



**STATE OF NEW MEXICO
COMMISSION FOR DEAF & HARD OF HEARING**

*Quarterly Board Meeting
Thursday, December 9, 2021.
3:00pm*

*The meeting was held remotely via Zoom and the public could view the meeting
livestream on YouTube with interpreting and captioning at
<https://youtu.be/EeBo6Wo3AYc>*

I. CALL TO ORDER AND ROLL CALL

Vice Chair John Hooper called the meeting to order at 3:02pm. Trevor Brennan, Administrative Operations Specialist, called roll call.

Present: Dr. Jennifer Herbold
Dr. Dan Drury
NMAD Designee Dale Loper
Mr. John Hooper

Absent: Dr. Ronald Stern (NMAD Designee Dale Loper attended)
Mrs. Concha Dunwell

Excused: Mr. Francis Vigil

Quorum was met.

Five staff members from NMCDHH were present via Zoom: Executive Director Nathan Gomme, Chief Financial Officer (CFO) Deborah Romero, Director of Community Advocacy Corina Gutiérrez, Community Engagement Specialist Jessica Eubank, and Trevor Brennan. Jessica Eubank interpreted the meeting along with Andrea Ginn and Amy Bourque. Anthony Trujillo from ACS provided CART transcription.

II. APPROVAL OF AGENDA

Chair Dunwell was unable to attend, therefore Vice-Chair John Hooper officiated the meeting. There was no discussion regarding the agenda items.

Vice-Chair Hooper asked for a motion to approve the agenda.

22.1

Commissioner Vigil made a motion to approve the agenda.

Commissioner Herbold seconded.

Mr. Brennan took a roll call vote:

Commissioner Hooper – Yes

Commissioner Drury – Yes

Designee Loper – Yes

Commissioner Herbold – Yes

Commissioner Vigil – Yes

Motion passed unanimously.

III. **APPROVAL OF September 9, 2021 MINUTES**

Chair Dunwell asked if there were any changes to the minutes from September 9, 2021. Commissioner Dr. Jennifer Herbold commented that the NMSD representative in attendance was identified as former Commissioner Dr. Rosemary Gallegos, when it was Commissioner Herbold who attended.

There was no further discussion.

22.2

Commissioner Herbold made the motion to accept the minutes as amended.

Commissioner Vigil seconded.

Mr. Brennan took a roll call vote:

Commissioner Hooper – Yes

Commissioner Herbold – Yes

Commissioner Drury – Yes

Commissioner Vigil – Yes

Designee Loper – Yes

Motion passed unanimously.

IV. **REPORTS**

a. Executive Director Report

Executive Director Gomme reiterated that as mentioned in the report, the Commission had re-opened by appointment only. However, as we are seeing case numbers rise and the introduction of the Omicron variant, there was a COVID-19 exposure in our office building, some staff are quarantining for theirs and the community's safety. Exposures are likely to happen in the months ahead, however Executive Director Gomme emphasized that the Commission is still open, several staff are working in the office, and we are having meetings with community members.

These events are part of the ongoing evolution of how we work in a hybrid setting, with some people being at home and some in the office. Executive Director Gomme was involved in a recent conversation with several other state organizations that talked about how we classify interpreting services in virtual meetings. This is a discussion and an issue that impacts not only at the state level, but also a national one. We are seeing an evolution in how interpreters work and bill for these types of meetings, how our respective communities interact with them, and constant evaluation of what are the best practices and approaches for virtual settings. The Registry of Interpreters for the Deaf (RID) has been hosting many conversations about these issues.

One issue we have heard about is the use of Video Relay Service (VRS) interpreting. Often, the interpreters and sign language users for VRS must use a separate application from the meeting in order to communicate with each other. This can mean that the interpreters are unable to see shared presentations, or are unable to identify who is talking during a meeting and the end user has to facilitate this and take additional responsibility in the meetings. The benefit to using VRS for a workplace is that it is free for the workplace to use. Video Remote Interpreting (VRI) is another issue, in traditional situations on site interpreters are often booked on a two-hour minimum, with travel costs included. In a virtual or hybrid setting, when using VRI there are no travel costs, and these meetings may not run for two hours,

therefore agencies are having to adapt and adjust their billing practices, or take advantage of using VRS which raises concerns about ongoing funding for VRS services. Limited access to Broadband internet service in our state adds to that challenge, and creates an across the board communication access barrier for the hearing loss community. Executive Director Gomme recently had conversations with a research and analyst group called Mitre, who are working for the Federal Communications Commission (FCC) to gather information on topics of utilizing modern technology in hybrid worlds and what the various states are distributing to address similar issues in this area as well as captioning.

As mentioned, the challenge is not limited only to interpreting issues, but they also include the issue of effective captions. Communication Access Realtime Translation (CART) service is very difficult to get due to the increasing demand for the service, and the inclusion of CART must be planned well in advance. This is somewhat offset by the increased presence of automatic captioning applications for phones, and captioning service plugins for services like Zoom but they are not as effective as CART.

Finally, our DeafBlind community is greatly impacted by all of these issues. Zoom and other meeting platforms do not always work out well for the DeafBlind community, who may depend on tactile signing, which is not possible in a virtual environment. The DeafBlind community also does not benefit from the increasing presence of captions in the same way as other hearing loss community members might.

