Services." A review of this statute was conducted to determine the extent to which statutory obligations are being met. These obligations include:

A. Provide advocacy on behalf of the Deaf and Hard of Hearing citizens of Maine.

Historically, the DOD has funded advocacy efforts on behalf of the deaf and hard-of-hearing population in Maine. The DOD continues to offer information and referral services; however, its role as a direct advocate has been limited when compared to previous levels.

B. State registry. Maintain, coordinate and update a voluntary statewide registry of Deaf and Hard of Hearing persons.

While the Division has a registry on file, the information on this registry is now outdated, having not been revised for several years.

C. Information and referral services statewide.

The DOD provides information and referral services through a toll free line, accessible to both deaf and hard-of-hearing consumers for incoming calls. No recent effort has been made to actively market the availability of this or other DOD services. However, the Department contracts with community service providers to provide information and referral services. (See item E)

D. Develop objectives for the implementation of quality services for deaf and hard of hearing persons.

"The Model State Plan for Vocational Rehabilitation of Deaf and Hard of Hearing" was used to establish a plan with goals and objectives for the implementation of services to the deaf and hard-of-hearing community. While that plan has not been updated, the Bureau does have a comprehensive service plan which includes goals and objectives for providing quality services to people with disabilities, including those who are deaf and hard of hearing. This plan is submitted to the federal government every three years and amended annually.

E. Community service center. Continue to study the need to establish, maintain and fund at least one community service center where Deaf and Hard of Hearing persons and their families can received pertinent information relating to the coordination of services that each requires.

The Maine Center for the Deaf (MCD) serves in this capacity under contract with DOD. The Division provides \$22,000 annually to MCD to provide information and referral services. Some participants in the various public forums and focus groups suggested that the current funding level constrains what MCD can offer in the way of information, referral and advocacy services statewide. Last year, the Department met with representatives from MCD along with advocates for people who are deaf and hard of hearing to discuss needs and assistance that the Department could provide in anticipation of the upcoming budget cycle. The Department offered assistance in developing this plan and, the continues to work with MCD on issues facing the deaf and hard-of-hearing community, and anticipates increasing those efforts in the future.

F. Promote accessibility for Deaf and Hard of Hearing residents of Maine. Promote accessibility to all governmental services for residents of the State who are Deaf or Hard of Hearing.

There have been a variety of efforts by state agencies to promote better access for deaf and hard-of-hearing consumers statewide, but progress has been slow. (It should be noted, however, that in State Fiscal Year of 1998, State agencies spent more than \$150,000 in interpreting services.) To help in this accessibility effort, DOL's strategic plan identifies promotion of accessibility with other state agencies as a priority.

Although resources limit the Division's ability to aggressively promote accessibility with other state entities, there are recent examples of positive change. The Division of Vocational Rehabilitation, for example, has worked closely with DOL One Stop Career Centers to ensure that these new employment offices are as accessible as possible. Also, the Department received additional general fund dollars this year which will enable us to provide in-service training for certain law enforcement and court agencies. As is described later in this report, improved accessibility to law enforcement and legal services is a high priority among this population.

G. Recommendations. Make recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over labor matters regarding services for Deaf and Hard of Hearing persons and their families.

As in any other policy area within the Department's jurisdiction, recommendations regarding the deaf and hard-of-hearing community that require legislation are put through the normal departmental process for submission of legislation.

H. Advisory council.

There is an active Advisory Council to the Division of Deafness whose charge is to make recommendations to the Director of the Bureau of Rehabilitation Services. The Council meets monthly, and the BRS Director participates in those meetings. The Council provides the Director with vital insights into the needs of the deaf and hard of hearing. However, comments received through the public forums and focus groups suggest that

the Advisory Council's advocacy role could be strengthened with additional support from the Division.

I. Director of the Division of Deafness.

This position – which had always been funded with federal dollars – was eliminated in 1996 when the U.S. Department of Education informed the Bureau that it could no longer use federal dollars to fund the position. Some of the prior work of the Division Director is being carried out by other staff workers in the BRS.

3. Additional Statutory Responsibilities

In addition to the statute establishing the Division of Deafness, other statutes that fall within the purview of the Division include:

A. Title 26 MRSA section 1419-A Telecommunications Equipment for Deaf and Hard of Hearing and Speech Impaired Persons

The statute requires the Division to provide telecommunications equipment on a cost-sharing basis to people who are deaf, hard of hearing or speech impaired. The Division contracts with the Maine Association of Deafness to operate this TTY distribution program.

B. Title 5 MRSA Section 48 Interpreter Service for the Deaf and Hard of Hearing

This statute requires the Department to provide interpreting services when there is a proceeding before any agency or court. The DOD provides these services through a contract with Pine Tree Society. Additional general fund dollars made available this year will enable us to enhance this service through establishment of an emergency response system to access on-call legal interpreters.

