

**PROPOSED AMENDMENTS TO
SENATE BILL 449**

1 On page 1 of the printed bill, delete lines 5 through 29 and delete pages
2 2 and 3.

3 On page 4, delete lines 1 through 23 and insert:

4 **“SECTION 1.** ORS 410.740 is amended to read:

5 **“410.740. (1) As used in this section and section 2 of this 2015 Act,**
6 **‘deaf-blind’ means having severe combined hearing loss and vision**
7 **loss.**

8 **“[(1)] (2) The [Oregon Deaf and Hard-of-Hearing Services Program] Office**
9 **for Deaf, Deaf-Blind and Hard of Hearing Services** is created in the De-
10 partment of Human Services. *[The purpose of the program is to assist members*
11 *of the public and state agencies in making agency programs available and ac-*
12 *cessible to individuals who are deaf or hard of hearing.]*

13 **“[(2) The program may also provide the following:]**

14 **“[(a) Identification and publicity of the needs and concerns of individuals**
15 **who are deaf or hard of hearing as their needs and concerns relate to the full**
16 **achievement of economic, social, legal and political equity.]**

17 **“[(b) Advice to the Department of Human Services, the Governor, the Leg-**
18 **islative Assembly and appropriate state agency administrators on how state**
19 **services for individuals who are deaf or hard of hearing might be improved**
20 **or better coordinated to meet the needs of these individuals.]**

21 **“[(c) Information to individuals who are deaf or hard of hearing about**
22 **where they may obtain assistance in rehabilitation and employment and about**

1 *laws prohibiting discrimination in employment as a result of disability.]*

2 *“(d) Cooperation with and assistance to interest groups in rehabilitation*
3 *and employment of individuals who are deaf or hard of hearing and encour-*
4 *agement of public and private employers to undertake affirmative action to*
5 *ensure equitable employment of individuals who are deaf or hard of hearing.]*

6 *“(e) Promotion of a continuous program of information and education to*
7 *employers and the general public to increase awareness of and sensitivity to*
8 *the needs of individuals who are deaf or hard of hearing for equitable educa-*
9 *tion and training that will ensure for these individuals their full vocational*
10 *potential.]*

11 *“(f) Promotion of a continuous information program for placement of in-*
12 *dividuals who are deaf or hard of hearing in suitable employment.]*

13 *“(3)(a) The Director of Human Services shall appoint an advisory com-*
14 *mittee to advise the director regarding the program. The director shall consult*
15 *with the advisory committee regarding the services described in this section.]*

16 *“(b) The director shall appoint to the advisory committee 12 individuals*
17 *who have experience in issues that affect individuals who are deaf or hard of*
18 *hearing.]*

19 **“(3) The office is under the supervision of a program manager ap-**
20 **pointed by the Director of Human Services. The program manager**
21 **must be fluent in American Sign Language. Subject to the approval**
22 **of the director, the program manager may organize and reorganize the**
23 **office as the program manager considers necessary to properly conduct**
24 **the work of the office. The program manager may contract with enti-**
25 **ties to perform any functions of the office including, but not limited**
26 **to, advocacy, peer support counseling and case management.**

27 **“(4)(a) The director shall appoint a 12-member advisory committee**
28 **to advise, and to review, evaluate and make recommendations to, the**
29 **director and the office on:**

30 **“(A) Services that must be provided by the office based on the**

1 statewide and community needs assessments described in section 2 of
2 this 2015 Act;

3 “(B) Coordination and delivery of the services to best meet the
4 needs of individuals who are deaf, deaf-blind or hard of hearing;

5 “(C) Contracts entered into by the department for services provided
6 to individuals who are deaf, deaf-blind or hard of hearing; and

7 “(D) Other duties and functions of the office.

8 “(b) The advisory committee must include:

9 “(A) Six members who are deaf, deaf-blind or hard of hearing;

10 “(B) Three members who specialize in providing adaptive or com-
11 munication services to individuals who are deaf, deaf-blind or hard of
12 hearing; and

13 “(C) Three members who are certified or licensed to practice in the
14 areas of clinical psychology, mental health or rehabilitation coun-
15 seling.

16 “(c) The office shall provide support to the advisory committee.

17 “(d) The office may consult the members of the advisory committee
18 on the recruitment and retention of personnel who understand the
19 needs and concerns of the deaf, deaf-blind and hard of hearing com-
20 munities.

21 “(5) The director shall seek out all sources of funds, in addition to
22 General Fund appropriations, that may be available to support the
23 duties and functions of the office.

