ARTICLE 2

DEAF, DEAFBLIND, AND HARD-OF-HEARING SERVICES

Section 1. Minnesota Statutes 2022, section 256C.21, is amended to read:

256C.21 DEAF, DEAFBLIND, AND HARD-OF-HEARING SERVICES ACT;
CITATION.
Sections 256C.21 to 256C.26 may be cited as the “Deaf, DeafBlind, and Hard-of-Hearing Services Act.”

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 2. Minnesota Statutes 2022, section 256C.23, subdivision 1a, is amended to read:

Subd. 1a. Culturally affirmative. “Culturally affirmative” describes services that are designed and delivered within the context of the culture, identity, language, communication, and life experiences of a person who is deaf, a person who is deafblind, and a person who is hard-of-hearing.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 3. Minnesota Statutes 2022, section 256C.23, is amended by adding a subdivision to read:

Subd. 1b. Linguistically affirmative. “Linguistically affirmative” describes services that are designed and delivered within the context of the language and communication experiences of persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 4. Minnesota Statutes 2022, section 256C.23, subdivision 2, is amended to read:

Subd. 2. Deaf. “Deaf” means a hearing loss of such severity that the individual must depend where the person communicates primarily on visual communication such as through American Sign Language or other another signed language, visual and manual means of communication such as signing systems in English or Cued Speech, reading and writing, speech reading, and gestures or other visual communication.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 5. Minnesota Statutes 2022, section 256C.23, subdivision 2a, is amended to read:

Subd. 2a. Hard-of-hearing. “Hard-of-hearing” means a hearing loss resulting in a functional loss of hearing, but not to the extent that the individual must depend where the person does not communicate primarily upon through visual communication.

CITATION. This section is effective August 1, 2024.
EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 256C.23, subdivision 2b, is amended to read:

Subd. 2b. Deafblind. "Deafblind" means any combination of vision and hearing loss which interferes with acquiring information from the environment to the extent that compensations where the person uses visual, auditory, or tactile strategies and skills are necessary such as the use of a tactile form of a visual or spoken language to access that communication, information from the environment, or other information.

EFFECTIVE DATE. This section is effective August 1, 2024.

Subd. 2c. Interpreting services. "Interpreting services" means services that include:

(1) interpreting between a spoken language, such as English, and a visual language, such as American Sign Language or another signed language;

(2) interpreting between a spoken language and a visual representation of a spoken language, such as Cued Speech and or signing systems in English;

(3) interpreting within one language where the interpreter uses natural gestures and silently repeats the spoken message, replacing some words or phrases to give higher visibility on the lips make the message more readable;

(4) interpreting using low vision or tactile methods, signing systems, or signed languages for persons who have a combined hearing and vision loss or are deafblind; and

(5) interpreting from one communication mode or language into another communication mode or language that is linguistically and culturally appropriate for the participants in the communication exchange.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 7. Minnesota Statutes 2022, section 256C.23, subdivision 2c, is amended to read:

This section is effective August 1, 2024.

Real-time captioning.

which interferes with acquiring information from the environment to the extent that compensations where the person uses visual, auditory, or tactile strategies and skills are necessary such as the use of a tactile form of a visual or spoken language to access that communication, information from the environment, or other information.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 7. Minnesota Statutes 2022, section 256C.23, subdivision 2c, is amended to read:

(1) interpreting between a spoken language, such as English, and a visual language, such as American Sign Language or another signed language;

(2) interpreting between a spoken language and a visual representation of a spoken language, such as Cued Speech and or signing systems in English;

(3) interpreting within one language where the interpreter uses natural gestures and silently repeats the spoken message, replacing some words or phrases to give higher visibility on the lips make the message more readable;

(4) interpreting using low vision or tactile methods, signing systems, or signed languages for persons who have a combined hearing and vision loss or are deafblind; and

(5) interpreting from one communication mode or language into another communication mode or language that is linguistically and culturally appropriate for the participants in the communication exchange.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 256C.23, subdivision 2b, is amended to read:

Subd. 2b. Deafblind. "Deafblind" means any combination of vision and hearing loss which interferes with acquiring information from the environment to the extent that compensations where the person uses visual, auditory, or tactile strategies and skills are necessary such as the use of a tactile form of a visual or spoken language to access that communication, information from the environment, or other information.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 7. Minnesota Statutes 2022, section 256C.23, subdivision 2c, is amended to read:

This section is effective August 1, 2024.

Real-time captioning.

which interferes with acquiring information from the environment to the extent that compensations where the person uses visual, auditory, or tactile strategies and skills are necessary such as the use of a tactile form of a visual or spoken language to access that communication, information from the environment, or other information.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 256C.23, subdivision 2b, is amended to read:

Subd. 2b. Deafblind. "Deafblind" means any combination of vision and hearing loss which interferes with acquiring information from the environment to the extent that compensations where the person uses visual, auditory, or tactile strategies and skills are necessary such as the use of a tactile form of a visual or spoken language to access that communication, information from the environment, or other information.