C. Title 5 Chapter 29 Vehicle Registration

The Division has authority to issue motor vehicle placards to deaf or hard-of-hearing persons. Although demand for this service is low, the Division does provide placards upon request.

4. Population of Persons Who are Deaf and Hard of Hearing, and Access to Services by the Population

It is estimated that there are approximately 107,832 individuals affected by loss of hearing in the State of Maine. This data is from the National Health Interview Survey Series 10, Number 188, Table 1 1994 given by the National Center for Health Statistics.

The 107,832 figure is based on the following calculations:

Maine Population (1996 estimate): 1,253,860 X 8.6 % (Based on National Center for Health Statistics.) = 107,832

When using the above formula for the 1997 Maine population the figure drops slightly.

Maine Population (1997 estimate): 1,242,000 X 8.6% = 106,812

Under either calculation, however, there are over 100,000 deaf and hard-of-hearing people in Maine.

In terms of services, during 1998:

- 295 deaf and hard-of-hearing people were provided vocational rehabilitation services through the Department of Labor's BRS.
- 101 deaf and hard-of-hearing people received TTYs through the Department's TTY cost sharing/loaner program. This service is provided via contract through the Maine Association for the Deaf.
- approximately 1036 hours of interpreting within a legal setting was provided through a contract with Pine Tree Society.

In addition, numerous people receive information and referral through the Maine Center for the Deaf.

5. Funds Expended Serving Persons Who Are Deaf and Hard Of Hearing

For state fiscal year 1998, the Department of Labor's Bureau of Rehabilitation Services expended the following funds to serve people who are deaf and hard of hearing:

Vocational Rehabilitation--	\$755,616
Maine Center on Deafness--	\$22,050
TTY Cost Sharing/Lending Program--	\$55,440
Legal Interpreting Contract--	\$58,000

6. Statewide Needs Assessment

The Department conducted a statewide needs assessment of people who are deaf and hard of hearing in several stages from June through August of 1998. The process used by the Department incorporated outreach to local communities to solicit input and participation from consumers, professionals, and family members. This effort included 5 regional consumer focus groups, 3 public forums, 6 interviews with specific needs groups such as

elderly deaf and hard of hearing persons, and more than 20 interviews with service providers.

These various groups were asked to identify needs facing the deaf and hard-of-hearing community. After reviewing the input from these various groups, several themes emerged: health and safety (e.g., 911 access, interpreting services and accessibility within medical, legal and law enforcement settings), education (quality interpreters), access to state services, and additional support for community service centers for people who are deaf and hard of hearing.

As the lists below indicate, many of the needs identified through the needs assessment process involve issues outside of the Division's jurisdiction. As detailed in the recommendation section of this report, the Department will convene other governmental agencies to discuss and resolve these issues.

Results from the various outreach groups are included below.

A. Focus Groups.

Frequently cited needs included:

- emergency warning systems for deaf persons
- 911 access for deaf persons
- increased availability of professional interpreter services for the medical, educational, legal and law enforcement settings
- additional funding for the Maine Center on Deafness to broaden the area of coverage throughout the state
- public TTYs
- health insurance to cover assistive listening devices
- closed TV captioning for live broadcasts
- availability of more ASL classes

B. Public Forums.

Frequently cited needs were as follows:

- qualified interpreter services
- need for TTYs in public places
- ASL and interpreter training programs within the University system
- qualified educational interpreters within the school systems
- establishment of regional schools for children who are deaf
- personnel in public service who understand the specific needs of people who are deaf and hard of hearing
- need for assistive technology
- need for mentor programs for people who are deaf and equitable education opportunities

- state/county police departments educated in the use of ASL interpreters and TTYs

C. Groups Representing Special Needs Within the Deaf and Hard of Hearing Population.

Needs identified by different special needs groups included:

- access to 911
- availability of adaptive equipment
- access to emergency broadcasts
- interpreter services during time of emergencies
- center for deaf and hard-of-hearing senior citizens
- education opportunities
- access to mental health services
- group homes and qualified staff to work with deaf consumers with mental retardation
- census of the deaf/blind population
- deaf/blind specialist position within Vocational Rehabilitation
- interpreter training specializing in communication for deaf/blind population
- transportation for deaf/blind people.

D. Groups Representing Public and Private Service Providers.

Needs identified by this group included:

- TTY access within state agencies
- ASL fluency among service providers
- access to Adult Education
- ASL and interpreter training
- availability to Computer Assisted Real Time Captioning services
- access to 911
- availability of interpreters in the medical setting
- captioning of emergency warning and broadcasts on TV
- access to visual alarms
- access to TTYs in the State House
- deaf and hard-of-hearing awareness and ASL training for the medical profession
- training for geriatric service providers
- specialized psychiatric/psychological services
- coordination of services between DOD and DBVI (Division for the Blind and Visually Impaired)
- consistent categorization and assessment of educational interpreters with increased pay
- establish an assessment procedure for deaf and hard-of-hearing students
- access to Asynchronous Telecommunication Modality (ATM system)
- awareness education within the court and legal system
- state service providers fluent in ASL
- education for staff in the fields of Public Safety and/or Corrections

- visual alarms in prisons.

