

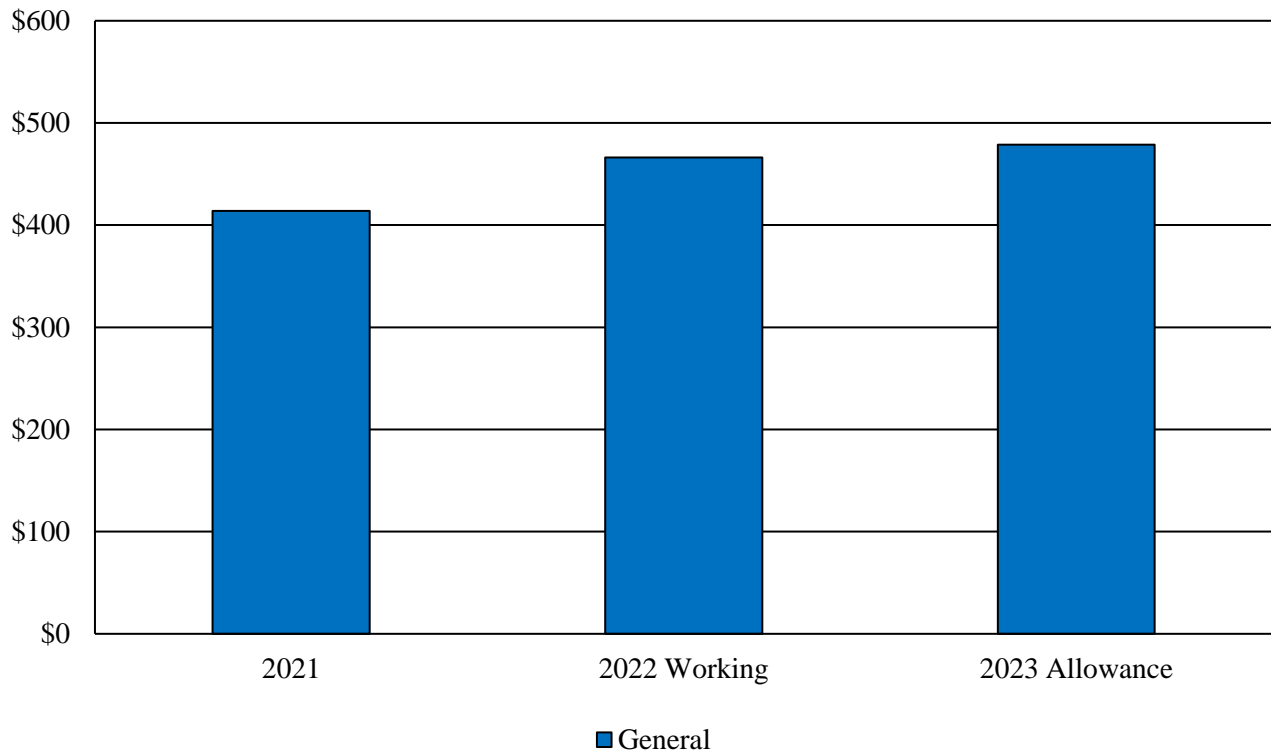
D11A0401
Office of the Deaf and Hard of Hearing

Program Description

Chapter 537 of 2001 established the Governor’s Office of the Deaf and Hard of Hearing (ODHH) to promote the general welfare of deaf and hard of hearing individuals. ODHH has two key goals. The first is that all deaf and hard of hearing citizens will have equal and full access to State programs, resources, and services to fully participate in community life. The second goal is that citizens of Maryland will be aware of the needs and issues affecting deaf and hard of hearing individuals.

Operating Budget Summary

Fiscal 2023 Budget Increases \$12,499, or 2.7%, to \$478,664
(\$ in Thousands)

