

§ 9-2404. Maryland Advisory Council for the Deaf and Hard of Hearing (MACDHH)—March 12, 2021

Second Quarterly Meeting
March 12, 2021 via Zoom.com

MACDHH Council Members presented and seen via Zoom:

Present: Chair Michele Westfall, Vice Chair Marny Helfrich, Secretary Vikki Porter, Bo Byun, Janet Cornick, Veronica Davilla-Steele, Spencer Dove, Larry Gray, Fred Hartman, Edwin Martinez Jr., Norma Moran, Gordon Outlaw, Dawn Padon, Kristen Patterson, and Alena Troxel.

Absent: Gregory James

Governor's Office of the Deaf and Hard of Hearing (ODHH) Staff: Director Kelby Brick and Jacob Salem.

Call to Order: 1:12 PM

Chair Westfall's Report: In the last two months, Chair Westfall provided testimony on SB431 and HB535, on behalf of MACDHH. Also, a letter was sent to the Maryland Inspector General (Education) about concerns regarding Maryland School for the Deaf (MSD). Last, but not least, Chair Westfall has been attending meetings and working with the Deaf community in Maryland addressing concerns about the Maryland Association of the Deaf.

Vice Chair Helfrich's Report: No report at this time.

Secretary Porter's Report: Secretary Porter worked with the MACDHH representative from the Department of Labor (DOL), Kristen Patterson, on securing interpreters and closed captioning for a virtual job fair sponsored by DOL. This collaboration came about because initially, there was no contact information for reasonable accommodations and other accessibility concerns, which Secretary Porter was notified of by a Deaf citizen in Maryland. Patterson said she is committed to making sure future events like these would have contact information for reasonable accommodations. Secretary Porter thanked Patterson for her efforts.

Meeting Minutes: Minutes from December 2020 meetings were accepted without corrections.

ODHH Director Brick's report: Director Brick discussed the issues of health disparities and access to the vaccine. Individuals with developmental disabilities and people in group homes and congregate housing are part of the priority categories in receiving the vaccine, as well as senior citizens and those in the 1A, B, and C categories. Access to the vaccine is also being provided to DeafBlind individuals and others who may encounter obstacles with making appointments and getting access. He also stressed the need to share information about vaccine safety and encourage everyone to get the vaccine, as the pandemic is far from being over. Related to the pandemic, Director Brick stated that persecution of minorities because of COVID, especially those who are Asian, needs to end. Council member Moran asked for information on how ODHH can best assist Deaf and hard of hearing individuals in obtaining these vaccines, because people are having difficulty making these appointments—oftentimes relying on informal groups such as a Facebook group called Vaccine Hunters. Director Brick deferred to the Department of Health to better outline these efforts, but mentioned that there is a lot of discussion with the Department of Health and Maryland Emergency Management Agency about reaching out to underserved populations. Also, various counties and cities have their own vaccination efforts with access that differ widely. Council member Martinez stressed the importance of prioritizing DeafBlind individuals in receiving the vaccine, and he was a part of the effort in sending letters to various stakeholders about that concern. Director Brick applauded the advocacy efforts, and encouraged any and all citizens to continue to push for their rights. Council member Troxel (representing the Department of Health) confirmed receipt of the letter and piggybacked off of Kelby's statement about reaching out and said she would be happy to collect responses about vaccine prioritization.

Director Brick reported that staff member Salem has been working with the Department of Aging on a project called No Wrong Door, which is an effort to consolidate resources and increase collaboration across state agencies for people who may often need more than one type of assistance. Director Brick also noted that Salem has been collaborating with the Hearing Aid Access Board (HAAB) in developing regulations to ensure state facilities provide access to individuals who use assistive hearing devices. Staff member Salem is also on the cultural and linguistic competency committee for the Behavioral Health Administration council, which works closely with the Department of Health. The current focus is on developing linguistic standards of access for those who need mental health services and the like. Director Brick announced that there are several employment opportunities: A coordinator position with The Deaf Culture Digital Library, a director of Deaf and hard of hearing services position for the Department of Rehabilitation, and a policy/communications and executive assistant positions with ODHH. He also touched on MSD releasing the prospectus for the superintendent position, with one of the requirements being that the candidate be Deaf or hard of hearing. MSD is among the five schools in the entire United States with that requirement. Director Brick emphasized the importance of that requirement, which in turns supports the Deaf ecosystems and invests back in the community in developing Deaf leaders. Also, MSD now has several new board members, and received about a half million dollars of COVID funding to increase resources for the school and the community. ODHH is monitoring many legislative bills that have been submitted to the legislative assembly, and providing technical assistance to various stakeholders. Some of the bills include interpreting, audiology/audiologists, and civil rights complaint process. Council

member Gray inquired about the status of the Sign Language Interpreting Licensure (SLIL) bill, which Director Brick said that particular bill is currently in committee, with legislators figuring out how to address certain concerns. The crossover date for the bill is scheduled for March 22—in which the Senate receives the House version and vice versa for review.

ODHH was established via statute 20 years ago, and in light of this important anniversary, ODHH wants to share the history and moments. Director Brick encourages ideas from the council and community on how to best celebrate this important milestone. Council member Moran suggested establishing an ad-hoc committee for this purpose.

