

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1038

2001 HOUSE HUMAN SERVICES

HB 1038

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1038

House Human Services Committee

☐ Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter #
Tape 3	(Didn't work)		
Committee Clerk Signature <i>Connie Easton</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Poilert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemcier, Rep. Sandvig.

Chairman Price: Opened hearing on HB 1038.

Allen Knudson: Legal Council. Referred to Legislative Council Report (Page 123). Current law provisions for blind, but not visually impaired. Changed from a school to more of an outreach center. Intent of this bill is to service all of the blind and visually impaired - not just children. The bill as written has no direct appropriations. ND School for the Blind is receiving fees for instruction to adults. The passing of this bill changes this so all visually impaired persons in the state of ND could be served under appropriated dollars. In general, adult services are based on referrals from Vocational Rehabilitation Fees for services will be eliminated, thus resulting in a reduction of expenditure for the referring source.

Teresa Larson: Executive Director of the Protection and Advocacy Project. Testified as one of the co-facilitators of a work group that addressed proposed legislation specific to the School for the Blind and Vision Services in North Dakota. Participants wanted to be able to support a single piece of legislation addressing the administration of the School for the Blind and Vision Services. (See written testimony)

Carmen Grove Suminski: Superintendent of the North Dakota Vision Services/School for the Blind. Our foremost mission is to offer core curriculum ensuring that vision specific skills are provided. We are currently accredited via the National Association Council for Agencies Serving the Blind and Visually Impaired.

Rep. Niemeier: Do nonresidents pay a higher fee for services.

Carmen Grove Suminski: Yes they do.

Rep. Pollert: Weren't FTE's coming through a special fund?

Carmen Grove Suminski: Yes.

Allen Peterson: President of North Dakota Association of Blind. Voiced interest in enhancing the state's rehabilitation programs of services. He said that the objective of the interim legislative study was to determine the feasibility of consolidating services. He felt that a single vision service agency would provide the best service for all who are blind or visually impaired.

Chairman Price: Closed hearing on HB1038.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1038 A

House Human Services Committee

☐ Conference Committee

Hearing Date January 23, 2001

Tape Number	Side A	Side B	Meter #
Tape 3		X	450 to 1320
Committee Clerk Signature <i>Carmen Easton</i>			

Minutes:

COMMITTEE WORK:

Chairman Price: Let's go to HB 1038.

Rep. Pollert: We need to find out some questions on the fiscal note dated January 19. There was a question about fee for services.

Rep. Metcalf: Vocational Rehab will pay for the people that they normally pay for. There is not loss of money from Voc Rehab, so there should be no demand for extra money.

Rep. Pollert: Basically, the bill just gives you a better definition. A point that Rep. Delzer was concerned about is that we were going to mandate services. School for the Blind will be the main agency that people will get a hold of, but the school will work with Voc Rehab.

Chairman Price: Is Carmen asking for two FTEs?

Rep. Pollert: Doesn't sound like that is going to happen.

Chairman Price: Do you have a recommendation on the bill?

Page 2
House Human Services Committee
Bill/Resolution Number HB 1038 A
Hearing Date January 23, 2001

Rep. Pollert: If we want to, it can be a DO PASS. If you are concerned about a certain provision, we can go a bit further.

Rep. Metcalf: In my opinion it is ready to go. I feel comfortable with it.

Chairman Price: Nothing in here is going to ask for two new employees?

Rep. Metcalf: I asked Carmen that question and she never once mentioned the fact that they would need two new employees.

Rep. Pollert: If you look at the Governor's budget, the two FTEs are eliminated.

Chairman Price: Motion on the bill?

Rep. Pollert: I make a motion for a DO PASS.

Rep. Metcalf: I'll second.

Chairman Price: Further discussion or questions from the committee?

Rep. Pollert: Ralph and I can attest that we're not really wild about Carmen's testimony on this particular fiscal note.

Chairman Price: The clerk will call the roll on a **DO PASS**.

14 YES 0 NO 0 ABSENT CARRIED BY REP. POLLERT

FISCAL NOTE
Requested by Legislative Council
01/19/2001

REVISION

Bill/Resolution No.: HB 1038

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$0		\$0		\$0
Expenditures						
Appropriations		\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

There will be no fiscal impact to this bill.

Personnel with the Division of Vocational Rehabilitation and ND Vision Services/School for the Blind (NDVS/SB) held a conference call on Friday, January 19, 2001, at 11:20 a.m. Participating were Jim Leary and Mike Beck with the Division of Vocational Rehabilitation and Tami Purcell and Carmen Grove Suminski with the NDVS/SB. It was agreed upon that the Division of Vocational Rehabilitation will continue to pay NDVS/SB for vocational related services for those clients who are eligible.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Tami Purcell	Agency:	ND School for the Blind
Phone Number:	701-795-2707	Date Prepared:	01/19/2001

FISCAL NOTE

Requested by Legislative Council
12/22/2000

REVISION

Bill/Resolution No.: HB 1038

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$0		(\$33,000)		(\$22,800)
Expenditures						
Appropriations		\$0	\$33,000	(\$33,000)	\$22,800	(\$22,800)

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This Bill as written has no direct appropriations. However, ND School for the Blind is receiving fees for instruction to adults. The passing of this Bill changes this so all visually impaired persons in the state of ND could be served under appropriated dollars. On the average, 40 ND adult residents are served per biennium and \$22,800 is collected for fees for instruction. The above figures are difficult to project because the number served is based on need in the state and varies significantly from year to year.

In general adult services are based on referrals from Vocational Rehabilitation. Fees for services, will be eliminated, thus resulting in a reduction of expenditure for the referring source.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

With the elimination of fee for service for adults, the special fund will result in a decrease of revenue to our agency.

Name:	Tami Purcell	Agency:	ND School for the Blind
Phone Number:	701-795-2707	Date Prepared:	12/19/2000

FISCAL NOTE

Requested by Legislative Council

12/14/2000

Bill/Resolution No.: HB 1038

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		(\$13,700)		(\$33,000)		(\$22,800)
Expenditures						
Appropriations		(\$13,700)		(\$33,000)		(\$22,800)

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This Bill as written has no direct appropriations. However, ND School for the Blind is receiving fees for instruction to adults. The passing of this Bill changes this so all visually impaired persons in the state of ND could be served under appropriated dollars. On the average, 40 ND adult residents are served per biennium and \$22,800 is collected for fees for instruction. The above figures are difficult to project because the number served is based on need in the state and varies significantly from year to year.

