



DHHCAN Meeting
September 2, 2020

Due to the COVID-19 pandemic, the meeting was held online using the Zoom video-conferencing platform.

ROLL CALL

Voting Members	Organizational Partners	Others
Zainab Alkebsi, NAD	Caroline Pezzarossi, ADARA	Lynn Dey, Interpreter
Eric Kaika, TDI	Neal Tucker, RID	Natalie Ennis, CART Captioner
Marcia Zisman, GUAA	Barbara Raimondo, CEASD	Barbara Hemstreet, Interpreter
Art Roehrig, AADB	Eileen McCartin, NVRC	Jan Nishimura, Interpreter
Lise Hamlin, HLAA	Jessica Kennedy, CSD	Jayne Tubergen, Interpreter
Al Sonnenstrahl, DSA	Kelby Brick, NASADHH	Elaine Navratil, DSA
Mark Hill, CPADO		Michelle Mulligan, CPADO
		Nora Hoffman, NAD Intern

Communication protocols were shared.

Meeting called to order: 12:01p.
Quorum: Met

Chair's Report

(see Civil Rights Protection and Enforcement Policy Report)

Vice-Chair's Report

No report

Secretary's Report

- Members will receive the minutes of the June 3, 2020 meeting along with the current minutes before the next meeting when both will be voted on.

Treasurer's Report

- The balance as of August 31st was \$26,768.76. Membership renewal letters have been sent out.
- Al has been serving on DHHCAN since its inception about 27 years ago and it is time for him to step down. He introduced Elaine Navratil, a DSA board member who resides in Phoenix, AZ who will be replacing him. Additionally, DHHCAN will need to find a new treasurer, Al is willing to stay on until a replacement is found.
- Zainab thanks Al for his many years of service and that he will be missed. If anyone has a nomination for treasurer, please let her know.

POLICY REPORTS

CIVIL RIGHTS PROTECTION AND ENFORCEMENT

- During the summer hiatus, several organizations continued collaborating on guidelines pertaining to accessibility barriers experienced during the pandemic. The position statement on communicating with Deaf and Hard of Hearing people while wearing masks was released last week. All of the documents can be viewed at www.nad.org/coronavirus. It was suggested that DHHCAN post this link on its website so other organizations will have access to this important information.
- The NAD filed a lawsuit against the White House for refusing to provide ASL interpreters during the coronavirus briefings. The NAD filed a motion for preliminary injunction, requesting the court to order the White House to provide interpreters now due to the highly time-sensitive issue with the pandemic currently happening. There was a hearing and the judge asked the defense to file supplemental information and that has been done. The NAD filed a response. The NAD expects the judge will make a decision soon.

EDUCATION

- Schools have been focused on getting equipment and determining how classes will be conducted.
- One bill was passed a couple of months ago, now there is a bit of a struggle between the House and the Senate on getting more funds. Hopefully they will come to agreement
- Things are moving along with the Cogswell-Macy Act. Since the current session of Congress will be ending soon, we need to start discussing what will happen with the next Congress and whether to continue the same strategy that has been used.
- There will be a meeting with the Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS) in September. Plans are to discuss the Cogswell-Macy Act as well as new issues.

EMPLOYMENT

- No updates on employment; however, Jessica will be replaced in DHHCAN by CSD's Public Relations Director, Davin Searls. Davin will also assume oversight of the employment policy reports.
- Zainab thanked Jessica for her service to DHHCAN.

HEALTH CARE

- Lise thanked NAD for taking the lead on the position statement on face masks and communication that was posted recently. The statement is very helpful to HLAA who has received a lot of questions on this issue.
- We are still waiting for FDA to issue regulations on over-the-counter hearing aids which were supposed to be posted no later than August. Until then, hearing aids cannot be sold over the counter which creates financial hardship for those with milder losses.
- There is currently a case making its way through the courts in either California or Washington which is looking at insurance coverage for hearing aids. The lawsuit says that it is discriminatory to exclude coverage for hearing aids based on the Affordable Care Act which states that discrimination is not permitted. If the case is won, insurance carriers must provide coverage for hearing aids in the future.
- Insurance coverage for hearing aids and cochlear implants varies from state to state.

HOUSING

- Zainab shared that there was a recent executive order which temporarily halted evictions through the end of 2020.
- With Al's departure from DHHCAN, Mark offered to serve on the Housing Committee.

TELECOMMUNICATIONS, INFORMATION SERVICES, AND VIDEO PROGRAMMING

- TDI, NAD, HLAA, and GU-TAP met with FCC officials to discuss COVID-19 Relay Emergency Waiver and Conditional Certification for Automatic Speech Recognition (ASR)-Based IP CTS Offerings.

We tried to encourage the Commission to temporarily suspend user registration to the relay database in order to allow deafblind users to immediately use the relay. DeafBlind users seldom pass verification on their first attempt.

We also tried convincing the Commission to consider allowing necessary software for DeafBlind users to use the relay system to be reimbursable. Because out-of-pocket software is needed for DeafBlind to use the relay, they are denied functional equivalency. The Commission continued to decline the option.

Finally, we urged the Commission to continuously evaluate all IP CTS (including ASR-based) using the same criteria during their conditional certification period; expand their testing regime to conclude more gender, racial, age, geographical origin, and other

diversity testing metrics; and lastly to report their findings for further evaluation and feedback.

