

CHAPTER 256C

HANDICAPPED PERSONS

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256C.21 DEAF AND HARD OF HEARING SERVICES ACT; CITATION.

Sections 256C.21 to 256C.27 may be cited as the “deaf and hard of hearing services act.”

History: 1993 c 306 s 7

256C.22 PURPOSE.

It is the purpose of the “deaf and hard of hearing services act” to establish a state-wide network of coordinated services to alleviate the developmental, social, educational and occupational deprivation of deaf and hard of hearing persons by establishing regional service centers and strengthening services delivered by state, local and regional agencies.

History: 1993 c 306 s 8

256C.23 DEFINITIONS.

[For text of subd 1, see M.S.1992]

Subd. 2. “Deaf” means a hearing loss of such severity that the individual must depend primarily on visual communication such as writing, lip reading, manual communication, and gestures.

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

Subd. 3. “Regional service center” means a facility designed to provide an entry point for deaf and hard of hearing persons of that region in need of human services.

[For text of subds 4 and 5, see M.S.1992]

History: 1993 c 306 s 9-11

256C.24 REGIONAL SERVICE CENTERS.

Subdivision 1. **Location.** The commissioner of human services shall establish up to eight regional service centers for deaf and hard of hearing persons. The centers shall be distributed regionally to provide access for deaf and hard of hearing persons in all parts of the state. The center shall maintain a current registry of those persons having or suspected of having a hearing loss who live in that region. A special task of the registry is to assure that referrals and follow-up services are completed with respect to persons in the register.

Subd. 2. **Responsibilities.** The regional service center shall:

(a) serve as the central entry point for deaf and hard of hearing persons in need of human services and make referrals to the services needed;

(b) employ staff trained to work with deaf and hard of hearing persons;

(c) provide to all deaf and hard of hearing persons access to interpreter services which are necessary to help them obtain human services;

(d) implement a plan to provide loan equipment and resource materials to deaf and hard of hearing persons; and

(e) cooperate with responsible departments and administrative authorities to provide access for deaf and hard of hearing persons to services provided by state, county, and regional agencies.

Subd. 3. Advisory committee. The commissioner of human services shall appoint an advisory committee of eight persons for each regional service center. Members shall include persons who are deaf and hard of hearing, parents of children who are deaf and hard of hearing, and representatives of county and regional human services, including representatives of private service providers. At least 50 percent of the members must be deaf or hard of hearing. Committee members shall serve for a three-year term and shall serve no more than two consecutive terms. The commissioner of human services shall designate one member as chair. The commissioner of human services shall assign staff to serve as ex officio members of the committee. The compensation, removal of members, and filling of vacancies on the committee shall be as provided in section 15.0575.

History: 1993 c 306 s 12

256C.25 INTERPRETER SERVICES.

Subdivision 1. Establishment. The commissioner of human services shall maintain and coordinate statewide interpreter referral services for use by any public or private agency or individual in the state. Within the seven-county metro area, the commissioner shall contract for these services; outside the metro area, the commissioner shall directly coordinate these services but may contract with an appropriate agency to provide this service. The commissioner may collect a \$3 fee per referral for interpreter referral services and the actual costs of interpreter services provided by department staff. Fees and payments collected shall be deposited in the general fund. The \$3 referral fee shall not be collected from state agencies or local units of government or deaf or hard of hearing consumers or interpreters.

[For text of subd 2, see M.S.1992]

History: 1993 c 306 s 13

256C.26 EMPLOYMENT SERVICES.

The commissioner of jobs and training shall develop a plan to deal with the underemployment of deaf and hard of hearing persons. The plan shall provide for training regarding the nature of hearing handicaps for department staff who consult with prospective employers or who provide job placement services.

History: 1993 c 306 s 14

256C.27 DUTIES OF THE COMMISSIONER OF HUMAN SERVICES.

