

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE BILL 907*
Committee Substitute Favorable 4/29/03
Senate Health & Human Resources Committee Substitute Adopted 5/14/03
Fourth Edition Engrossed 5/21/03

Short Title: Deaf/Hard of Hearing Advisory Council.

(Public)

Sponsors:

Referred to:

April 7, 2003

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF
AND THE HARD OF HEARING, TO INCREASE THE MEMBERS ON THE
COUNCIL, AND TO CHANGE THE APPOINTING AUTHORITY FOR TWO OF
THE MEMBERS APPOINTED TO THE COUNCIL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-216.31 reads as rewritten:

"§ 143B-216.31. Council for the Deaf and the Hard of Hearing – creation and duties.

There is hereby created the Council for the Deaf and the Hard of Hearing of the Department of Health and Human Services. The Council shall have duties including the following:

- (1) To make recommendations to the Secretary of the Department of Health and Human Services regarding improvement of human services to the deaf and the hard of hearing; for cost-effective provision, coordination, and improvement of services;
- (2) To study ways to promote public understanding of the problems of the deaf and the hard of hearing and to consider the need for new State programs concerning deafness; create public awareness of the specific needs and abilities of people who are deaf, hard of hearing, or deaf-blind and to consider the need for new State programs concerning the deaf, hard of hearing, and deaf-blind;
- (3) To advise the Secretary of the Department of Health and Human Services in the preparation of a plan describing the quality, extent and scope of services provided or to be provided, to deaf and hard of hearing persons in this State; during planning and implementation of services being provided to North Carolina citizens who are deaf, hard

1 of hearing, or deaf-blind with respect to the quality, extent, and scope
2 of those services;

- 3 (4) ~~To study any State programs that provide educational services for deaf~~
4 ~~and hard of hearing persons and to advise the Secretary of the~~
5 ~~Department of Health and Human Services and the Superintendent of~~
6 ~~Public Instruction concerning coordination of these programs to~~
7 ~~prevent duplication of services; and advise the Secretary of the~~
8 ~~Department of Health and Human Services and the Superintendent of~~
9 ~~the Department of Public Instruction regarding planning,~~
10 ~~implementation, and cost-effective coordination of State programs~~
11 ~~providing educational services for persons who are deaf, hard of~~
12 ~~hearing, or deaf-blind; and~~
13 (5) ~~To advise and make recommendations to the Secretary of the~~
14 ~~Department of Health and Human Services upon any matter as~~
15 ~~requested by the Secretary. respond to the request of the Secretary of~~
16 ~~the Department of Health and Human Services for advice or~~
17 ~~recommendations pertaining to any matter affecting deaf, hard of~~
18 ~~hearing, or deaf-blind citizens of North Carolina."~~

19 **SECTION 2.** G.S. 143B-216.32 reads as rewritten:

20 **"§ 143B-216.32. Council for the Deaf and the Hard of Hearing – membership;**
21 **quorum; compensation.**

22 (a) The Council for the Deaf and the Hard of Hearing shall consist of ~~25–28~~
23 ~~members. Fifteen–Twenty~~ members shall be members appointed by the Governor. Three
24 members appointed by the Governor shall be persons who are deaf and three members
25 shall be persons who are hard of hearing. One appointment shall be an educator who
26 trains deaf education teachers and one appointment shall be an audiologist licensed
27 under Article 22 of Chapter 90 of the General Statutes. Three appointments shall be
28 parents of deaf or hard of hearing children including one parent of a student in a
29 residential school; one parent of a student in a preschool program; and one parent of a
30 student in a mainstream education program, with at least one parent coming from each
31 region of the North Carolina schools for the deaf regions. One member appointed by the
32 Governor shall be recommended by the President of the North Carolina Association of
33 the Deaf; one member shall be recommended by the President of the North Carolina
34 Deaf-Blind Associates; one member shall be recommended by the North Carolina
35 Chapter of Self Help for the Hard of Hearing (SHHH); one member shall be
36 recommended by the North Carolina Black Deaf Advocates (NCBDA); one member
37 shall be recommended by The W. Paul Biggers Carolina Children's Communicative
38 Disorders Program (CCCDP); one member shall be recommended by the President of
39 the North Carolina Pediatric Society; one member shall be recommended by the
40 President of the North Carolina Registry of Interpreters for the Deaf; one member shall
41 be recommended by a local education agency; and one member shall be ~~nominated~~
42 recommended by the Superintendent of Public Instruction. Two members shall be
43 appointed from the House of Representatives by the Speaker of the House of
44 Representatives and two members shall be appointed from the Senate by the President