- TDI responded to Pluto TV's filing stating that they had 'sunsetted' its application on three platforms because they were unable to comply with the Commission's IP Captioning Rule.

We thanked Pluto TV for recognizing the harmful effects of requesting continuous waivers for noncompliance with captioning rules. Additionally we appreciate Pluto for not wanting to set a negative precedent for future application of the Captioning Rules.

We also reminded the Commission that Pluto still maintains active and non-compliant applications. We requested if the Commission does not pursue enforcement action, then it should set firm deadlines for those platforms to come into compliance.

- TDI, NAD, HLAA, ALDA, CPADO, AADB, DSA, NCSA, DHH-RERC, and IT-RERC filed comments on three petitions from non-Tier 1 mobile providers concerning the deadline for providers to support Real Time Text (RTT) on IP-based networks.

We implored the Commission to act swiftly and decisively to ensure that all responsible parties fulfill their obligations. Without RTT access, deaf and hard-of-hearing people will not be able to reach 9-1-1 using TTY or other direct connectivity. Deaf and hard of hearing people must be able to directly with 9-1-1 services without going through relay.

We reminded the Commission that the petitioners are the ones who proposed the deadline three and a half years ago. The failure to meet this deadline cannot be blamed on vendors or anyone else other than the petitioners.

Additionally, some of the petitioners have not even taken the initial step of retaining a vendor to help deliver RTT, in which they requested an indefinite deadline.

TDI and the consumer groups find this behavior completely unacceptable and urge the Commission to enforce compliance by September 1. Under no circumstances should the Commission grant waivers that are lengthy or indefinite.

- TDI, NCSA, ALDA, NAD, DHHCAN, CPADO, NASADHH, DSA, HLAA CueSign, CCASDHH, and IT-RERC filed comments on the Commission's findings in its 2020 biennial report to Congress required by the Twenty-First Century Communications and Accessibility Act of 2010.

We agreed that although there have been improvements in accessibility and usability in many of the services and equipment, the findings didn't fully address the concerns raised by us.

- We are concerned the commission is not collecting enough data to address the availability of RTT-to-RTT 911. RTT to 911 is the next step in improving accessibility for deaf and hard of hearing people to reach emergency services. Furthermore, compliance by wireless carriers and other messaging applications is not on track with

current deadlines. There is also the matter of DeafBlind individuals using relay services. Excessive registration requirements continue to impede their immediate access to the service. And when they do pass the registration checklist, they find they must purchase out of pocket software and/or equipment to effectively use the services. This is also compounded with the financial qualifications of the National DeafBlind Equipment Program (NDBEDP).

- Other areas of concern are:
 - Data caps and throttling practices by providers which affect accessibility
 - All mobile phones are not 100% hearing-aid compatible
 - Lack of training opportunities for devices from NDBEDP
 - Many smartphones do not meet the needs of d/hh with mobility disabilities—device size is often a barrier
 - Video conferencing and gaming, including virtual reality and augmented reality services continue to have accessibility gaps
- We noted our appreciation of the Commission’s acknowledgment that although industry strives to include people with disabilities in their product and service design/development by including consumers in conferences, meetings, demonstrations and other forums. The Commission recognized that not all industry members engage with the disability community. Mark, Zainab, and Eric will talk off-line about strategy to address a lack of progress in FCC’s pilot program to use CDIs and communication facilitators in the VRS process. There is no incentive to participate.

TRANSPORTATION

- Zainab serves on the Air Carrier Access Act Advisory Committee which had its first meeting back in March. Due to the pandemic, there had not been any meetings for a while. Finally a virtual meeting was held recently since the DOT realized it needed to move forward. There are 3 subcommittees - ticketing practices, wheelchair damage, embarking/disembarking access issues. Zainab is on the ticketing subcommittee which is developing a set of recommendations on Special Service Requests that can be made when purchasing airline tickets. There have been issues such as using the term “special needs” and “hearing impaired” in the pulldown list of choices and breaking it down by only disability and not by specific need, which ignores the wide spectrum of needs within each category of disability. The options do not allow specific requests. The DOT is now revamping the whole process, changing terminology and making the request form more user friendly.

OLD BUSINESS

Kelby said that since the Helen Keller National Center maintains a directory of SSPs, no further action by NASADHH is needed unless we want them to follow up on a national level. Art explained that most SSPs do not get paid for their work, they are volunteers. Only a few states will pay for SSPs, there needs to be federal funding to ensure all SSPs are paid. We need to continue pushing and advocating this issue on the federal level.

ANNOUNCEMENTS

Al and Eric shared that RID needs to expand their non-interpreter consumer advocacy group to include advisory committees and councils to help meet consumers' needs. He believes that RID will be asking us to identify one or two people to represent consumer organizations.

Eric brought to our attention that the DHHCAN bylaws specify that all officers must be representatives of full (regular) member organizations of DHHCAN. We may want to consider amending the bylaws to allow the Treasurer and Secretary positions to be filled by individuals regardless of whether they represent consumer groups or not. There was no objection to having Zainab, Eric and a few others review the bylaws and send out to the membership for review and then vote on changes.

Eric announced that after 52 years TDI will no longer publish its annual Blue Book. From now on it will be available electronically at TDIbluebook.com. DHHCAN members are asked to claim entries for our respective organizations and make any necessary changes.

The next DHHCAN meeting will take place on Wednesday, October 7th.

The meeting was adjourned at 1:59 p.m.