



**Report to the Public Utilities Commission on the
Implementation of the January 2017 Legislative
Report, “Analysis of Deaf, DeafBlind and Hard of
Hearing Services”**

Prepared in response to PUC Docket NO. P-999/M-16-227

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Upon request, this material will be made available in an alternative format such as large print, Braille or audio recording. Printed on recycled paper.

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Background of this report to the Public Utilities Commission (PUC)

In Docket No. P-999/M-16-227 issued on July 18, 2017, the Public Utilities Commission (PUC) requested a report from the Department of Commerce and the Department of Human Services (DHS) with an update on the implementation of the DHS January 2017 Legislative Report, “Analysis of Deaf, DeafBlind and Hard of Hearing Services” (https://mn.gov/dhs/assets/2017-01-dhhs-report_tcm1053-275360.pdf).

Organization of this report

This report to the PUC has updates on the implementation of recommendations from 1) The Improve Group study of the Telephone Equipment Distribution (TED) program, 2) the Public Consulting Group study of the Deaf and Hard of Hearing Services Division (DHHSD) regional services, and 3) the January 2017 DHS Legislative Report. Please note that the update on the legislative report has redundant information from the TED program study and the DHHSD services study.

Status of the recommendations from The Improve Group study of the TED program

The study is available within the 2017 DHS Legislative Report and at <https://edocs.dhs.state.mn.us/lfsrver/Public/DHS-7229-ENG>.

- 1. Recommendation:** Conduct a review of each recommendation to assess legality of implementation within current Minnesota statute.

Update: The 2017 Minnesota legislature asked DHS and the Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans to develop recommendations and identify statute changes needed to modernize the TED program. DHS is facilitating a ‘Modernizing TED’ cross-agency work group to compile the recommendations and the group will evaluate the legality of its recommendations and whether statute changes are needed.

- 2. Recommendation:** Explore service discounts for eligible constituents by working with cell phone companies to explore cost-effective service options.

Update: TED gives program participants a newly created document on available cell phone and internet service discounts. TED supports initiatives by the PUC and the Department of Commerce to make service discounts available to people with communication disabilities.

3. **Recommendation:** Explore TED-funded phone and internet plans.

Update: TED provides program participants with information on existing programs that offer discounts on phone and internet plans. TED supports initiatives by the PUC and the Department of Commerce to make service plans more affordable for people with communication disabilities.

4. **Recommendation:** Expand outreach activities to improve knowledge of available TED services.

Update: DHHS is in the process of developing a division-wide outreach plan that will include specific outreach activities for the TED program. Also see the update for Plan Item b) in the [DHS Legislative Report Implementation Plan section](#) of this report.

At the same time, TED is developing a system for measuring the impact of its outreach activities on the number of new program applications it receives.

5. **Recommendation:** Leverage existing research and program models when making changes.

Update: TED has preliminary recommendations for modernizing the TED program based on its review of existing research and equipment distribution program modes. The Modernizing TED cross-agency group mentioned in Recommendation 1 is considering TED's preliminary recommendations in its work. Please see Plan Item h) of the [DHS Legislative Report Implementation Plan section](#) of this report for more information.

6. **Recommendation:** Conduct market research such as a market analysis of internet or phone plan affordability among the desired TED client base.

Update: TED provides program participants with information on existing programs that offer discounts on phone and internet plans. TED supports initiatives by the PUC and the Department of Commerce to make service plans more affordable for people with communication disabilities.

7. **Recommendation:** Conduct future studies with a focus on one identity group at a time. In particular, the DeafBlind community is known for the diversity of their needs and may benefit from a focus group approach to get a deeper sense of their needs.

Update: TED works with the national deafblind equipment distribution program to help people who are deafblind meet their telecommunication access needs. The Modernizing TED cross agency work group is also discussing the needs of specific identity groups such as people who are deafblind.

8. Recommendation: Increase community education planning.

Update: TED includes this recommendation in its preliminary recommendations to the Modernizing TED cross-agency work group. Also see the update for Plan Item h) in the [DHS Legislative Report Implementation Plan section](#) of this report.

9. Recommendation: Expand partnerships.

Update: TED is implementing new strategies in FY18 for expanding partnerships. Also see the update for Plan Item h) in the [DHS Legislative Report Implementation Plan section](#) of this report.

10. Recommendation: Support internet expansion.

Update: TED recognizes the benefit of this recommendation to people with disabilities and supports any initiatives by the PUC and others in Minnesota to expand internet services.

11. Recommendation: Advocate for reduced internet rates.

Update: TED recognizes the benefit of this recommendation to people with disabilities and supports any initiatives by the PUC and others in Minnesota to reduce internet service rates.