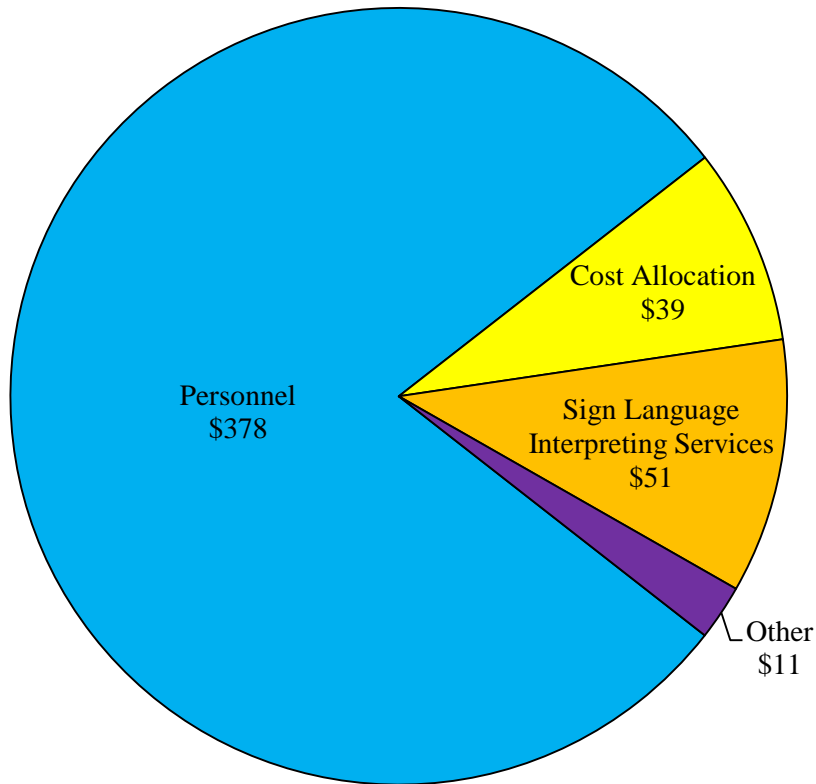


Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

Fiscal 2023 Overview of Agency Spending

The fiscal 2023 allowance for ODHH totals \$478,664. As shown in **Exhibit 1**, personnel expenditures comprise the majority (79%) of ODHH’s fiscal 2023 allowance. Outside of personnel, the largest item in the fiscal 2023 allowance supports sign language interpreting services (11%), which are used for both internal and public meetings.

Exhibit 1
Overview of Agency Spending
Fiscal 2023 Allowance
(\$ in Thousands)



Note: The fiscal 2023 allowance does not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

Source: Governor’s Fiscal 2023 Budget Books

Proposed Budget Change

As shown in **Exhibit 2**, the fiscal 2023 allowance increases by \$12,499, or 2.7%, compared to the fiscal 2022 working appropriation. The increase is primarily due to personnel and contractual full-time equivalent expenditures. The allowance increases regular earnings and contributions to the Employee Retirement System, but this is partially offset by a decrease in compensation for a part-time graduate assistant position compared to fiscal 2022.

Exhibit 2
Proposed Budget
Office of the Deaf and Hard of Hearing
(\$ in Thousands)

How Much It Grows:	General Fund	Total
Fiscal 2021 Actual	\$414	\$414
Fiscal 2022 Working Appropriation	466	466
Fiscal 2023 Allowance	<u>479</u>	<u>479</u>
Fiscal 2022-2023 Amount Change	\$12	\$12
Fiscal 2022-2023 Percent Change	2.7%	2.7%
Where It Goes:		<u>Change</u>
Personnel Expenses		
Regular earnings increase		\$10
Employee Retirement System.....		3
Other Changes		
Cost allocations.....		4
Part-time graduate assistant compensation		-5
Other changes		1
Total		\$12

Note: Numbers may not sum to total due to rounding. The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

Personnel Data

	<u>FY 21</u> <u>Actual</u>	<u>FY 22</u> <u>Working</u>	<u>FY 23</u> <u>Allowance</u>	<u>FY 22-23</u> <u>Change</u>
Regular Positions	3.00	3.00	3.00	0.00
Contractual FTEs	<u>0.00</u>	<u>0.80</u>	<u>0.80</u>	<u>0.00</u>
Total Personnel	3.00	3.80	3.80	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/21	1.00	33.33%
Vacancies Above Turnover	1.00	