EFFECTIVE DATE. This section is effective August 1, 2024.
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Subd. 1. Deaf, DeafBlind, and Hard-of-Hearing State Services Division. The commissioners of commerce, education, employment and economic development, and health shall advise and partner with the commissioner of human services on the interagency activities of the Deaf, DeafBlind, and Hard-of-Hearing State Services Division. This division shall, among other things, establish the development and coordination of services for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing through a statewide network of programs, services, and supports. This division also advocates on behalf of and provides information and training about how to best serve persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing. The commissioner of human services shall coordinate the work of the interagency advisory partners, receive legislative appropriations for the division, and provide grants through the division for programs, services, and supports for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing in identified areas of need such as deafblind services, family services, interpreting services, and mental health services.

EFFECTIVE DATE. This section is effective August 1, 2024.

Subd. 2. Responsibilities. The Deaf, DeafBlind, and Hard-of-Hearing State Services Division shall:

1. establish and maintain a statewide network of regional culturally and linguistically affirmative services for Minnesotans who are deaf, Minnesotans who are deafblind, and Minnesotans who are hard-of-hearing;

2. work across divisions within the Department of Human Services, as well as with other agencies and counties, to ensure that there is an understanding of:
   (i) the communication access challenges faced by persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing;
   (ii) the best practices for accommodating and mitigating addressing communication access challenges; and
   (iii) the legal requirements for providing access to and effective communication with persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing;

3. assess the supply and demand statewide for interpreters, interpreting services and real-time captioning services, implement strategies to provide greater access to these services in areas without sufficient supply, and build the base of partner with interpreting service providers and real-time captioning service providers across the state.
(4) maintain a statewide information resource that includes contact information and professional certification credentials, certifications of interpreting service providers and
real-time captioning service providers;

(5) provide culturally and linguistically affirmative mental health services to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing who:

(i) use a visual language such as American Sign Language, another sign language, or a tactile form of a visual language; or

(ii) otherwise need culturally and linguistically affirmative therapeutic mental health services;

(6) research and develop best practices and recommendations for emerging issues;

(7) provide as much information as practicable on the division's stand-alone website in American Sign Language and, another sign language, another visual language; or a tactile form of a visual language;

(ii) otherwise need culturally and linguistically affirmative therapeutic mental health services;

(ii) need culturally and linguistically affirmative services;
with the amount of time staff spent driving to appointments to deliver direct one-to-one
client services in locations outside of the regional service centers; and

the regional needs and feedback on addressing service gaps identified by the advisory committees.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 12. Minnesota Statutes 2022, section 256C.24, subdivision 1, is amended to read:

The Deaf Services Division shall establish at least six regional service centers for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing. The centers shall be distributed regionally to provide access for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing in all parts of the state.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 13. Minnesota Statutes 2022, section 256C.24, subdivision 2, is amended to read:

Sec. 13. Minnesota Statutes 2022, section 256C.24, subdivision 2, is amended to read:

(1) employ qualified staff to work with persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing; and

(2) establish connections and collaborations and explore colocating with other public and private entities providing services to persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing in the region;

(3) for those in need of services, assist in coordinating services between service providers and persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing, and persons who are deafblind, and persons who are hard-of-hearing in the region;

(4) employ staff trained to work with persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing;

(5) identify regional training and resource needs, work with deaf and hard-of-hearing services training staff, and collaborate with others to deliver training and resources for persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing, and

EFFECTIVE DATE. This section is effective August 1, 2024.
the persons’ families, and other service providers about subjects including the persons’ rights
under the law, American Sign Language, and the impact of hearing loss and options for
accommodating it;

(6) have a mobile or permanent lab where persons who are deaf, persons who are
deafblind, and persons who are hard-of-hearing can try a selection of modern assistive
technology, telecommunications equipment, and other technology and equipment to
determine what would best meet the persons’ needs;

(7) collaborate with the Resource Center for the Deaf and Hard-of-Hearing Persons,
other divisions of the Department of Education and local school districts to develop and
deliver programs and services for provide information and resources to families with children
who are deaf, children who are deafblind, or children who are hard-of-hearing and to support
school personnel serving these children;

(8) provide training, resources, and consultation to the social services on income
maintenance staff employed by counties or by organizations with whom counties contract
for services to ensure that human services providers about communication barriers which
prevent access and other needs of persons who are deaf, persons who are deafblind, and
persons who are hard-of-hearing from using services are removed;

(9) assess the ongoing need and supply of services for persons who are deaf, persons
who are deafblind, and persons who are hard-of-hearing in all parts of the state, annually
consult with the division’s advisory committees to identify regional needs and solicit feedback
on addressing service gaps; and cooperate collaborate with public and private service
providers to develop these services on service solutions;

(10) provide culturally and linguistically affirmative mental health services to
persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing who:
(i) use a visual language such as American Sign Language, another sign language, or a
tactile form of a visual language; or
(ii) otherwise need culturally and linguistically affirmative therapeutic mental health
services; and
(11) establish partnerships with state and regional entities statewide that have the
technological capacity to provide Minnesotans with virtual access to the division’s services
and division-sponsored training via technology.