In general adult services are based on referrals from Vocational Rehabilitation. Fees for services, will be eliminated, thus resulting in a reduction of expenditure for the referring source.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Tami Purcell	Agency:	ND School for the Blind
Phone Number:	701-795-2707	Date Prepared:	12/19/2000

Date: /-23-0/
Roll Call Vote #: /

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1038

House Human Services Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep. Pollert Seconded By Rep. Metcalf

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price, Chairman	✓		Rep. Audrey Cleary	✓	
Rep. William Devlin, V, Chairman	✓		Rep. Ralph Metcalf	✓	
Rep. Mark Dosch	✓		Rep. Carol Niemeier	✓	
Rep. Pat Galvin	✓		Rep. Sally Sandvig	✓	
Rep. Frank Klein	✓				
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Wayne Tieman	✓				
Rep. Dave Weiler	✓				
Rep. Robin Weisz	✓				

Total (Yes) 14 No _____

Absent _____

Floor Assignment Rep. Pollert

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 24, 2001 12:08 p.m.

Module No: HR-12-1495
Carrier: Pollert
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1038: Human Services Committee (Rep. Price, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the
Eleventh order on the calendar.

2001 SENATE HUMAN SERVICES

HB 1038

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1038

Senate Human Services Committee

☐ Conference Committee

Hearing Date February 19, 2001

Tape Number	Side A	Side B	Meter #
1		X	6.1
Committee Clerk Signature <i>Paul Holodajchuk</i>			

Minutes:

The hearing was opened HB 1038.

ALAN KNUTSON, Legislative Council staff, provided information on the bill. The interim committee reports on page 123 of the interim report. He explained the bill. SENATOR POLOVITZ asked if there were any residents. MR. KNUTSON: Nothing on a long term basis. There are short stays for intensive training.

CARMEN GROVE SUMINSKI, Superintendent of ND Vision Services, supports bill with written testimony. SENATOR MATHERN: On line 28, page 2 it states payment in advance. Are you doing that now? MS. SUMINSKI: No, store items are sent out and billed.

Presented testimony for ALLEN PETERSON and CHERYL BROOKS both members of the work group.. SENATOR LEE: Is this part of the bill not applied. MS. SUMINSKI: Store items are sent out and billed, not collected for in advance.

Page 2
Senate Human Services Committee
Bill/Resolution Number HB 1038
Hearing Date February 19, 2001

TERESA LARSEN, Director of the Protection and Advocacy Project, supports bill with written testimony.

No opposition.

The hearing was closed on HB 1039.

Discussion ensued.

SENATOR MATHERN moved the adoption of an amendment on page 2, line 27, to delete to be paid in advance and insert and shall pay for. SENATOR POLOVITZ seconded it. Discussion was held. Voice vote carried. SENATOR MATHERN moved a DO PASS AS AMENDED. SENATOR FISCHER seconded the motion. Roll call vote carried 6-0. SENATOR MATHERN will carry the bill.

Date: 2/89/01

Senate	HUMAN SERVICES	Committee
--------	-----------------------	-----------

Legislative Council Amendment Number _____

Motion Made By Sen. Matthews Seconded By Sen. Polovitz

[illegible]

Absent

If the vote is on an amendment, briefly indicate intent:

shall pay for - delete payment in advance

Date: 2/19/01

Senate	HUMAN SERVICES	Committee
--------	----------------	-----------

Motion Made By Sen Matheson Seconded By Sen Fischer

[illegible]

Floor Assignment Sen Mathew

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1038: Human Services Committee (Sen. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Sixth order on the calendar.

Page 2, line 27, overstrike "upon"

Page 2, line 28, overstrike "payment in advance of" and Insert Immediately thereafter "if the individuals pay"

Renumber accordingly

2001 TESTIMONY

HB 1038

Testimony for the ND Senate Human Services Committee Hearing
of (Feb. 19, 2001) by Allan Peterson

Introduction. As Legislative Liaison and President of North Dakota Association of the Blind, I am testifying in support of passage of ND House Bill 1038. My interest in this legislation is also based on my service as a member of the Advisory Board for North Dakota Vision Services - School for the Blind. In terms of vision loss that defines the legal boundary for blindness, I have been blind for the past 18 years. The disease condition affecting my eyesight is known as retinitis pigmentosa, which has resulted in a progressive deterioration of the retina of my eyes; the condition has progressed to the point that I have no vision other than the ability to perceive light and darkness.

Our North Dakota Association of the Blind is the largest grass roots group of organized blind people in our state. North Dakota Association of the Blind has a long history of support and advocacy on behalf of those with blindness and vision loss in our state; it was first organized in 1936. Over the course of its history, North Dakota Association of the Blind has provided opportunities and programs that have enabled people with blindness and severe vision loss to lead lives that are more productive and fulfilling. We as the largest organization of the Blind in the state are very interested in enhancing, in any way, the state's rehabilitation programs of services to people that are blind and severely visually impaired.

The objective of the Interim Legislative Study of vision services in North Dakota was to determine the desirability and feasibility of consolidating services for persons of all ages under the administration of North Dakota Vision Services - School for the Blind. Vision services are the adaptive services that are provided to people who experience severe vision loss that cannot be corrected.

- * Preschool and school age children are served through programs from the School for the Blind. The larger school districts in the state employ vision teachers to work with students who have significant vision loss.

- * People with a visual impairment who are between the ages of 21 and 54 do qualify for services from Vocational Rehabilitation if they are seeking employment. Vocational Rehabilitation can contract with North Dakota Vision Services / School for the Blind for services, if they determine that blindness related adjustment training is needed for the person to become employed.

- * People who are over fifty-five qualify for services from Vocational Rehabilitation's older blind program.

The Consensus. Four different draft bills were considered for adoption during the interim legislative study process. Near the end of the study, Cheryl Brooks and I participated in a consensus building session in support of what is now North Dakota House bill 1038. As people who are blind representing North Dakota Association of the Blind and ourselves, we support this consensus, but feel that a single vision service agency would provide the best service to people of our state who are blind and severely visually impaired.

Achievements that would result from passage of ND House Bill 1038. In our opinion, House Bill 1038 will accomplish these goals:

- * Under provisions of this bill, VISION SERVICES - School for the blind is clearly given the authority to serve people of all ages which, as a consequence, means that the School is free to serve the under served population of people as individual needs may dictate. It is disappointing however, that, no funding mechanism for serving the under served population was identified by this study.
- * Outdated language is replaced by terminology that fits the current mission of Vision Services - School for the Blind.
- * Vision Services - School for the Blind is maintained as a semi-autonomous educational institution within the Department of Public Instruction. This best fits with the mission and function of the School.