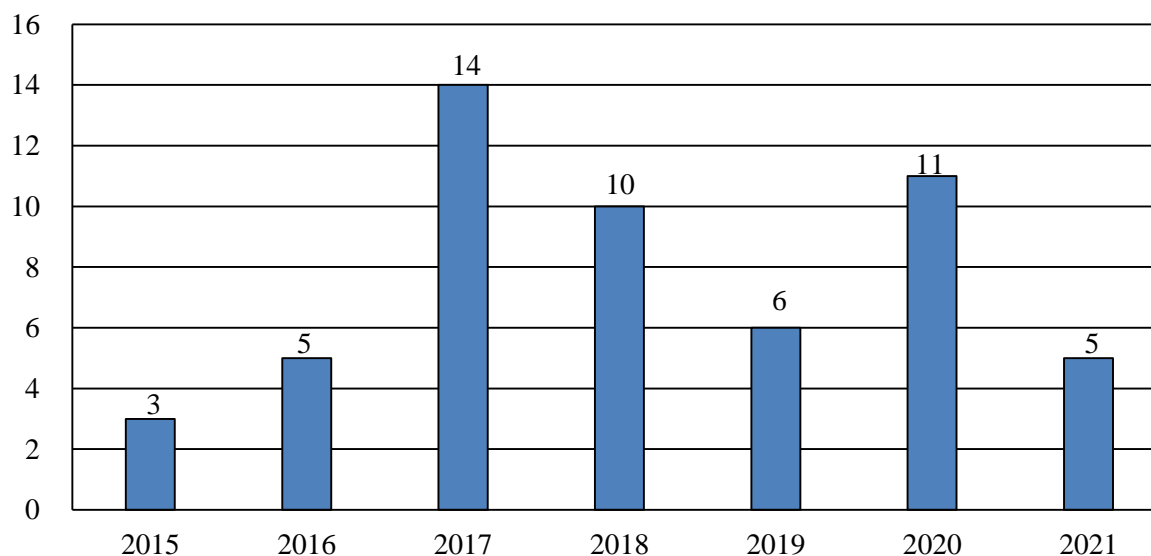
Key Observations

1. Sign Language Interpreter Complaint Reporting

Sign language interpreters serve in a unique position of trust, often facilitating communications in highly technical fields such as medical, legal, or educational settings. Maryland is unique in that it does not have any statewide standards for sign language interpreters. Other states have implemented competency standards for interpreters, specific standards for interpreters that serve in specialized settings, or an oversight body to monitor interpreters in those states.

During the 2020 session, ODHH testified that, over four years, it had received thousands of complaints from deaf and hard of hearing individuals and that most complaints were related to interpreters. Deaf and hard of hearing individuals can also take on the burden of pursuing enforcement of their civil rights by filing an official complaint with the Maryland Commission on Civil Rights (MCCR). The number of filings is usually low; between fiscal 2015 and 2021, the number never exceeded 14. As shown in **Exhibit 3**, the number of official complaints filed in fiscal 2021 (5) were half that of the previous year (11). Evidenced by the volume of informal complaints that ODHH has received, the count of official complaints filed with MCCR likely does not capture all instances of disservice or inaccessibility that deaf and hard of hearing Marylanders experience throughout the year.

Exhibit 3
Complaints Filed by Deaf and Hard of Hearing Constituents with MCCR
Fiscal 2015-2021



MCCR: Maryland Commission on Civil Rights

Source: Governor's Fiscal 2023 Budget Books

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To better understand the types of difficulties deaf and hard of hearing constituents face that are not captured in official complaint data, the committees requested that ODHH track the number and nature of informal complaints that it receives. The 2021 *Joint Chairmen’s Report* (JCR) asked ODHH to track:

- the number of complaints received about unsatisfactory interpreters by phone, email, or other electronic forum;
- the number of complaints received about interpreters that were unskilled or unqualified;
- the number of complaints received about interpreters that were fraudulent or unethical; and
- the number of complaints received about an unsatisfactory interpreter experienced by industry sector (*i.e.*, education, medical, legal, governmental services, *etc.*) to the extent available from the complainant.

In response, ODHH established a complaint reporting form on its website. Thus far, six responses have been collected. The committee narrative in the 2021 JCR requested that the information be reported with the submission of the fiscal 2023 allowance, but ODHH indicates that data from the complaint reporting form will be provided after the end of the current fiscal year. ODHH emphasizes that it does not have the authority to address fraudulent and unqualified interpreters and their exploitation of deaf and hard of hearing individuals.

In the 2020 JCR, the committees requested that ODHH submit a report discussing policy options that would protect and serve users of sign language interpreting services. In response, ODHH identified the following policy options that could be feasible to implement in Maryland alone or in conjunction with other options:

- legislation authorizing a full licensing board or registration requirement;
- legislation requiring ODHH to regulate interpreters;
- regulations that would protect and serve users of sign language interpreters;
- legislation or regulations that authorize the implementation of a State assessment for interpreters; or
- legislation creating a private right of action that would clearly define fraudulent and unqualified interpreters and that could also hold vendors of fraudulent and unqualified interpreters liable for the services rendered.