1 Pro Tempore of the Senate. The Secretary of Health and Human Services shall appoint
2 ~~six-four~~ members as follows: one from the Division of Vocational Rehabilitation, one
3 from the Division of Aging, one from the Division of Mental Health, Developmental
4 Disabilities, and Substance Abuse Services, and one from the Division of Social
5 Services, ~~one from a North Carolina Chapter of SHHH (Self Help for the Hard of~~
6 ~~Hearing), and one from SPEAK (Statewide Parents' Education and Advocacy for~~
7 ~~Kids).Services.~~

8 (b) The terms of the initial members of the Council shall commence July 1, 1989.
9 In his initial appointments, the Governor shall designate four members who shall serve
10 terms of five years, four who shall serve terms of four years, four who shall serve terms
11 of three years, and three who shall serve terms of two years. After the initial appointees'
12 terms have expired, all members shall be appointed for a term of four years. No member
13 ~~appointed by the Governor~~ shall serve more than two successive ~~terms.~~terms unless the
14 member is an employee of the Department of Health and Human Services or the
15 Department of Public Instruction representing his or her agency as a specialist in the
16 field of service.

17 Any appointment to fill a vacancy on the Council created by the resignation,
18 dismissal, death, or disability of a member shall be for the balance of the unexpired
19 term.

20 (c) The chairman of the Council shall be designated by the Secretary of the
21 Department of Health and Human Services from the Council members. The chairman
22 shall hold this office for not more than four years.

23 (d) The Council shall meet quarterly and at other times at the call of the
24 chairman. A majority of the Council shall constitute a quorum.

25 (e) Council members shall be reimbursed for expenses incurred in the
26 performance of their duties in accordance with G.S. 138-5.

27 (f) The Secretary of the Department of Health and Human Services shall provide
28 clerical and other assistance as needed."

29 **SECTION 3.** Pursuant to G.S. 143B-216.32(a), as enacted in Section 2 of
30 this act, when the term of the member appointed by the Secretary of Health and Human
31 Services who is a representative from the North Carolina Chapter of Self Help for the
32 Hard of Hearing (SHHH) expires, the Governor shall appoint one member upon the
33 recommendation of the North Carolina Chapter of Self Help for the Hard of Hearing to
34 serve a four-year term to commence July 1, 2003. When the term of the member
35 appointed by the Secretary of Health and Human Services who is a representative from
36 Statewide Parents' Education and Advocacy for Kids (SPEAK) expires, the Governor
37 shall appoint one member upon the recommendation of the North Carolina Black Deaf
38 Advocates (NCBDA) to serve a four-year term to commence July 1, 2003.

39 Pursuant to G.S. 143B-216.32(a), as enacted in Section 2 of this act, the
40 member appointed by the Governor as recommended by the President of the North
41 Carolina Deaf-Blind Associates shall be appointed for a four-year term to commence
42 July 1, 2003, the member appointed by the Governor as recommended by The W. Paul
43 Biggers Carolina Children's Communicative Disorders Program (CCCDP) shall be
44 appointed for a four-year term to commence July 1, 2003, and the member appointed by

1 the Governor as recommended by a local education agency shall be appointed for a
2 four-year term to commence July 1, 2003. Members described in this section shall serve
3 for the terms for which they were appointed and until their successors are appointed and
4 qualified.

5 **SECTION 4.** This act is effective when it becomes law.