

§1218. Services to persons who are deaf or hard-of-hearing

1. Mental health services. The department shall provide accommodations and services for persons who are deaf or hard-of-hearing in order to provide access to mental health programs funded or licensed by the department. These accommodations must include, but are not limited to, the following:

- A. Appropriate mental health assessments for clients who are deaf or hard-of-hearing; [PL 1993, c. 519, §1 (NEW).]
- B. Provision of interpreter services for treatment; [PL 1993, c. 519, §1 (NEW).]
- C. Educational and training for mental health staff providing treatment to persons who are deaf or hard-of-hearing; [PL 1993, c. 519, §1 (NEW).]
- D. Placement of telecommunication devices for persons who are deaf or hard-of-hearing in comprehensive community mental health facilities; [PL 1993, c. 519, §1 (NEW).]
- E. Support and training for families with members who are deaf or hard-of-hearing who experience mental health problems; and [PL 1993, c. 519, §1 (NEW).]
- F. Establishment of a therapeutic residence program for persons who are deaf or hard-of-hearing and in need of residential mental health treatment. The therapeutic residence program must be operated in conjunction with existing rehabilitation, education, mental health treatment and housing resources. The therapeutic residence program must be staffed by individuals trained in mental health treatment and proficient in communication for the deaf. [PL 1993, c. 519, §1 (NEW).]

[PL 1995, c. 560, Pt. K, §24 (AMD).]

2. Services for persons with intellectual disabilities or autism. The department shall provide accommodations and services ensuring access for persons who are deaf or hard-of-hearing to programs funded or licensed by the department providing services for persons who have intellectual disabilities or autism. These accommodations and services must include, but are not limited to, the following.

- A. The department shall ensure the provision of appropriate assessments for clients who are deaf or hard-of-hearing. Assessments must be performed by a person who is proficient in American Sign Language and must include an assessment of intellectual disability or autism and an assessment of communication skills, including the capacity to communicate using American Sign Language. The department shall survey the client population to determine which clients are deaf or hard-of-hearing. [PL 2011, c. 542, Pt. A, §65 (AMD).]
- B. For purposes of treatment, the department shall ensure the provision of interpreter services by a person proficient in American Sign Language. [PL 1995, c. 560, Pt. K, §24 (AMD).]
- C. The department shall ensure that staff providing direct services to persons who are deaf or hard-of-hearing have education and training in American Sign Language and deaf culture. [PL 2011, c. 542, Pt. A, §65 (AMD).]
- D. The department shall provide for the placement of telecommunication devices for persons who are deaf or hard-of-hearing in any location that provides residential, employment or other community-based services for persons eligible under this Title. [PL 2011, c. 542, Pt. A, §65 (AMD).]
- E. The department shall ensure the provision of support and training for families with members who have an intellectual disability or autism who are deaf or hard-of-hearing. [PL 2011, c. 542, Pt. A, §65 (AMD).]
- F. The department shall establish therapeutic residence options for persons with intellectual disabilities or autism who are deaf or hard-of-hearing and in need of a residence. The therapeutic residences must be operated in conjunction with existing rehabilitation, education, housing and

other community-based service resources. The therapeutic residences must be staffed by individuals trained in providing services for persons with intellectual disabilities and autism and proficient in American Sign Language. Therapeutic residence options must be flexible and allow for individual choice. [PL 2011, c. 542, Pt. A, §65 (AMD).]

G. The department shall designate in each regional office one staff person who is responsible for the coordination of deaf services in that office. The department shall provide ongoing training to regional office staff with the goal of having at least one person in each regional office who is proficient in American Sign Language. [PL 1995, c. 560, Pt. K, §24 (AMD).]
[PL 2011, c. 542, Pt. A, §65 (AMD).]

3. School-aged children. This section does not diminish or alter in any way the Department of Education's responsibility to provide free and appropriate education to students with disabilities. [PL 1993, c. 519, §1 (NEW).]

4. Report. The department shall prepare a biennial report that describes accommodations and services available under this section and identifies unmet service needs and a plan to address those needs. The commissioner shall include representatives from deaf communities, families and public and private service agencies in the preparation of the report. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over human resource matters and the Office of the Executive Director of the Legislative Council by January 15th of every even-numbered year. [PL 1993, c. 519, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 519, §1 (NEW). PL 1995, c. 560, §K24 (AMD). PL 2011, c. 542, Pt. A, §65 (AMD).

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