Status of the recommendations from the Public Consulting Group study of the DHHS

The study is available within the 2017 DHS Legislative Report and at <https://edocs.dhs.state.mn.us/lfsrserver/Public/DHS-7228-ENG>.

1. Recommendation: Develop and implement a strategic plan.

Update: Completed. Also see the update for Plan Item *November – December 2016 2017* in the [DHS Legislative Report Implementation Plan section](#) of this report.

2. Recommendation: Commission and participate in a statewide gap analysis.

Update: Completed. See Appendix B of the [2017 Legislative Report](#) for more information.

3. Recommendation: Continue to operate regional offices and programs.

Update: Regional offices and programs continue to operate. The 2017 legislature made permanent most of the temporary funding DHHS received in 2015. This funding allows DHHS to continue its operations.

4. Recommendation: Consider various models for deploying regional staff.

Update: DHHSD is discussing options for new staff deployment models. Also see the update for Plan Item a) in the [DHS Legislative Report Implementation Plan section](#) of this report.

5. Recommendation: Consider a centralized information, referral and intake process.

Update: DHHSD is analyzing the pros and cons of a centralized process. Also see the update for Plan Item a) in the [DHS Legislative Report Implementation Plan section](#) of this report.

6. Recommendation: Develop a statewide outreach plan.

Update: See the update for Plan Item b) in the [DHS Legislative Report Implementation Plan section](#) of this report.

7. Recommendation: Partner with the state's Medicaid division for service development opportunities.

Update: See the update for Plan Item g) in the [DHS Legislative Report Implementation Plan section](#) of this report.

8. Recommendation: Leverage relationships with the Quad Agency team and the Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans.

Update: See the update for Plan Item f) in the [DHS Legislative Report Implementation Plan section](#) of this report.

9. Recommendation: Strengthen the link between DHHSD and immigrant populations.

Update: See the update for Plan Item e) in the [DHS Legislative Report Implementation Plan section](#) of this report.

10. Recommendation: Review current statutory requirements to determine where there is a need for modernization, clarification or expansion.

Update: The DHHSD enabling legislation was modified in the 2017 legislative session. Please see [Minnesota Session Laws 2017, 1st Special Session, Chapter 6](#), Article 1, Sections 32-42, 49-50, and 54; and Article 18, Section 2, subdivisions 7(b) and 28.

January 2017 DHS Legislative Report Implementation Plan

The following is an update on the progress made by the Department of Human Services Deaf and Hard of Hearing Services Division (DHHSD) on each implementation item in the January 2017 legislative report. Some of DHHSD's implementation plans listed in the report have changed due to modifications of the DHHSD enabling statutes made by the 2017 legislature.

Plan item: *November/December 2016 – DHHSD develops a strategic plan.*

Update: The strategic plan is located at <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-3805-ENG>.

Plan item: *January 2017 – DHHSD finalizes its FY17 / FY18 action steps to:*

a) analyze options for deploying regional direct service staff to more Greater Minnesota locations; explore use of a centralized information/referral/intake system; develop plans for expanding the diversity of the DHHSD staff and creating a staffing succession plan; work with DHS to create options for making consumer information and materials easy to access and understand; redesign how DHHSD develops and delivers training;

Update: DHHSD is discussing options for deploying staff to more Greater Minnesota locations, a centralized information/referral/intake system, staff diversity and succession planning.

DHHSD is developing a new stand-alone website with consumer information and materials that are easy to access and understand. DHHSD is also revising how it develops and delivers training, taking into consideration new requirements from the recent legislative session.

Plan item:

b) create a short-term and long-term outreach plan to improve the public's awareness of all DHHSD services including the Telephone Equipment Distribution (TED) program;

Update: DHHSD is developing outreach plans for the division's programs and services, including the TED program. The plan will be completed and implementation begun by the end of state fiscal year 2018.

Plan item:

c) create a plan to improve collaborations with our internal and external partners;

Update: DHHSD is implementing specific requirements related to internal and external collaborations, particularly related to the use of technology for service delivery.

Plan item:

- d) evaluate whether to consolidate the DeafBlind Consumer Directed Services program into existing grant-funded deafblind service programs;*

Update: The 2017 legislation requires DHHSD to contract out the DeafBlind Consumer Directed Services program. DHHSD is planning the transition and will publish a Request For Proposal (RFP) by January 2018.