Executive Director Gomme continues to work with state leaders to address the decline in revenue from Relay services, which is also a national trend. Meetings have been held with the Taxation and Revenue Department (TRD) during this quarter, and we are working with them to address the issue and examine how the taxation models that worked for phone services in the 80's, 90's and early 2000's do not necessarily work for today's services. Data use is where most of the costs are attributed to, while actual voice phone cost has remained largely the same or decreased for most carriers. Work on addressing funding and possible alternative funding sources for the Commission is ongoing, and there will be conversations with state leaders during the upcoming legislative session.

Executive Director Gomme has had meetings with city leaders from Albuquerque, Santa Fe, Rio Rancho, and Las Cruces to talk about the barriers that members of the hearing loss community experience in their daily lives, such as masks and plexiglass barriers and how these barriers can be addressed. Executive Director Gomme was able to demonstrate for them the ADA kits that are now available, and how they can benefit the community in a number of ways. ADA kits have been used successfully at vaccine clinics, and the Commission encourages their use in multiple settings, while still promoting the use of interpreting services as appropriate.

NMAD Designee Dale Loper asked about the contents of the ADA kit. Some of the items included: an iPad which has a variety of communication applications, an Android tablet for captioning (capable of captioning in over 90 languages), a portable FM and loop system, a vibrating pager system, magnifying glass, and a Braille refresh kit for DeafBlind/Low vision participants.

Vice Chair Hooper asked if there had been any conversations with TRD about a tax increase. Executive Director Gomme shared that yes, that idea had been discussed, but there is not currently enough information to effectively determine what an appropriate rate increase might look like, or if this is the correct approach. Vice Chair Hooper asked what the decline in revenue was for Q1 FY22 vs Q1 FY21. Chief Financial Officer Deborah Romero shared that there was a decline of revenue of \$58,185.00.

Vice Chair Hooper commented that he was involved with the recent passing of a Closed Captioning Ordinance for the City of Santa Fe, and asked if there was any work being done to have a similar ordinance brought before the legislature for the 2023 60 day session. Executive Director Gomme shared that he had a meeting with the city of Santa Fe after the ordinance passed, and during this meeting many hearing individuals present shared that they did not know how Closed Captions work, how to turn them

on, or even what technology was needed. Turning on the captions can vary from device to device, and can even be influenced by whether the TV itself is digital or analog. Therefore, we must recognize that in addition to passing these ordinances, we must also work to educate communities, and help them to understand how to utilize the resources available to them.

In addition to captions, there are other accessibility barriers that the Commission continues to address such as text to 911, information sharing regarding COVID-19 and vaccines, captioning in movie theaters, and access to medical services. Commissioner Herbold shared that in regard to movie theaters, it is great that more theaters are starting to add open captions to their films, but that sometimes it can be hard for a member of the hearing loss community to get a ticket for these showings, as they are often full.

Commissioner Herbold asked that the Commission send Quarterly reports to Board members further in advance of Board meetings so that commissioners had adequate time to prepare. Executive Director Gomme shared that in the process of preparing the Q1 report, there was an exposure at the Commission building, and dealing with that became a high priority for everyone's safety, creating a shift in schedule. The Commission will work to provide Quarterly reports with more lead time for Board members.

b. Department Reports Q & A

Commissioner Herbold asked if the Advocacy Department has done any work with organizations and clubs for children, such as after school sports and summer programs. Commissioner Herbold shared that her daughter is involved with gymnastics and the organization was resistant to the idea of providing interpreters due to funding, and she has heard from other parents of similar stories.

Executive Director Gomme and Director of Community Advocacy Corina Gutiérrez thanked Commissioner Herbold for sharing her story, and encouraged Commissioner Herbold to please have other parents contact us if they are experiencing communication barriers and advocacy issues. When Ms. Gutiérrez is aware of these issues, the Advocacy Department staff members are often able to work with organizations directly to resolve the communication barrier successfully. However, we need to be made aware of these situations in order to provide aid, therefore we encourage parents and community members to contact us when these situations occur. Dr. Herbold commented that this may also be an issue that needs to be addressed with the legislature, in regard to earmarking funds for communication and access needs. Executive Director Gomme shared he does have discussions regarding these issue with legislative measures, and had recently had a meeting in regard to childcare for people with disabilities.

Commissioner Vigil was excused from the meeting during the reporting period, a quorum was still present, therefore the meeting continued.

V. ACTION ITEMS

a. Selection of Board meeting dates for Calendar Year 2022

Vice-Chair Hooper shared that the Board needed to select meeting dates for the Calendar Year 2022. Vice-Chair Hooper suggested that the Board continue to meet on the second Thursday of the required month (March, June, September, December), as this seemed to work well for the Board members. The suggested dates for Board meetings during Calendar Year 2022 are:

March 10th
June 9th
September 8th
December 8th

There was no discussion regarding the suggested dates.

22.3

Commissioner Drury made a motion to set the meeting dates for the Board in 2022 as discussed.

Commissioner Herbold seconded.

Mr. Brennan took a roll call vote:

Commissioner Hooper – Yes

Commissioner Herbold – Yes

Commissioner Drury – Yes

Designee Loper – Yes

Motion passed unanimously.

VI. ADJOURNMENT

22.4

Commissioner Herbold made a motion to adjourn.

Commissioner Drury seconded.

Mr. Brennan took a roll call vote:

Commissioner Hooper – Yes

Commissioner Herbold – Yes

Commissioner Drury – Yes

Designee Loper – Yes

Motion passed unanimously.

The meeting was adjourned at 4:03pm.

Respectfully submitted,

Trevor M. Brennan

Trevor Brennan
Administrative Operations Specialist