Remaining Concerns. The administrative authority for vision specific rehabilitation services will remain divided under two separate administrative agencies, (i.e. Vocational Rehabilitation and VISION SERVICES - School for the Blind). As a consequence of this structure, provision of these services will still, for the most part, be piecemeal. It is our opinion that, accessing the system will remain confusing to many and the boundaries of accountability and responsibility, in many cases, will be difficult to determine.

Significant findings. From our perspective, the findings that we feel that are most significant from this study include:

- * The study of vision services identified a service gap need for people who are in the age group from 21 to 54 who do not have an identified employment goal; because of VR eligibility rules their access to vision services is often limited. We feel that a second service gap also exists for people over the age of fifty-five who would benefit from a more intensive level of skills training than can be provided by the VR vision specialists; many over fifty-five would like training in areas that include orientation and mobility instruction with the white cane, computer access training and braille skills training.
- * Eligibility rules and inter-agency fees for service have been factors in limiting access to vision services.
- * We feel that the need for teaching of technical skills training on the use of the computer that is adapted for people with severe vision loss is extremely important. Many of us share the opinion that this training is critical for those of us with a visual disability which can enable us to compete more favorably in our society. Operating a computer without sight poses many unique challenges. The staff at the North Dakota Vision Services - School for the Blind possess the teaching and technical skills and expertise to meet this challenge and we are fortunate to have these people employed here in North Dakota. In a limited survey of our North Dakota Association of the Blind members, there were 23 of 39 individuals who desired further training on the use of the computer that is adapted for use by blind and visually impaired people.

Our support for the designation of North Dakota Vision Services - School for the Blind as administrative head of Vision Services in our state was based on these factors:

- * **VISION SERVICES** - School for the Blind is the only state agency in North Dakota whose mission is uniquely dedicated for the provision of specific rehabilitation services for people with blindness and visual impairments.

- * **North Dakota VISION SERVICES** - School for the Blind is recognized as a regional and national model for quality specialized blindness rehabilitation services in a rural state. Its value is enhanced because of its affiliation with the vision rehabilitation training program at UND; this affiliation is important because of the shortage of certified vision teachers and counselors throughout the country, particularly in rural states like North Dakota. The School has, the most comprehensive list of blindness related services of any state agency,

- * The staff at the School has years of extensive experience necessary for teaching of specialized skills and hold certifications in many specialized skill areas of vision specific services. Also, the School possesses the facilities, equipment and material necessary to provide the most comprehensive list of vision specific services in this region.

- * Many people who are blind or visually impaired also have other disabilities. In these cases, it is even more important that people with multiple disabilities receive vision rehabilitation adjustment services from skilled, competent specialists who know how to best provide these services. Personnel at the School have the extensive experience and training to work with persons who have multiple disabilities who are also blind or severely visually impaired.

Comparisons of the vision service programs in the tri-state region of Minnesota - South Dakota and North Dakota:

- * The agency in South Dakota that is dedicated for serving adults with vision loss is called the South Dakota Division of Vision Services and the adult service agency in Minnesota is called Minnesota State Services for the Blind. Both agencies do provide a continuum of services to the entire adult population of people with vision loss. These agencies are specifically responsible for providing vision rehabilitation services to adults regardless of their life situation. In contrast, the designated adult vision service agency in North Dakota is the Division of Vocational Rehabilitation which is incorporated within Human Services.

- * Minnesota and South Dakota do have a residential program of instruction at their School's for the Blind. By comparison, Our North Dakota program of service through the School for the Blind is community based because our School for the Blind does not have a residential program; North Dakota, in fact, is the only state in the nation that does not provide the option of a residential program of instruction for students with blindness and visual impairments. All of the teaching staff at NDSB are outreach instructors and do travel throughout the state.

Separate Agencies for Vision Services.

Virtually every national and state organization of and for the blind champion a Commission form of governance for vision services. Paul Schroeder, from the American Foundation for the Blind, who testified before the interim Committee outlined the merits of this form of governance for vision services. A commission of the Blind and Visually Impaired does exist in our neighboring states of Iowa and Nebraska. Our neighboring states of South Dakota and Minnesota have separate agencies for vision specific rehabilitation services. A separate vision specific rehabilitation agency, in North Dakota would improve accountability, coordination, uniformity, effectiveness and efficiency in the delivery of vision services in our state as well. A recent study, that included many thousand case files, has shown that separate blind agencies achieved better results even though they worked with more people in minority populations in lower socio-economic conditions and clients that had a secondary disability.

HB 1038
House Human Services
January 15, 2001

Chairman Price and members of the Committee, I am Teresa Larsen, Executive Director of the Protection and Advocacy Project. I am testifying today as one of the co-facilitators of a workgroup that addressed proposed legislation specific to the School for the Blind and Vision Services in North Dakota.

During August of 2000, Dennis Lyon, Director of the Client Assistance Program, and I met with the following individuals:

Nate Aalgard	Director	Freedom Resource Center
Cheryl Brooks	Consumer	
Gary Gronberg	Assn't Supt.	Dept. of Public Instruction
Gene Hysjulien	Director	Disabilities Services/DHS
Jay Johnson	Director	Options
Jim Leary	Director	Rehab. Services/DHS
Carmen Suminski	Supt.	School for the Blind
Allan Peterson	Pres./Legis.	ND Assoc. for the Blind
	Liaison	

The participants represent various stakeholders: consumers, disability advocacy organizations (two Centers for Independent Living as well as the ND Association for the Blind), the Department of Public Instruction, and the Department of Human Services.

The goal of the workgroup was to achieve consensus. Participants wanted to be able to support a single piece of legislation addressing the administration of the School for the Blind and Vision Services. The agreed upon legislation is what appears before you in HB 1038.

Summarized, HB 1038 puts forth the following changes to current law:

- 1) Broadens the scope of service recipients to individuals of all ages. Current law is more specific to children.
- 2) Creates a specific section for the definitions of "blind" and "visual impairment".

- 3) Clarifies that North Dakota Vision Services-School for the Blind is a statewide service, resource and referral center with specific duties and responsibilities within each of these roles.
- 4) Specifies that North Dakota Vision Services-School for the Blind will have the responsibility to "facilitate collaboration with agencies and programs providing services to individuals who are blind or have a visual impairment".
- 5) Incorporates language that is more familiar and acceptable to individuals with disabilities (i.e., "individuals who are blind or have a visual impairment" vs. "the blind").

I will be glad to try to answer questions that you might have.