Plan item:

- e) determine how to tailor DHHSD services to support immigrants who are deaf, deafblind or hard of hearing; identify gaps in existing services for immigrants where the needs of immigrants with hearing loss are not being met;*

Update: DHHSD is identifying ways to improve the delivery of services to people who are immigrants and will implement the first stages of its improvement plan during FY 2018.

Plan item:

- f) evaluate how the interdepartmental team known as the Quad Agency team could work together more effectively to coordinate and improve services for Minnesotans who are deaf, deafblind or hard of hearing;*

Update: DHHSD is redefining its work with the Quad Agency team, taking into consideration the 2017 changes to this section of statute.

Plan item:

- g) meet with DHS Medicaid and waiver staff to discuss whether federal funding options exist for DHHSD services;*

DHHSD is working with other DHS divisions that have federally funded programs such as the mental health and chemical health divisions to identify whether options exist for funding DHHSD services.

Plan item:

- h) explore options for expanding the Telephone Equipment Distribution (TED) program to meet consumer needs; consider offering a wider variety of devices and broadening TED's role to provide information to the general public about telecommunications devices for people with hearing loss; discuss possible use of the Telecommunications Access Minnesota fund to pay for a broader range of technology; meet with the Department of Commerce to discuss options for modernizing the program offerings and making cell phone/data plans/internet service more affordable.*

Update: The 2017 legislature enacted a law requiring a new report related to TED ([Minnesota Session Laws 2017, 1st Special Session, Chapter 6](#), Article 1, Section 49):

The commissioner of human services shall work in consultation with the Commission of Deaf, Deafblind, and Hard of Hearing Minnesotans to provide recommendations by January 15, 2018, to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over human

services to modernize the telecommunications equipment program. The recommendations must address: (1) types of equipment and supports the program should provide to ensure people with communication difficulties have equitable access to telecommunications services; (2) additional services the program should provide, such as education about technology options that improve a person's access to telecommunications services, and (3) how the current program's service delivery structure might be improved to better meet the needs of people with communication disabilities. The commissioner shall also provide draft legislative language to accomplish the recommendations. Final recommendations, the final report, and draft legislative language must be approved by both the commissioner and the chair of the Commission of Deaf, Deafblind, and Hard-of-Hearing Minnesotans.

DHHS established a Modernizing TED cross-agency work group to create the required report. Participants include DHHS, the Commission of Deaf, Deafblind and Hard of Hearing Minnesotans and the Department of Commerce.

TED prepared preliminary recommendations that will be shared and discussed with the new Modernizing TED cross-agency work group. The preliminary recommendations from TED include:

- 1) Review the current TED statutes 237.50 to 237.56 and determine which definitions should be broadened. Broadening the definitions will allow more flexibility and expand the types of equipment the program can distribute.

Include language to allow TED distribute contemporary, functionally equivalent, connected devices. The term 'connected' encompasses a spectrum of devices that may need to connect to the internet to allow for functional equivalent access. Examples are Bluetooth auxiliary devices, apps for hearing aids, personal computers, tablets, laptops, and wearable technology.

Some of TED's current equipment is not compatible with high speed internet telephone lines. Many manufacturers of specialized equipment produce products that only work with an analog line. A way to remedy this situation is to provide an auxiliary device that can connect via Bluetooth with the client's existing technology.

Include language in the TED statute that allows for the distribution of "secondary or intermediary" devices. A secondary device is one that bridges the gap between the client's current device with an auxiliary device that will connect via Bluetooth. Some examples of secondary devices are phone clips, streamers, Personal Sound Amplification Products (PSAPs) or hearing aids. These provide additional amplification to a person's current telephone.

- 2) Add a duty in statute to educate clients about assistive technology options (not limited to telecommunications).
- 3) Post TED information on the to-be-developed DHHS stand-alone website. This would include modernized ways of communicating through accessible videos that show the setup of equipment, trainings for agencies, setting up a TED Facebook site and Vlogs.
- 4) Streamline TED application and intake processes and data collection and reporting by implementing use of AgileApps. TED will be part of DHHS's adoption of AgileApps as the division's data base.
- 5) Establish a new full-time TED staff position to focus on networking and outreach.

- 6) Update TED policies and procedures to be sure the program is using a person-centered service design.
- 7) Create new program evaluation measures incorporating the Results Based Accountability tools.

Plan item:

June 2017 – DHHS updates its strategic plan to include outcomes from the 2017 legislative session. DHHS also completes a one-year FY18 workplan that includes action steps to continue progress on the strategic plan.

Update: The FY18 workplan is complete.

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Department of Human Service Report**

Docket No. P999/M-16-227

Dated this 4th day of October 2017

/s/Sharon Ferguson

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