EFFECTIVE DATE. This section is effective August 1, 2024.

the persons’ families, and other service providers about subjects including the persons’ rights
under the law, American Sign Language, and the impact of hearing loss and options for
accommodating it;

(6) have a mobile or permanent lab where persons who are deaf, persons who are
deafblind, and persons who are hard-of-hearing can try a selection of modern assistive
technology, telecommunications equipment, and other technology and equipment to
determine what would best meet the persons’ needs;

(7) collaborate with the Resource Center for the Deaf and Hard-of-Hearing Persons,
other divisions of the Department of Education and local school districts to develop and
deliver programs and services for provide information and resources to families with children
who are deaf, children who are deafblind, or children who are hard-of-hearing and to support
school personnel serving these children;

(8) provide training, resources, and consultation to the social services on income
maintenance staff employed by counties or by organizations with whom counties contract
for services to ensure that human services providers about communication barriers which
prevent access and other needs of persons who are deaf, persons who are deafblind, and
persons who are hard-of-hearing from using services are removed;

(9) assess the ongoing need and supply of services for persons who are deaf, persons
who are deafblind, and persons who are hard-of-hearing in all parts of the state, annually
consult with the division’s advisory committees to identify regional needs and solicit feedback
on addressing service gaps; and cooperate collaborate with public and private service
providers to develop these services on service solutions;

(10) provide culturally and linguistically affirmative mental health services to
persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing who:
(i) use a visual language such as American Sign Language, another sign language, or a
tactile form of a visual language; or
(ii) otherwise need culturally and linguistically affirmative therapeutic mental health
services; and
(11) establish partnerships with state and regional entities statewide that have the
technological capacity to provide Minnesotans with virtual access to the division’s services
and division-sponsored training via technology.

EFFECTIVE DATE. This section is effective August 1, 2024.
Sec. 14. Minnesota Statutes 2022, section 256C.24, subdivision 3, is amended to read:

'Sec. 14. Minnesota Statutes 2022, section 256C.24, subdivision 3, is amended to read:

(a) The commissioner of human services shall use at least 60 percent of the deafblind services biennial base level grant funding for programs, services, and supports for a child and for children who are deafblind and the child’s family.

(b) The commissioner shall award grants for the purposes of:

Subd. 3.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 15. Minnesota Statutes 2022, section 256C.26, is amended to read:

'Sec. 15. Minnesota Statutes 2022, section 256C.26, is amended to read:

256C.26 EMPLOYMENT SERVICES.

The commissioner of employment and economic development shall work with the DeafBlind, and Hard of Hearing State Services Division to develop and implement a plan to deal with the underemployment of persons who are deaf, persons who are deafblind, and persons who are hard-of-hearing.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 16. Minnesota Statutes 2022, section 256C.261, is amended to read:

'Sec. 16. Minnesota Statutes 2022, section 256C.261, is amended to read:

256C.261 SERVICES FOR PERSONS WHO ARE DEAFBLIND.

(a) The commissioner of human services shall use at least 60 percent of the deafblind services biennial base level grant funding for programs, services, and supports for a child and for children who are deafblind and the child’s family.

(b) The commissioner shall award grants for the purposes of:

Subd. 3.

EFFECTIVE DATE. This section is effective August 1, 2024.

Sec. 17. Minnesota Statutes 2022, section 256C.261, is amended to read:

'Sec. 17. Minnesota Statutes 2022, section 256C.261, is amended to read:

256C.261 SERVICES FOR PERSONS WHO ARE DEAFBLIND.

(a) The commissioner of human services shall use at least 60 percent of the deafblind services biennial base level grant funding for programs, services, and supports for a child and for children who are deafblind and the child’s family.