During the 2021 session, ODHH testified that these options would, to varying degrees, prevent the exploitation of fraudulent interpreters while creating a pathway to develop unqualified interpreters

into qualified interpreters. ODHH indicated that none of the identified options should affect Maryland’s pool of qualified interpreters and underlined the importance of creating educational opportunities to develop a robust interpreting workforce in the State. However, as of this writing, the agency has not introduced legislation to implement any of these options.

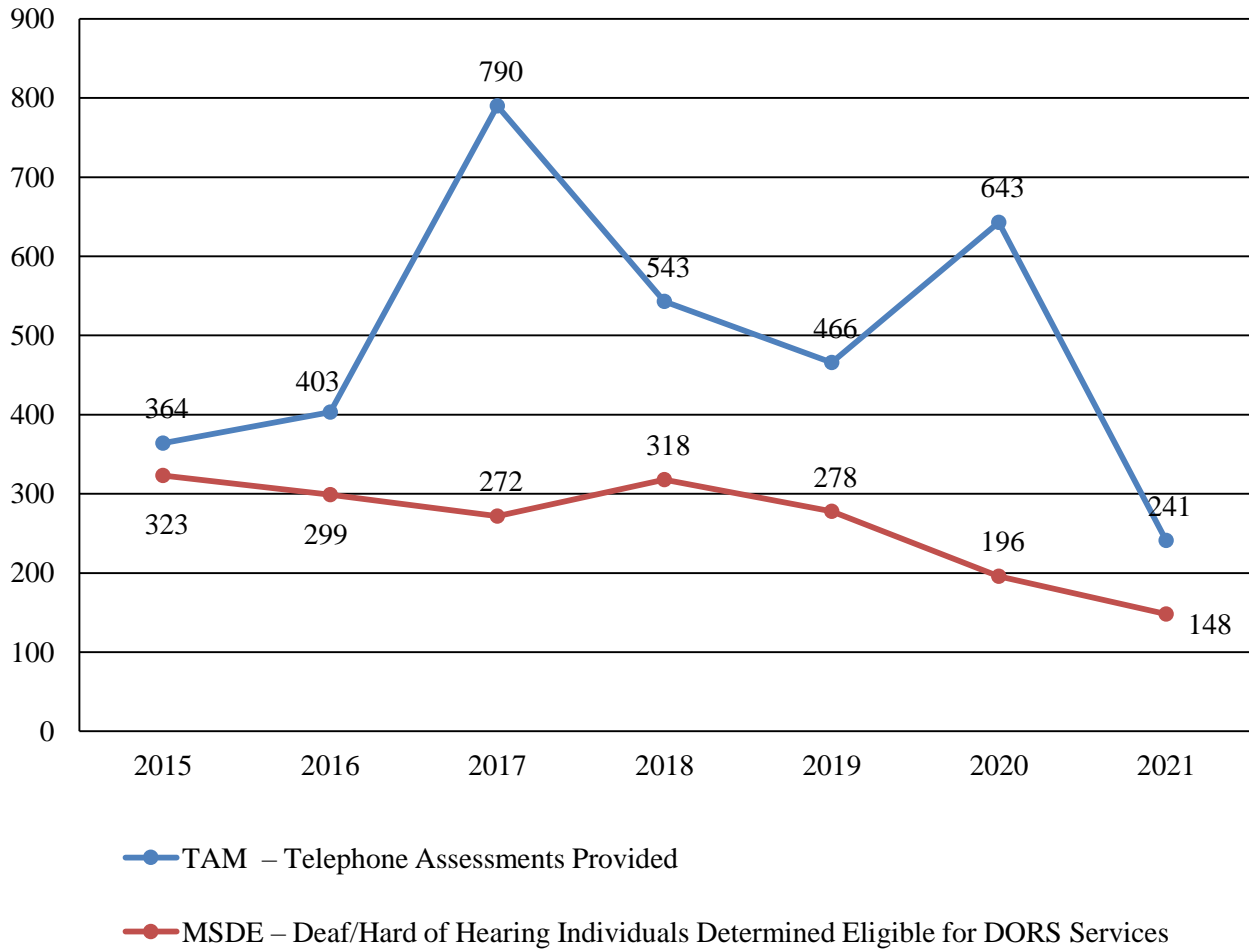
2. Decreased 2021 Participation in Some Services for Deaf and Hard of Hearing Individuals

