

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, June 30, 2014 4:33:46 PM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, June 30, 2014 4:33 PM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Monday, June 30, 2014 - 16:33

Agency: DEPARTMENT ASSISTIVE AND REHABILITATIVE SERVICES DARS

First Name: David

Last Name: Myers

Title: Government Liaison

Organization you are affiliated with: Texas Association of the Deaf (TAD)

Email:

City: Austin

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

In regard to Issue 3, Independent Living Services, TAD opposes any consideration of Resource Specialist (RS) services being placed within or being identified as a part of the IL framework. RS services are highly specialized to the needs of deaf and hard of hearing people and are appropriately a program of the Office for Deaf and Hard of Hearing Services under the Division of Rehabilitative Services (DRS) and should remain there.

In regard to Issue 4, TAD supports any activity that will lead to increased job opportunities for deaf and hard of hearing people--but only if effective communication is provided. DARS is the only state agency with staff who are qualified as service providers for persons who are deaf or hard of hearing.

For TWC to be effective in serving persons who are deaf or hard of hearing they would need to ensure equal opportunity for effective communication.

Issue 5. The Texas Commission for the Deaf and Hard of Hearing was consolidated by legislative action in 2003 and placed under DARS as the Division of Deaf and Hard of Hearing Services. Approximately a year later the DARS Commissioner and DHHS Assistant Commissioner agreed on an integration move that placed DHHS under the Division of Rehabilitative Services, becoming the Office for Deaf and Hard of Hearing Services. This move was primarily to enable the Office to access federal Rehabilitation Act funds. This move has been highly beneficial to the DHHS and TAD strongly favors retaining the current organizational structure while strengthening funding resources that will ensure the provision of needed services to deaf and hard of hearing people as needed, especially those who are lower functioning and under-served.

Issue 6. Again, TAD supports the previous integration of the Division of Deaf and Hard of Hearing Services with the Division of Rehabilitative Services which should remain intact.

Any Alternative or New Recommendations on This Agency: The Board of Evaluation of Interpreters (BEI) has existed since 1980 as a voluntary interpreter certification program under the Texas Commission for the Deaf and Hard of Hearing and currently under DARS/DRS/DHHS. This program has served the deaf people of Texas very well for 34 years by maintaining and monitoring an acceptable quality of interpreter services. The testing program was re-developed in 2007 through a contract arrangement with the National Center for Interpretation Testing, Research and Policy, University of Arizona; the tests are valid and reliable. DHHS/BEI in partnership with the University of Arizona's expert team also developed valid and reliable Hispanic Trilingual Interpreter tests, that based on a Texas need in consideration of the large Hispanic population. Two states, Michigan and Illinois use the BEI tests through a contract arrangement. In recent years a problem arisen, one that TAD considers to be serious, that of non-certified signers marketing themselves as qualified interpreters; they are income seekers. These are mostly individuals with some degree of sign skills but not to the level of fluency and knowledge needed for interpreting; many may have interpreter training and may have taken and failed interpreter certification tests. If they have had interpreter training, then they are in need of more training and are not ready to function as professional interpreters. As interpreters they pose a high risk for communication errors that can affect deaf consumers, as well as the hearing public who may depend on them for communication with deaf people. This risk factor can even be life threatening in the medical area. DARS has a process in place so that consumers can file a complaint against a BEI certified interpreter who violates the ethics standards that are in place. There is no way that a consumer can file a complaint against a non-certified signer who is functioning as an interpreter, with the one exception being in the courts that require a specialized court certification. TAD requests that the Sunset Commission make a recommendation that the DARS statute relative to the BEI interpreter certification program be modified to require a license to practice interpreting in Texas with DARS/DHHS given responsibility to setting the qualifications for the license, and that DARS have authority to monitor interpreter performance through a complaint process and with authority to penalize violators.

My Comment Will Be Made Public: I agree