(b) The commissioner shall award grants for the purposes of:

Subd. 3.
43.27 (a) providing programs, services, and supports to persons who are deafblind;
43.28 (b) developing and providing training to counties and the network of senior citizens
43.29 service providers. The purpose of the training grants is to teach counties how to use existing
43.30 programs that capture federal financial participation to meet the needs of eligible persons
43.31 who are deafblind and to build capacity of senior citizens programs to meet the needs of
43.32 seniors with dual sensory hearing and vision loss.
44.1 (b) The commissioner may make grants:
44.2 (1) for services and training provided by organizations to persons who are deafblind;
44.3 (2) to develop and administer consumer-directed services for persons who are deafblind;
44.4 (3) to develop and provide training to counties and service providers on how to meet
44.5 the needs of persons who are deafblind.
44.6 (g) Consumer-directed services must be provided in whole by grant-funded
44.7 providers. The Deaf and Hard-of-Hearing Services Division’s regional service centers shall
44.8 not provide any aspect of a grant-funded consumer-directed services program.
44.9 (h) Any entity that is able to satisfy the grant criteria is eligible to receive a grant under
44.10 paragraph (a).
44.11 (i)1) The family and community intervener, as defined in section 256C.23, subdivision
44.12 7, provides services to open channels of communication between the child and others;
44.13 facilitates the development or use of receptive and expressive communication skills by the
44.14 child; and develops and maintains a trusting, interactive relationship that promotes social
44.15 and emotional well-being. The family and community intervener also provides access to
44.16 information and the environment and facilitates opportunities for learning and development.
44.17 A family and community intervener must have specific training in deafblindness, building
44.18 language and communication skills, and intervention strategies.
44.19 EFFECTIVE DATE. This section is effective August 1, 2024.
44.20 Sec. 17. Minnesota Statutes 2022, section 256C.28, subdivision 1, is amended to read:
44.21 Subdivision 1. Membership. (a) The Commission of the Deaf, DeafBlind and Hard of
44.22 Hearing consists of seven members appointed at large and one member each from each
44.23 up to five advisory committees established under section 256C.24, subdivision
44.24 3. At least 50 percent of the voting members must be deaf or deafblind or hard-of-hearing.
47.1 (a) providing programs, services, and supports to persons who are deafblind;
47.2 (b) developing and providing training to counties and the network of senior citizens
47.3 service providers. The purpose of the training grants is to teach counties how to use existing
47.4 programs that capture federal financial participation to meet the needs of eligible persons
47.5 who are deafblind and to build capacity of senior citizens programs to meet the needs of
47.6 seniors with dual sensory hearing and vision loss.
47.7 (b) The commissioner may make grants:
47.8 (1) for services and training provided by organizations to persons who are deafblind;
47.9 (2) to develop and administer consumer-directed services for persons who are deafblind;
47.10 (3) to develop and provide training to counties and service providers on how to meet
47.11 the needs of persons who are deafblind.
47.12 (g)1) Consumer-directed services must be provided in whole by grant-funded
47.13 providers. The Deaf and Hard-of-Hearing Services Division's regional service centers shall
47.14 not provide any aspect of a grant-funded consumer-directed services program.
47.15 (h) Any entity that is able to satisfy the grant criteria is eligible to receive a grant under
47.16 paragraph (a).
47.17 (i) The family and community intervener, as defined in section 256C.23, subdivision
47.18 7, provides services to open channels of communication between the child and others;
47.19 facilitates the development or use of receptive and expressive communication skills by the
47.20 child; and develops and maintains a trusting, interactive relationship that promotes social
47.21 and emotional well-being. The family and community intervener also provides access to
47.22 information and the environment and facilitates opportunities for learning and development.
47.23 A family and community intervener must have specific training in deafblindness, building
47.24 language and communication skills, and intervention strategies.
47.25 EFFECTIVE DATE. This section is effective August 1, 2024.
47.26 Sec. 17. Minnesota Statutes 2022, section 256C.28, subdivision 1, is amended to read:
47.27 Subdivision 1. Membership. (a) The Commission of the Deaf, DeafBlind and Hard of
47.28 Hearing consists of seven members appointed at large and one member each from each
47.29 up to five advisory committees established under section 256C.24, subdivision
47.30 3. At least 50 percent of the voting members must be deaf or deafblind or hard-of-hearing.
Members shall include persons who are deaf, deafblind, and hard-of-hearing, parents at least one parent or guardian of children who are deaf, deafblind, and or hard-of-hearing, and representatives of county and regional human services, including representatives of private service providers. The commissioners of education, health, human rights, and employment and economic development and the director of the Deaf and Hard-of-Hearing Services Division in the Department of Human Services, or their designees, shall serve as ex officio, nonvoting members of the commission. The commission may appoint additional ex officio members from other bureaus, divisions, or sections of state departments directly concerned with the provision of services to persons who are deaf, deafblind, or hard-of-hearing.

(b) Voting members of the commission are appointed by the governor for a four-year term and until successors are appointed and qualify. Commission Voting members of the commission shall serve no more than three consecutive full terms, and no more than 12 years in total.

(c) Annually, by January 31, the commission shall select one member as chair and one member as vice-chair to serve until January 31 of the following year or until the commission selects a new chair or vice-chair, whichever occurs later.