Old Business: Secretary Porter and Council Member Gray revisited the idea of restructuring MACDHH, with the idea of giving community members more flexibility in better representing the Deaf/HH community concerns, while state representatives are technical advisors. Currently, there are concerns about neutrality from the state representatives, as oftentimes, the representatives need to abstain due to conflict with their employed roles. Secretary Porter noticed that one recommendation that would have a huge impact is changing the requirement of the vice chair being a state representative to a community representative. That way, if the Chair cannot participate, the vice chair can easily take over without any neutrality issues. The Secretary position can be occupied by either a community or state representative. Vice Chair Helfrich asked if the vice chair recommendation needed to go through the legislative process, or if the council can simply adjust the bylaws. Both Chair Westfall and Council member Gray confirmed the former. Director Brick explained that things have changed since the Council was first established. The Department of Disabilities does not have a seat on the council because it is a relatively new department, which did not exist at the time of the formation of MACDHH. These would be considered statutory changes in order to change or modify the requirements as well as adding seats. He suggested these changes can be a part of the Governor's package, but a draft and buy-in is needed from the advisory council. After any statutory changes, ODHH will need to amend the bylaws. Secretary Porter stressed that this is a continued dialogue at this point of time, with the goal of ensuring everyone understands the proposal before voting on whether or not to move forward.

Council member Padon touched on some of the issues that former council member Mary Lynn Lally brought up in recent meetings concerning Deaf individuals living in nursing homes and hospice environments. Council member Padon reiterated that access to certain services and amenities are not readily available for Deaf, hard of hearing, and DeafBlind individuals, with their needs being largely ignored or not adequately met. Also, aging citizens and those with mental health issues may need help but are unable to advocate for themselves. With plenty of stories and evidence to support these concerns, improvement in these areas is sorely needed. Council member Gray agreed and stated that there were numerous instances of staff (i.e. nurses) and visitors showing up unannounced to visit or attend to Deaf individuals in these environments and not having interpreters available. Also, he noted the Office of Healthcare Quality is supposed to ensure access to certified Deaf interpreters (CDIs) for Deaf patients who may have other debilitating physical conditions such as a stroke, but that doesn't seem to be happening. Council member Gray added that not having access to satisfactorily participate in social events (pre-COVID) because of no interpreters, or the Wi-Fi isn't stable enough for online sessions can be detrimental to the Deaf individuals' emotional well-being. Council member Hartman asked if there's an official collaboration between MACDHH and Maryland Deaf senior citizens. Chair Westfall responded in the negative, noting that such official representation would require working with the Secretary of Appointments who is responsible for listing different roles and responsibilities of each council member. Director Brick observed that such an official designation is not necessary because former council member Lally was a great example of how council members can be involved in advocacy efforts and gathering feedback from the community to share with the council. Chair Westfall recommended that representatives from the Department of Health and the Department of Aging have a dialogue with Council member Padon to address the concerns she raised. Council member Davila-Steele asked if there was state oversight for the various nursing homes and senior facilities at county and municipality levels to ensure they are compliant. Council member Burgess explained that the Office of Healthcare Quality under the Department of Health regulates and licenses the assisted living facilities in the state. She also explained that the Department of Aging has an ombudsman department which follows up on complaints. Director Brick added that the Maryland Commission on Civil Rights also handles complaints of that nature.

New Business: Secretary Porter shared that there were concerns about not only DeafBlind individuals not being prioritized in the vaccine distribution, but also Deaf individuals. She explained that Deaf individuals were concerned about people removing their masks to talk to them or for them to lip-read in lieu of writing notes back and forth. Removing masks for communication purposes increases the Deaf individuals' exposure to the virus. Council member Troxel encouraged everyone with these concerns to send letters/emails to her and she would make sure they reach the appropriate people. Council member Moran asked which mass vaccination sites that are run by the state of Maryland provide Video Remote Interpreting (VRI) services. Council member Troxel affirmed that all of the state-run vaccination sites should have VRI and Director Brick followed up with that there still are existing challenges—for example, not knowing who will show up and when, and other logistical concerns. But he emphasized all of the sites are VRI ready. Council member Martinez asked about access at these sites for DeafBlind individuals, and Director Brick said access is provided at the state-run sites, but that the state has no control over the local sites run by counties and municipalities. Council member Gray recognized the advocacy for the SLIL bill over the years and asked if there's any type of licensure that applies to spoken language interpreters. Director Brick said no, because sign language interpreters are legally mandated while spoken language interpreters are not. Council member Padon pointed out that hearing children of deaf adults (CODAs) usually are required to take a spoken foreign language in school. She wondered if the CODAs could obtain a waiver to opt out since sign language is usually their native language. Director Brick explained that some school districts have teachers who can evaluate competency in a particular language, and waivers are provided. But other districts may not have that language in the curriculum, so either skill assessments can't

be provided, or they may enter into a cooperative agreement with the district that does have that language to use that county's assessment. He indicated that the law was passed in 2016 where a seal can be placed on a high school diploma indicating bilingualism. Vice Chair Helfrich clarified that there is a foreign language requirement for graduation and then there's one for bilingualism. If a student happened to be a native speaker in a language, s/he would still need to meet the foreign language requirement in order to graduate. Vice Chair Helfrich said that heritage speakers—who know the language via their family or developed proficiency in another way—can be evaluated to determine their skill level in order to earn that seal on their diplomas.

Council member Davila-Steele asked if the council was willing to support passage of HB910, which would require insurance companies to cover hearing aids up to a required amount. She noted there were pushback against the bill from insurance companies behind the scenes. Director Brick stated that the bill is most likely still in committee, and nothing is happening with that particular bill at this point in time. Chair Westfall stated she would do some research on the bill and proceed from there.

Announcements: Council member Hartman detailed an effort from Howard County Association of the Deaf (HCAD) in renaming a street honoring Alexander Graham Bell in Columbia. HCAD submitted letters to County Executive Kelvin Ball explaining why Bell should not be honored due to his nefarious history towards the signing Deaf community. This particular street is located in an industrial park, and if there is a name change, all of the companies associated with that address would need to be updated, which would be an uphill battle.

Meeting adjourned: 2:39 pm