In order to ensure that deaf and hard of hearing persons have full access to all local, county and regional human service programs, the commissioner of human services shall:

(a) Provide training to the social service or income maintenance staff employed by counties or by organizations with whom counties contract for services to ensure that communication barriers which prevent deaf and hard of hearing persons from using services are removed;

(b) Assess the ongoing need and supply of services for deaf and hard of hearing persons in all parts of the state and cooperate with public and private service providers to develop these services;

(c) Provide training to state and regional human service agencies regarding program access for deaf and hard of hearing persons;

(d) Assist the regional service centers in the development of technical assistance and outreach programs; and

(e) Develop, where possible, innovative approaches to providing services to deaf

and hard of hearing persons. The commissioner of health shall establish standards for screening for hearing loss with special emphasis on screening of persons from birth through school age and persons over age 65.

History: 1993 c 306 s 15

256C.28 COMMISSION SERVING DEAF AND HARD OF HEARING PEOPLE.

Subdivision 1. **Membership.** The Minnesota commission serving deaf and hard of hearing people consists of seven members appointed at large and one member from each advisory committee established under section 256C.24, subdivision 3. At least 50 percent of the members must be deaf or hard of hearing. Members shall include persons who are deaf and hard of hearing, parents of children who are deaf and hard of hearing, and representatives of county and regional human services, including representatives of private service providers. Commission members are appointed by the commissioner of human services for a three-year term and shall serve no more than two consecutive terms. The commissioner of human services shall appoint one member as chair.

Subd. 2. **Removal; vacancies.** The compensation, removal of members, and filling of vacancies on the commission are as provided in section 15.0575.

Subd. 3. **Duties.** The commission shall:

(1) advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on the nature of the issues and disabilities confronting deaf and hard of hearing persons in Minnesota;

(2) advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on the development of policies, programs, and services affecting deaf and hard of hearing persons, and on the use of appropriate federal and state money;

(3) create a public awareness of the special needs and potential of deaf and hard of hearing persons;

(4) provide the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health with a review of ongoing services, programs, and proposed legislation affecting deaf and hard of hearing persons;

(5) advise the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health on statutes or rules necessary to ensure that deaf and hard of hearing persons have access to benefits and services provided to individuals in Minnesota;

(6) recommend to the governor, the legislature, and the commissioners of the departments of human services, education, jobs and training, and health legislation designed to improve the economic and social conditions of deaf and hard of hearing persons in Minnesota;

(7) propose solutions to problems of deaf and hard of hearing persons in the areas of education, employment, human rights, human services, health, housing, and other related programs;

(8) recommend to the governor and the legislature any needed revisions in the state's affirmative action program and any other steps necessary to eliminate the underemployment or unemployment of deaf and hard of hearing persons in the state's work force;

(9) work with other state and federal agencies and organizations to promote economic development for deaf and hard of hearing Minnesotans; and

(10) coordinate its efforts with other state and local agencies serving deaf and hard of hearing persons.

Subd. 4. **Staff.** The commission may appoint, subject to the approval of the governor, an executive director who must be experienced in administrative activities and familiar with the problems and needs of deaf and hard of hearing persons. The commission may delegate to the executive director any powers and duties under this section

that do not require commission approval. The executive director serves in the unclassified service and may be removed at any time by a majority vote of the commission. The executive director shall coordinate the provision of necessary support services to the commission with the state department of human services.

Subd. 5. Powers. The commission may contract in its own name. Contracts must be approved by a majority of the members of the commission and executed by the chair and the executive director. The commission may apply for, receive, and expend in its own name grants and gifts of money consistent with the powers and duties specified in this section.

Subd. 6. Report. The commission shall prepare and distribute a report to the commissioner, the governor, and the legislature by December 31 of each even-numbered year. The report must summarize the activities of the commission since its prior report, list receipts and expenditures, identify the major problems and issues confronting deaf and hard of hearing persons, make recommendations regarding needed policy and program development on behalf of deaf and hard of hearing individuals in Minnesota, and list the specific objectives the commission seeks to attain during the next biennium.

History: 1993 c 306 s 16