Thank you

North Dakota Vision Services



School For The Blind

National Accreditation Council

**TESTIMONY ON HOUSE BILL #1038
HOUSE HUMAN SERVICES COMMITTEE**

January 15, 2001

**By Carmen Grove Suminski, Superintendent
North Dakota Vision Services/School for the Blind
701-795-2708**

Chairman Price and Members of the Committee: My name is Carmen Grove Suminski, and I am the superintendent of the North Dakota Vision Services/School for the Blind (NDVS/SB). I am providing testimony in support of House Bill #1038.

Introduction:

NDVS/SB has significantly expanded its outreach services and functions as a statewide, comprehensive resource center. The NDVS/SB works cooperatively and maintains a leadership role with related agencies in providing a full range of services to all persons who are blind or visually impaired, including those with multiple disabilities.

Historical Overview

- 1908 School for the Blind established in Bathgate
25 students enrolled
- 1961 Relocated to Grand Forks
Peak enrollment of 54 students
Average enrollment of 32 students
- 1994 Residential program eliminated
- 1995 Day program discontinued
- 1996 Major renovation completed converting the lower level of the
Residence into instructional centers and offices
- 1997 Major renovation of former pool building into two suites,
two apartments, commons, and offices

We have undergone major transition – we are truly a regional system providing statewide outreach services; yet have housing for short-term placements for school age children and adults receiving services plus persons participating in inservice training. The NDVS/SB is not only a building located in Grand Forks but rather a **service and resource**. Our campus is statewide with regional offices in Minot, Devils Lake, Fargo, Jamestown, and Bismarck.

We are currently accredited via the National Accreditation Council for Agencies Serving the Blind and Visually Impaired.

Services Provided:

Our foremost mission is to offer the core curriculum ensuring that vision specific skills are provided. These skills are extremely specialized and include braille, braille music, technology, orientation and mobility, daily living skills, vocational/careers, and

recreation/leisure. The graph illustrates a duplicated count of vision specific consultations, evaluations, and instructions that have been provided for the last three years.

Vision Resource Center

Talking Book Machine Lending Agency
(2,320 patrons)
American Printing House Federal Quota Funds and Materials
(261 registrants)
Consumer and Professional Library
Descriptive videos
Large print and braille textbook depository
Toy/Adaptive Equipment Lending Library
(1,922 total circulation – October 1 to December 31, 2000)

The Store – adaptive aids for sale
(950 orders since July 1, 1997)

Braille Access Center

(21,200 pages from July 1, 1999, to December, 2000)

Evaluations, Consultations, and Instructions

Braille
Daily living skills
Functional vision
Music
Orientation and mobility
Recreation/Leisure
Technology
Vocational/Careers

Family Support

Summer Adventure

Specific Skills

Compensatory Skills

Post Secondary

LEAP

Speakers Bureau

Inservice Training

Braille Support Groups

Justification:

This study resolution originated with the prime intent of enhancing services to the consumers. Information acquired via the Legislative Council research truly clarified that there is a significant gap in services for persons who are blind or visually impaired – especially those between the ages of 22 and 54. The following is a chart from this specific summary (February, 2000):

Percentage of Visually Impaired Persons Served Each Year					
No.	Region	Ages 0 to 21*	Ages 16 to 64*	Ages 65 and Over	Total
1	Northwest - Williston	12.5%	4.4%	13.1%	10.1%
2	North Central - Minot	87.0%	7.9%	6.3%	7.7%
3	Lake Region - Devils Lake	100.0%	2.5%	10.7%	10.1%
4	Northeast - Grand Forks	63.6%	7.2%	7.0%	8.0%
5	Southeast - Fargo	78.5%	3.2%	4.3%	4.5%
6	South Central - Jamestown	100.0%	5.7%	6.0%	7.0%
7	West Central - Bismarck	43.4%	3.1%	9.1%	7.7%
8	Badlands - Dickinson	32.3%	3.8%	6.9%	6.7%
	Total	60.7%	4.7%	7.3%	7.2%

Although 16- to 21-year-olds appear to be reflected in two categories, there is no duplication of individuals since the individuals in this age group are served either by the School for the Blind or by the Department of Human Services.

NOTE: The numbers in this schedule reflect services provided to individuals who are moderately or severely visually impaired. These agencies may provide additional services to less impaired individuals that are not reflected on this schedule.

- HB 1038 more clearly exemplifies the role of NDVS/SB in correlation to the mission
- Increased number of persons served in vision specific areas
- Strengthen public awareness, partnerships, cooperation, and collaboration
- Improve accessibility and availability
- Accountability via collection and interpretation of data for persons of all ages

Fiscal:

The bill as written has no direct appropriation. However, NDVS/SB is receiving fees for instruction to adults. The passing of this bill changes this so all visually impaired persons in the state of North Dakota could be served under appropriated dollars. On the average, 40 North Dakota adult residents are served per biennium and \$22,800 is collected for fees for evaluations and instructions. The above figures are difficult to project as the number served is based on need in the state and varies significantly from year to year. Fees for services would be eliminated, thus resulting in a reduction of expenditures for the referring source. With the elimination of fees for services for adults, the special fund will result in a decrease of revenue to our agency.

The 2001-2003 budget request includes dollars for two additional FTE's as technology positions. This follows our current Strategic Plan where technology is one of the five major objectives.

Technology is essential to all the citizens of our state. Nearly all jobs as well as the tasks of daily living require technology. Additionally, few of us realize that 85% of what we learn comes to us via our vision. Consequently, persons who are blind or visually impaired have a great need for support and training in assistive technology. This may require installation of specialized technologies such as speech, braille output, and large print displays. Such installation and training is extremely specialized and is not a service available through any other means.

Not only is the appropriate equipment necessary but also the training and ongoing support to use the equipment appropriately. Additional staff is required to meet this need enabling the person who is blind or visually impaired to have the same opportunities that you and I have. Training is also required for parents and for personnel within related entities. New techniques and equipment are being developed on an ongoing basis, and it is imperative that all people in North Dakota have equal access. Ideally, these positions would be based in western North Dakota to improve accessibility and reduce "windshield time."

With the innovations of technology and related training we have the potential to impact the 70 percent unemployment rate among people with vision loss. This involves not only the high tech devices but also the low tech. A person may use the computer with speech and screen magnification to prepare a written document but may need a magnifier by the reading chair or the V-Max for watching the basketball game. Assistive technology enables those persons with multiple disabilities to communicate their feeling and choices.

Conclusion:

Former Governor Schaefer focused on technology for the entire state, and Governor Hoeven is continuing to address means to deal with the state's economy. In his inaugural address he "calls for state government to give North Dakotans the tools they need to succeed in the rapidly changing New Economy, saying he has faith in their ability to move the state forward." The persons who are blind or visually impaired also require these tools.