While ODHH may provide information or refer eligible individuals to programs that can serve them, ODHH is not directly involved in provision of services. Instead, it works to ensure that deaf and hard of hearing citizens have equal and full access to State services to fully participate in community life. Several State agencies provide services to deaf and hard of hearing individuals, to name a few:

- the Maryland Department of Health administers the Early Hearing Detection and Intervention Program;
- the Maryland Department of Disabilities offers information and assistance to deaf and hard of hearing individuals and also administers the Telecommunications Access of Maryland (TAM) program, which provides assistive technology and relay services for individuals that have difficulty using a standard telephone;
- the Maryland State Department of Education (MSDE) Division of Rehabilitative Services (DORS) provides vocational rehabilitation counseling to deaf and hard of hearing individuals;
- MSDE manages the Hearing Aid Loan Bank, which provides and maintains a pool of hearing aids in the loan bank to lend to a parent or legal guardian of eligible children, tests, and programs equipment for hearing aids in the loan bank.

In reviewing the State’s service to deaf and hard of hearing individuals, performance in these programs is annually included in ODHH’s Managing for Results (MFR) data, though ODHH has no direct responsibility in administration of these programs. In the most recent year of data available, while participation in some programs remained level, others saw substantial decreases in participation. As shown in **Exhibit 4**, fiscal 2021 activities to connect deaf and hard of hearing individuals to both the TAM program and DORS services decreased by 63% and 48%, respectively, from fiscal 2020 levels. In addition, MSDE estimates that approximately about half as many children were served through the Hearing Aid Loan Bank in calendar 2021 (12 children) than were served in calendar 2020 (23 children).

**Exhibit 4
TAM Assessments and DORS Eligibility Determinations
Fiscal 2015-2021**



DORS: Division of Rehabilitative Services
MSDE: Maryland State Department of Education
TAM: Telecommunications Access of Maryland

Source: Governor’s Fiscal 2023 Budget Books

In fiscal 2021, ODHHS’s own instances of information and referral also decreased to slightly more than half fiscal 2020 levels. However, ODHHS indicates that this is due to the office making more information readily available to constituents through social media and the office’s website and by increasing production of American Sign Language videos about topics including the pandemic, voter education, and the legislative process.

Operating Budget Recommended Actions

1. Concur with Governor's allowance.

Appendix 1
2021 Joint Chairmen’s Report Responses from Agency

The 2021 JCR requested that ODHH prepare one report. Electronic copies of the full JCR responses can be found on the Department of Legislative Services Library website.

- ***Sign Language Interpreter Complaint Data:*** A report was requested on sign language interpreter complaints received. Although requested to be submitted with the Governor’s fiscal 2023 budget, ODHH indicates the data will be submitted after fiscal 2022. Further discussion of the requested data is included in Key Observation 1 of this analysis.

**Appendix 2
Object/Fund Difference Report
Office of the Deaf and Hard of Hearing**

<u>Object/Fund</u>	<u>FY 21 Actual</u>	<u>FY 22 Working Appropriation</u>	<u>FY 23 Allowance</u>	<u>FY 22 - FY 23 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	3.00	3.00	3.00	0.00	0%
02 Contractual	0.00	0.80	0.80	0.00	0%
Total Positions	3.00	3.80	3.80	0.00	0%
Objects					
01 Salaries and Wages	\$ 327,773	\$ 347,096	\$ 360,418	\$ 13,322	3.8%
02 Technical and Special Fees	10,494	22,571	17,269	-5,302	-23.5%
03 Communication	933	1,151	950	-201	-17.5%
04 Travel	0	2,283	2,283	0	0%
08 Contractual Services	66,177	89,401	92,819	3,418	3.8%
09 Supplies and Materials	803	1,197	1,375	178	14.9%
11 Equipment – Additional	5,952	0	0	0	0.0%
13 Fixed Charges	1,791	2,466	3,550	1,084	44.0%
Total Objects	\$ 413,923	\$ 466,165	\$ 478,664	\$ 12,499	2.7%
Funds					
01 General Fund	\$ 413,923	\$ 466,165	\$ 478,664	\$ 12,499	2.7%
Total Funds	\$ 413,923	\$ 466,165	\$ 478,664	\$ 12,499	2.7%

Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.