



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 690 through 694 (as introduced 1-13-16)
House Bills 5182 through 5188 (as passed by the House)
Sponsor: Senator Dave Robertson (S.B. 690)
Senator Marty Knollenberg (S.B. 691)
Senator Dale W. Zorn (S.B. 692)
Senator Margaret E. O'Brien (S.B. 693)
Senator Rebekah Warren (S.B. 694)
Representative Martin Howrylak (H.B. 5182)
Representative John Bizon, M.D. (H.B. 5183)
Representative Jim Runestad (H.B. 5184)
Representative Amanda Price (H.B. 5185)
Representative Winnie Brinks (H.B. 5186)
Representative George Darany (H.B. 5187)
Representative Phil Phelps (H.B. 5188)

House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 5-2-16

CONTENT

Senate Bills 690 through 694 and House Bills 5182 through 5188 would amend various statutes to refer to "deaf", "deafblind", and "hard of hearing", rather than "deafness" and "hearing impaired".

With the exception of Senate Bill 690, each bill would take effect 90 days after enactment.

Senate Bill 690 would amend the Michigan Telecommunications Act to do the following:

- Require a provider of basic local exchange service to provide a text telephone-communications device, at cost, to a deafblind person (in addition to a deaf, hard of hearing, or speech-impaired person, as required currently).
- Refer to individuals who are deaf, deafblind, hard of hearing, or speech-impaired in a provision allowing the Public Service Commission to waive the cost of the device to individuals who are deaf or severely hearing-impaired or speech-impaired.

Senate Bill 691 would amend the Public Health Code to refer to deaf, deafblind, and hard of hearing people, rather than hearing-impaired individuals, in the definition of "practice of speech-language pathology".

Senate Bill 692 would amend the Mental Health Code to refer to deaf, deafblind, and hard of hearing people, rather than deaf and hearing-impaired people, in provisions establishing the responsibilities of the State Mental Health Advisory Council on Deafness.

Senate Bill 693 would change the name of the Division on Deafness Act to the "Division on Deaf, Deafblind, and Hard of Hearing Act".

Senate Bill 694 would revise definitions of several terms used in the Division on Deafness Act. Specifically, the bill would do the following:

- Refer to the Division on Deaf, Deafblind, and Hard of Hearing, rather than the Division on Deafness.
- Refer to the Advisory Council on Deaf, Deafblind, and Hard of Hearing, rather than the Advisory Council on Deafness.
- Revise the definition of "deaf person".
- Define "deafblind person" as a person who has a combination of hearing and vision loss that necessitates specialized interpretation of spoken and written information in a manner appropriate to each person's dual sensory loss.
- Delete the term "hearing-impaired person" and instead define "hard of hearing person".

Currently, "deaf person" means a person whose hearing is totally impaired or, with or without amplification, is so seriously impaired that the primary means of receiving spoken language is through other sensory input. Under the bill, "deaf person" would mean a person who is not able to process information aurally, with or without amplification, and whose primary means of communication is visual or by receiving spoken language through other sensory input.

The Act defines "hearing-impaired person" as a person who has hearing loss that ranges from mild to profound. Under the bill, this definition would apply to the term "hard of hearing person". The bill specifies that a hard of hearing person uses his or her residual hearing, a hearing aid, cochlear implant, hearing assistive technology, communication access realtime translation (CART), speech reading, or other communication strategies and remains in the hearing world. The bill states, "A hard of hearing person may or may not use sign language."

House Bill 5182 would amend Public Act 116 of 1983, which governs the Michigan School for the Deaf, to require the State to maintain the School for the purpose of educating the deaf, rather than the deaf and dumb as currently required.

House Bill 5183 would amend the Division on Deafness Act to do the following:

- Refer to the Division on Deaf, Deafblind, and Hard of Hearing, rather than the Division on Deafness, in a provision establishing the Division within the Department of Civil Rights.
- Refer to deaf, deafblind, and hard of hearing people, rather than hearing-impaired people, in a provision specifying the population the Department is to protect and assist.

House Bill 5184 would amend the Division on Deafness Act to do the following:

- Refer to the Advisory Council on Deaf, Deafblind, and Hard of Hearing, rather than the Advisory Council on Deafness, in a provision establishing the Advisory Council within the Department of Civil Rights.
- Refer to deaf, deafblind, and hard of hearing people, rather than hearing-impaired people, in a provision specifying the matters on which the Advisory Council is to advise the Division.

House Bill 5185 would amend the Michigan Penal Code to refer to a person who falsely represents himself or herself as blind, deaf, deafblind, or hard of hearing or as a person who has a disability in a provision making it a misdemeanor to falsely represent oneself as blind, deaf, dumb, crippled, or physically defective for the purpose of obtaining money or anything of value.

House Bill 5186 would amend the Revised School Code to refer to deaf, deafblind, or hard of hearing people, rather than hearing-impaired people, in a provision pertaining to issuance of a limited teaching certificate to an individual who has successfully completed student teaching experience in a program serving hearing-impaired students.

House Bill 5187 would amend Public Act 44 of 1899 (which governs the publication and distribution of State laws, documents, and reports) to delete language exempting a township or county officer receiving the abstracts of reports of county superintendents of the poor, of sheriffs, or of the insane, deaf, dumb, and blind, from a requirement that public officers deliver certain documents to their successors in office.

(The Act requires the Secretary of State to distribute certain State publications to various public officials. A person or officer who receives any of the books distributed by the Secretary of State that the Act requires him or her to retain, and each city, village, township, and county officer, must deliver them to his or her successor in office. A person who does not do so is liable to the successor for the cost of replacing the books and the cost of any action brought by the county prosecutor. A person who knowingly and willfully retains the books or refuses to deliver them to the successor officer is guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a maximum fine of \$50.)

House Bill 5188 would amend the Division on Deafness Act to do the following:

- Refer to deaf, deafblind, and hard of hearing people, rather than hearing-impaired people, in provisions establishing the Division's duties.
- Require the Division to coordinate with State agencies, the Legislature, and the Governor on requests for direct interpreter service, rather than provide the services to those entities.

MCL 484.2315 (S.B. 690)
333.17601 (S.B. 691)
330.1939 (S.B. 692)
408.201 (S.B. 694)
408.202 (S.B. 695)
393.51 (H.B. 5182)
408.203 (H.B. 5183)
408.205 (H.B. 5184)
750.221 (H.B. 5185)
380.1584 (H.B. 5186)
24.34 (H.B. 5187)
408.204 (H.B. 5188)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

Senate Bills 690-694 and House Bills 5182-5186 & 5188

The bills would have no fiscal impact on State or local government.

House Bill 5187

The bill could result in minimal savings to the Department of State if fewer books or manuals had to be replaced due to the bill.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.