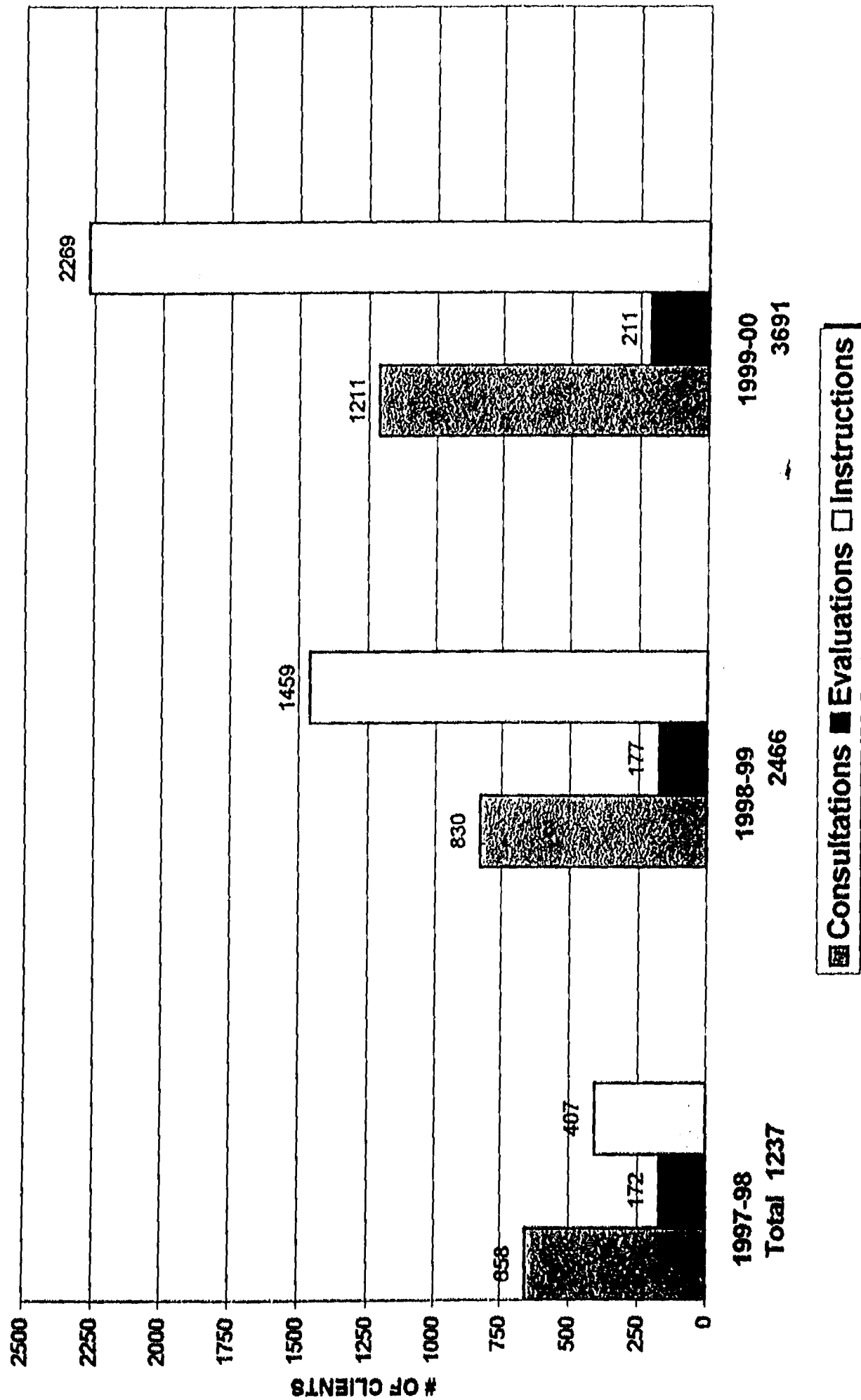
I urge you as a committee to support the legislation before you. I thank you for the opportunity to speak before you today and to have the opportunity for being the superintendent of this most vital agency.