Through the needs assessment process, over 300 individuals provided input and almost 600 comments were submitted. Transcripts will be made available from the Bureau of Rehabilitation Services at 624-5300.

III. Conclusions and Recommendations

This report identifies many service needs, as well as some gaps in the Bureau of Rehabilitation Services' capacity to meet its statutory obligations. Certain service needs can be addressed in a relatively short period of time, while others will require further assessment, coordination and planning, as well as involvement of other entities besides the Department. Essentially, the service structure established as a result of this report must assess the needs of deaf and hard-of-hearing people on a continual basis. More time would have allowed us to offer a more comprehensive needs assessment.

Initial recommendations are outlined below:

1. In order for the Division of Deafness to more fully comply with its statutory mandate it is our recommendation that:

A position be designated within the Bureau of Rehabilitation Services to oversee direct and contracted services.

A full time position, the Coordinator of Deaf Services will ensure the Bureau's statutory compliance, as well as act as a technical resource for all State agencies in their efforts to make services accessible to people who are deaf and hard of hearing. Promoting accessibility with other governmental entities is an identified priority in the Department's strategic plan. An additional responsibility of the Coordinator would be to administer and monitor contracts with the Community Based Service Centers described in a subsequent recommendation.

2. The information gathered as a result of the focus groups and public forums strongly suggests that many of the needs within the community of people who are deaf and hard of hearing are not unlike those of the hearing population for which there is a well established service structure within state government. What can be lacking for people who are deaf and hard of hearing is equitable access to those services. Services can be made more available through the use of American Sign Language interpreters-- however, the availability of qualified interpreters throughout the state is limited, and the service itself can be very expensive.

In order to initiate progress towards providing equal access to state services for people who are deaf and hard of hearing, it is our recommendation that:

A commitment be made by the Department of Mental Health and Mental Retardation and Substance Abuse Services to hire a person fluent in American Sign Language (ASL) upon vacancies in professional positions within each service region within the next two years. We would also recommend that the Department of Human Services demonstrate an increase in their efforts to recruit candidates with ASL fluency for professional positions. The Department will continue to explore other state agencies where similar arrangements may be appropriate.

3. Along with more accessible state services, community based services also are a vital link for many deaf and hard-of-hearing people. Community-based centers connect consumers with those services normally found in municipalities such as law enforcement, hospitals, fire departments, emergency services and local legal and health providers.

In order to assist people who are deaf and hard of hearing gain access to basic community services it is our recommendation that:

Additional funding be made available to community based service providers whose focus is on the needs of deaf and hard-of-hearing people.

To that end, we recommend that a center be established in the Bangor area and that additional funding be made available to the already established Portland Center. The function of these centers would focus on providing information and referral services, advocacy and education. This would be particularly valuable as a resource to both consumers and local service providers as they become more aware of the availability of services and obligations to make those services available and accessible.

The BRS believes that it can provide the necessary start-up funding for the Bangor Center as well as supplementing resources for the Portland Center. It will be through the partnership of the state service coordinator and community-based centers that the needs of deaf and hard-of-hearing people will be continually assessed and addressed.

4. Over the years the BRS has offered support to other public service providers regarding provision of American Sign Language interpreters. We will continue to provide technical assistance whenever requested. However, it is important that all public service entities recognize their responsibility to provide the means to make interpreting services as well as adaptive equipment available to consumers who are deaf and hard of hearing.

It is within this context that we recommend that:

The funds currently appropriated to the BRS to administer interpreter services for legal proceedings be transferred to the State Court System which uses the services.

Additional findings

It should be noted that a number of initiatives and activities to improve services for people who are deaf and hard of hearing are underway. The Department of Human Services has installed TTYs in each of its regional and district offices. The Department of Labor, Department of Education, the Department of Professional and Financial Regulation and the Department of Mental Health and Mental Retardation and Substance Abuse Services have joined together to coordinate their efforts. These and other State Agencies will continue this effort in partnership with deaf and hard-of-hearing people to provide services in the most effective manner. Of particular note is the Department of Education's pending contract with the University of Southern Maine to establish an American Sign Language (ASL) interpreter curriculum. This baccalaureate degree

program will become an important resource in meeting the demand for ASL interpreting services.

In closing, I would like to take this opportunity to thank several people for their efforts on this very ambitious effort. Of particular note is Anna O'Connell, Vocational Rehabilitation Counselor for the Bureau of Rehabilitation Services and Jodi Siviski, who served as a project intern. It was their very hard work and ability to organize that made this report possible. I would also like to recognize the contributions of Jonathon Connick, Theresa Deckers, Melinda Smith, Mark Meyer, and Roxanne Davis. Their capacity for leadership within the community provided the energy to make both the focus groups and the public forums valuable sources of information during the assessment process.