24 “SECTION 2. (1) The duties and functions of the Office for Deaf,
25 Deaf-Blind and Hard of Hearing Services created in ORS 410.740 include
26 all of the following:

27 “(a) Employing at least one individual who is proficient in Ameri-
28 can Sign Language, in order to effectively fulfill the responsibilities
29 of the office.

30 “(b) Conducting statewide and community needs assessments for

1 all geographic regions of this state no less frequently than every five
2 years and no more frequently than every two years. The office shall
3 formally measure and document the results of the needs assessments
4 in order to assess changes over time.

5 “(c) Consulting with applicable offices of the Department of Human
6 Services to promote compliance with the requirements of the Ameri-
7 cans with Disabilities Act and section 504 of the Rehabilitation Act of
8 1973.

9 “(d) Establishing a system for tracking state agency compliance
10 with the requirements of the Americans with Disabilities Act and
11 section 504 of the Rehabilitation Act of 1973 in order to enable:

12 “(A) Employees of the department, and employees of the entities
13 that contract with the department, who are deaf, deaf-blind or hard
14 of hearing to perform the essential functions of their employment; and

15 “(B) Consumers of the department’s services who are deaf, deaf-
16 blind or hard of hearing to access those services.

17 “(e) Advising the department, the Governor, the Legislative As-
18 sembly and other state agency administrators on how state services
19 for individuals who are deaf, deaf-blind or hard of hearing may be
20 improved or better coordinated to meet the needs of such individuals.

21 “(f) Advising and training state agencies and other public and pri-
22 vate entities on the requirements of the Americans with Disabilities
23 Act, section 504 of the Rehabilitation Act of 1973 and other laws pro-
24 hibiting discrimination based on disability.

25 “(g) Collecting and disseminating information and providing tech-
26 nical assistance regarding:

27 “(A) The issues and concerns of individuals who are deaf, deaf-blind
28 or hard of hearing;

29 “(B) How individuals who are deaf, deaf-blind or hard of hearing can
30 obtain assistance in rehabilitation and employment; and

1 **“(C) Laws that prohibit discrimination in employment based on**
2 **disability.**

3 **“(h) Contracting with state agencies to provide services to the**
4 **agencies’ employees, and to consumers of the agencies’ services, who**
5 **are deaf, deaf-blind or hard of hearing.**

6 **“(i) Cooperating with and assisting groups interested in the reha-**
7 **bilitation and employment of individuals who are deaf, deaf-blind or**
8 **hard of hearing.**

9 **“(j) Increasing public awareness of and sensitivity to the needs of**
10 **individuals who are deaf, deaf-blind or hard of hearing.**

11 **“(k) Encouraging public and private employers to take affirmative**
12 **steps toward ensuring equal treatment in hiring and employment**
13 **practices for individuals who are deaf, deaf-blind or hard of hearing.**

14 **“(L) Providing assistance to individuals who are deaf, deaf-blind or**
15 **hard of hearing in securing suitable training, employment and the re-**
16 **alization of their full vocational potential.**

17 **“(m) Coordinating deaf, deaf-blind and hard of hearing interpreta-**
18 **tion services for all state agencies and establishing the rates paid to**
19 **the interpreters with whom state agencies contract.**

20 **“(2)(a) The statewide and community needs assessments described**
21 **in subsection (1)(b) of this section may be conducted by employees of**
22 **the office, as well as by contracted entities, who have experience in**
23 **understanding the issues surrounding the deaf, deaf-blind and hard of**
24 **hearing communities. The office is encouraged to consult with resi-**
25 **dents in different regions of this state who are deaf, deaf-blind and**
26 **hard of hearing to assess and understand the differing regional needs**
27 **that may exist.**

28 **“(b) The statewide and community needs assessments must identify**
29 **and publicize the needs and concerns of individuals who are deaf,**
30 **deaf-blind or hard of hearing and must make recommendations for:**

1 **“(A) Addressing the identified needs and concerns; and**
2 **“(B) Fully achieving economic, social, legal and political equality**
3 **for such individuals.**

4 **“(c) The office shall report the findings and recommendations of the**
5 **statewide and community needs assessments to the department, the**
6 **Governor and the Legislative Assembly and may include recommen-**
7 **dations for the most efficient and effective manner for state agencies**
8 **to administer programs and provide services to the deaf, deaf-blind**
9 **and hard of hearing communities in this state.”.**

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