Carmen Grove Suminski, Superintendent

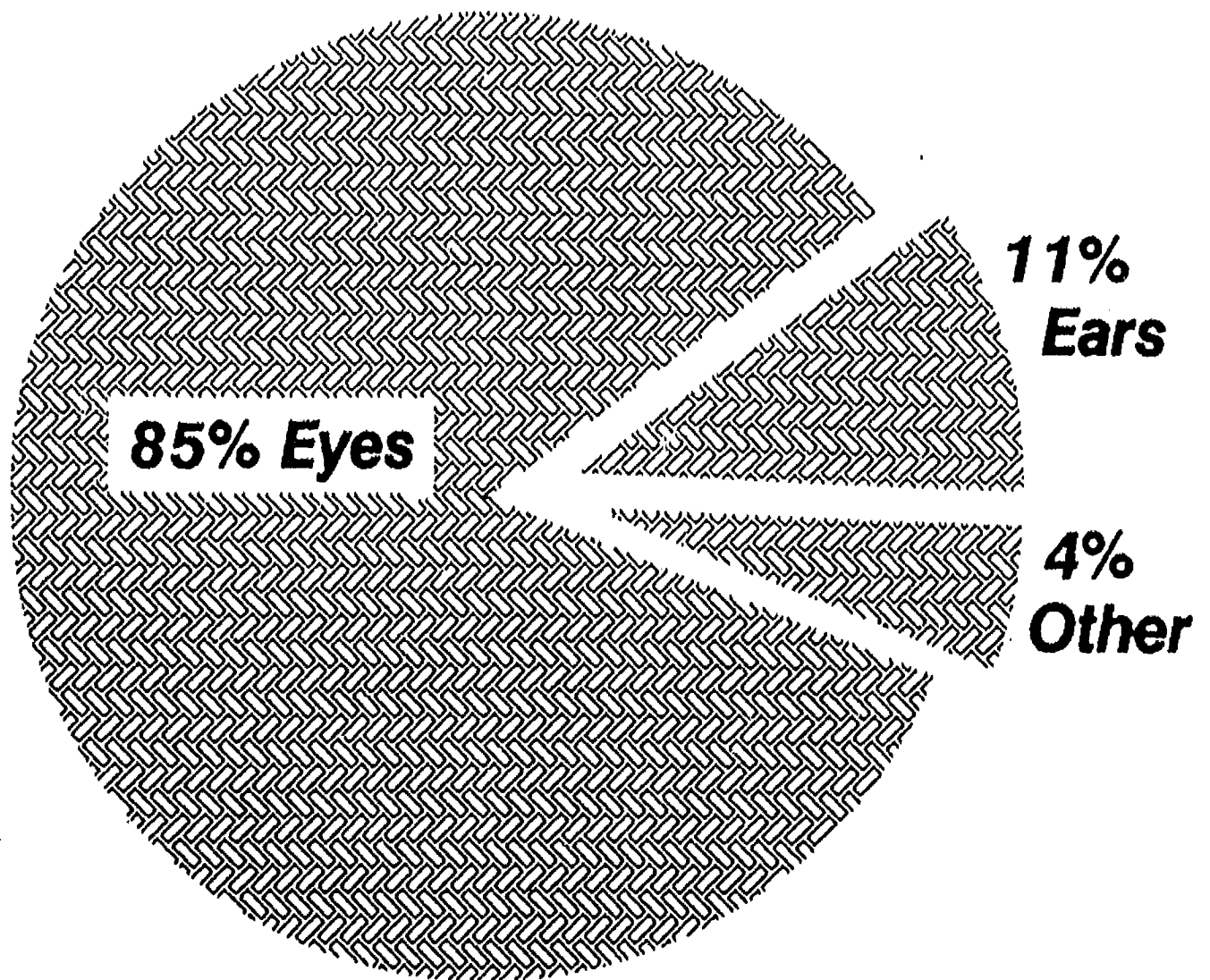


NORTH DAKOTA VISION SERVICES SCHOOL FOR THE BLIND

CLIENT SERVICES



How We Learn



PERSONAL TESTIMONY FOR HB 1038

Thank you for the opportunity to provide written testimony in support of HB 1038.

My name is Cheryl Brooks. I am a member of the North Dakota Association of the Blind and I, myself, am legally blind. I live in Grand Forks and am currently employed as a Disability Specialist at the University of North Dakota. Prior to that, I was employed as a Vocational Rehabilitation Counselor in Grand Forks. I have a master's degree in counseling and am a Certified Rehabilitation Counselor. My testimony today is NOT on behalf of either UND or Vocational Rehabilitation but is entirely of a personal nature.

Given the current service provision system and the resources allocated to it, I believe North Dakota does the best it can to serve individuals with vision disabilities. The services and programs our state offers are better than some states but ours need to be better. The professionals at the ND School for the Blind and the vision rehabilitation specialists associated with Vocational Rehabilitation are very knowledgeable and dedicated individuals. I sincerely believe these people do the best job they can under the current circumstances. Thank goodness, many go above and beyond what their jobs call for....because if they didn't, a significant group of people would not be served under our existing system of service provision.

I believe I am a good example of someone who could "fall between the cracks" with our current system. I am legally blind, employed, and between the age of 21 and 54. If I have questions or need a vision related service, one of my first hurdles is to figure out where or whom to contact. Since I am over the age of 21, I am not eligible for services provided by the ND School for the Blind unless I, or a third party, contracts for those services. Although employed, these fees are beyond my ability to pay. Because I am employed, I am not eligible for the traditional Vocational Rehabilitation program. And because I am below the age of 55, I am not eligible for the Older Blind Program. Where do I go or who do I call for assistance, advice, vision related services or training, or just information? To the best of my knowledge, there are NO vision related services or programs available to North Dakotans who are blind or visually impaired, between the ages of 21 and 54, and currently employed or have chosen not to be employed.

I am an educated, professional person who is familiar with agencies, service providers, and program regulations but I still have problems figuring out what resources, if any, are available to me. What about those individuals who might

be less educated or less motivated or less knowledgeable about the ways of agencies and systems? My guess is that many of these people do without.

An example of this predicament is a young blind man that I worked with while he attended UND. This individual could have benefitted greatly from an electronic braille. Unfortunately, his case with Vocational Rehabilitation had been closed because he did not have an "appropriate" employment goal. He was over the age of 21 but under the age of 55 so could not be served by the other vision services programs. He could not afford to purchase his own electronic braille. He did without. He made do but his situation could be likened to you and I writing with a pen or pencil when everyone else was using a computer.

Diabetes is a leading cause of blindness and we in North Dakota have an unusually high incidence of it in our state. Will we be able to provide vision related services to these North Dakotans through our current system? We have an aging population which will continue to grow as we, the "baby boomers," become more "chronologically gifted." A significant number of these will experience vision loss. Will we be able to adequately serve them? Independence and self sufficiency are more cost effective than institutionalization.

Unemployment is also a major issue. In spite of federal legislation that prohibits discrimination on the basis of disability, in spite of employment programs like Vocational Rehabilitation and in spite of SSDI/SSI work "incentive" programs, the majority of visually impaired and blind individuals I know who could be working are not. Why?

As I stated earlier, I believe the services available to North Dakotans who are blind or have low vision are good but not adequate. I believe there are significant gaps in our current service delivery system. The issues I have raised are not easily solved but they do need to be addressed. I believe this could be better accomplished if the North Dakota School for the Blind had the personnel and resources to provide a continuum of vision related services to blind and visually impaired North Dakotans of ALL ages. I also believe that changing the school's name to ND Vision Services/School for the Blind would more appropriately reflect the current mission of this excellent provider of vision related services.

Thank you again for this opportunity to engage in providing you with my personal, written testimony. I respectfully request that you forward HB 1038 to the rest of your colleagues with a "do pass" recommendation.

**TESTIMONY ON HOUSE BILL #1038
SENATE HUMAN SERVICES COMMITTEE**

February 19, 2001

**By Carmen Grove Suminski, Superintendent
North Dakota Vision Services/School for the Blind
701-795-2708**

Chairperson Lee and Members of the Committee: My name is Carmen Grove Suminski, and I am the superintendent of the North Dakota Vision Services/School for the Blind (NDVS/SB). I am providing testimony in support of House Bill #1038.

Introduction:

NDVS/SB has significantly expanded its outreach services and functions as a statewide, comprehensive resource center. The NDVS/SB works cooperatively and maintains a leadership role with related agencies in providing a full range of services to all persons who are blind or visually impaired, including those with multiple disabilities.

Historical Overview

- 1908 School for the Blind established in Bathgate
25 students enrolled
- 1961 Relocated to Grand Forks
Peak enrollment of 54 students
Average enrollment of 32 students
- 1994 Residential program eliminated
- 1995 Day program discontinued
- 1996 Major renovation completed converting the lower level of the
Residence into instructional centers and offices
- 1997 Major renovation of former pool building into two suites,
two apartments, commons, and offices

We have undergone major transition – we are truly a regional system providing statewide outreach services; yet have housing for short-term placements for school age children and adults receiving services plus persons participating in inservice training. The NDVS/SB is not only a building located in Grand Forks but rather a **service** and **resource**. Our campus is statewide with regional offices in Minot, Devils Lake, Fargo, Jamestown, and Bismarck.

We are currently accredited via the National Accreditation Council for Agencies Serving the Blind and Visually Impaired.

Services Provided:

Our foremost mission is to offer the core curriculum ensuring that vision specific skills are provided. These skills are extremely specialized and include braille, braille music, technology, orientation and mobility, daily living skills, vocational/careers, and

recreation/leisure. The attached graph illustrates a duplicated count of vision specific consultations, evaluations, and instructions that have been provided for the last three years.

Vision Resource Center

Talking Book Machine Lending Agency
(2,320 patrons)
American Printing House Federal Quota Funds and Materials
(261 registrants)
Consumer and Professional Library
Descriptive videos
Large print and braille textbook depository
Toy/Adaptive Equipment Lending Library
(1,922 total circulation - October 1 to December 31, 2000)

The Store - adaptive aids for sale
(950 orders since July 1, 1997)

Braille Access Center

(21,200 pages from July 1, 1999, to December, 2000)

Evaluations, Consultations, and Instructions

Braille
Daily living skills
Functional vision
Music
Orientation and mobility
Recreation/Leisure
Technology
Vocational/Careers

Family Support

Summer Adventure

Specific Skills

Compensatory Skills

Post Secondary

LEAP

Speakers Bureau

Inservice Training

Braille Support Groups

Justification:

This study resolution originated with the prime intent of enhancing services to the consumers. Information acquired via the Legislative Council research truly clarified that there is a significant gap in services for persons who are blind or visually impaired – especially those between the ages of 22 and 54. The following is a chart from this specific summary (February, 2000):

Percentage of Visually Impaired Persons Served Each Year					
No.	Region	Ages 0 to 21*	Ages 16 to 54*	Ages 55 and Over	Total
1	Northwest - Williston	12.5%	4.4%	13.1%	10.1%
2	North Central - Minot	87.0%	7.9%	6.3%	7.7%
3	Lake Region - Devils Lake	100.0%	2.6%	10.7%	10.1%
4	Northeast - Grand Forks	63.6%	7.2%	7.0%	8.0%
5	Southeast - Fargo	76.5%	3.2%	4.3%	4.5%
6	South Central - Jamestown	100.0%	6.7%	6.0%	7.0%
7	West Central - Bismarck	43.4%	3.1%	9.1%	7.7%
8	Badlands - Dickinson	32.3%	3.8%	6.9%	6.7%
	Total	60.7%	4.7%	7.3%	7.2%

* Although 16- to 21-year-olds appear to be reflected in two categories, there is no duplication of individuals since the individuals in this age group are served either by the School for the Blind or by the Department of Human Services.

NOTE: The numbers in this schedule reflect services provided to individuals who are moderately or severely visually impaired. These agencies may provide additional services to less impaired individuals that are not reflected on this schedule.

- HB 1038 more clearly exemplifies the role of NDVS/SB in correlation to the mission
- Increased number of persons served in vision specific areas
- Strengthen public awareness, partnerships, cooperation, and collaboration
- Improve accessibility and availability
- Accountability via collection and interpretation of data for persons of all ages

Fiscal:

The bill as written has no fiscal impact.

Technology:

Our 2001-2003 budget request includes dollars for two additional FTE's as technology positions. This follows our current Strategic Plan where technology is one of the five major objectives.

Technology is essential to all the citizens of our state. Nearly all jobs as well as the tasks of daily living require technology. Additionally, few of us realize that 85% of what we learn comes to us via our vision. Consequently, persons who are blind or visually impaired have a great need for support and training in assistive technology. This may require installation of specialized technologies such as speech, braille output, and large print displays. Such installation and training is extremely specialized and is not a service available through any other means.

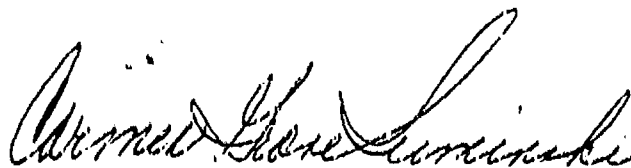
Not only is the appropriate equipment necessary but also the training and ongoing support to use the equipment appropriately. Additional staff is required to meet this need enabling the person who is blind or visually impaired to have the same opportunities that you and I have. Training is also required for parents and for personnel within related entities. New techniques and equipment are being developed on an ongoing basis, and it is imperative that all people in North Dakota have equal access. Ideally, these positions would be based in western North Dakota to improve accessibility and reduce travel time.

With the innovations of technology and related training we have the potential to impact the 70 percent unemployment rate among people with vision loss. This involves not only the high tech devices but also the low tech. A person may use the computer with speech and screen magnification to prepare a written document but may need a magnifier by the reading chair or the V-Max for watching the basketball game. Assistive technology enables those persons with multiple disabilities to communicate their feeling and choices.

Conclusion:

Former Governor Schaefer focused on technology for the entire state, and Governor Hoeven is continuing to address means to deal with the state's economy. In his inaugural address he "calls for state government to give North Dakotans the tools they need to succeed in the rapidly changing New Economy, saying he has faith in their ability to move the state forward." The persons who are blind or visually impaired also require these tools.

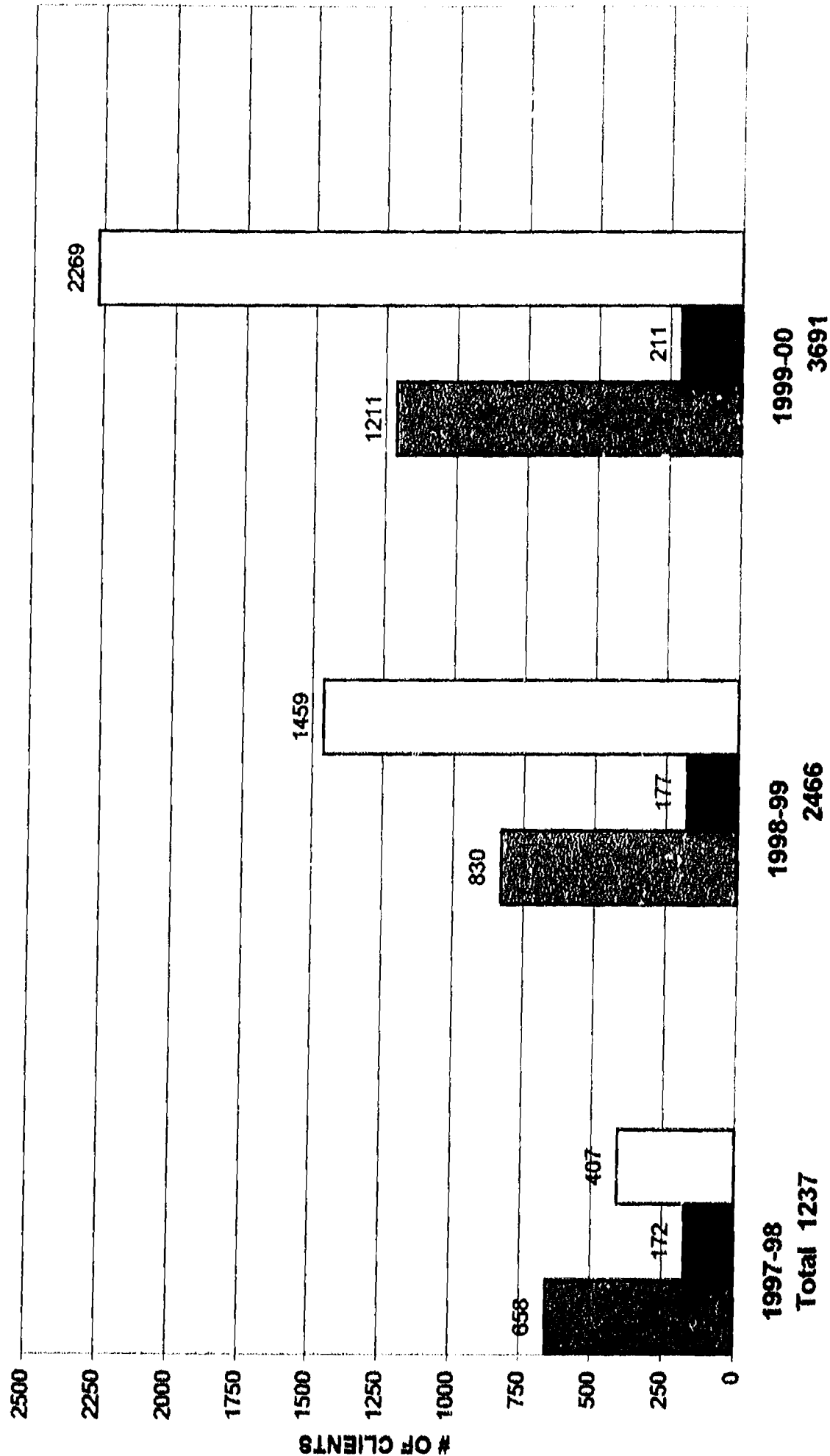
I urge you as a committee to support the legislation before you. I thank you for the opportunity to speak before you today and to have the opportunity for being the superintendent of this most vital agency.



Carmen Grove Suminski, Superintendent

NORTH DAKOTA VISION SERVICES/SCHOOL FOR THE BLIND

CLIENT SERVICES



■ Evaluations □ Instructions

Senate Human Services
HB 1038
February 19, 2001

Good morning, Chairman Lee and members of the Committee. I am Teresa Larsen, the Director of the Protection and Advocacy Project. I am testifying today in support of HB 1038.

In August of 2000, Dennis Lyon, Director of the Client Assistance Program, and I co-facilitated a workgroup that addressed proposed legislation specific to the School for the Blind and vision services in North Dakota. The workgroup included the following individuals:

Nate Aalgard	Director	Freedom Resource Ctr.
Cheryl Brooks	Consumer	
Gary Gronberg	Assn't Supt.	DPI
Gene Hysjullen	Director	Disabilities Div./DHS
Jay Johnson	Director	Options
Jim Leary	Director	Rehab. Services/DHS
Carmen Suminski	Supt.	School for the Blind
Allan Peterson	Pres./ Legis. Liaison	ND Assoc. for the Blind

The participants represent various stakeholders: consumers, disability advocacy organizations (two Centers for Independent Living as well as the ND Association for the Blind), the Department of Public Instruction, and the Department of Human Services.

The goal of the workgroup was to achieve consensus in

support of a single piece of proposed legislation addressing the administration of vision services in North Dakota. The workgroup did achieve consensus and this appears before you in HB 1038. Summarized, HB 1038 puts forth the following changes to current law:

- 1) Broadens the scope of service recipients to individuals of all ages. Current law is specific to children.
- 2) Creates a specific section for the definitions of "blind" and "visual impairment".
- 3) Clarifies that North Dakota Vision Services-School for the Blind is a statewide service, resource and referral center with specific duties and responsibilities within each of these roles.
- 4) Specifies that North Dakota Vision Services-School for the Blind will have the responsibility to "facilitate collaboration with agencies and programs providing services to individuals who are blind or have a visual impairment".
- 5) Incorporates language that is more familiar and acceptable to individuals with disabilities (i.e., "individuals who are blind or have a visual impairment" vs. "the blind").

I behalf of the workgroup, I ask you to recommend a "do pass" on HB 1038. I will be glad to answer any questions. Thank you.

25-06-04. Qualifications for admission to school for the blind - Residents of state entitled to free education.

Applicants for admission to the school for the blind must be blind or partially blind and unable to make suitable progress in the public schools of the state. The superintendent, with the approval of the superintendent of public instruction, may determine the age required for admission. The superintendent shall furnish application blanks upon request, and no person may be admitted to the institution until the application giving such information as the superintendent of public instruction requires has been returned to and approved by the superintendent of the school for the blind. An applicant admitted to the school for the blind must be furnished transportation by the school as provided in the student's individualized education program at the most economical rate possible, and yet meet the student's needs. Each such applicant who is a resident of this state and who, because of blindness and other handicaps is unable to receive an education in the public schools, is entitled to receive an education in the school for the blind at the expense of the state.

25-06-07. Instruction at school for the blind.

The school for the blind shall provide instruction in general subjects to students at the school for the blind, and instruction in vision specific subjects, including orientation, mobility, braille, braille music, daily living skills, technology, vocational training, and recreation.

25-06-09. Blind persons - Duty to report.

It is the duty of every public school superintendent, physician, ophthalmologist, oculist, optometrist, nurse, clinic, hospital, and social and welfare agency in this state to report in writing to the superintendent of the North Dakota school for the blind the name, age, and residence of persons under the age of twenty-one years who are blind within the definition of blindness as set forth in this section, and in such cases to furnish such additional pertinent information as the superintendent of the North Dakota school for the blind may request. All reports must be forwarded to the superintendent of the school for the blind within thirty days after diagnosis, examination, or discovery. For the purposes of this chapter, a blind person is defined as one who is totally blind or whose central visual acuity does not exceed twenty/two hundred in the better eye with corrective lenses, or the widest diameter of the visual field is no greater than twenty degrees.