

SENATE BILL 185

P1, O3

(PRE-FILED)

4lr1197
CF HB 98

By: **Senator M. Washington**

Requested: October 26, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Office of the Deaf and Hard of Hearing – Deafblind Co-Navigation Services**
3 **Program – Established**

4 FOR the purpose of establishing the Deafblind Co-Navigation Services Program in the
5 Office of the Deaf and Hard of Hearing to provide co-navigation services to deafblind
6 individuals in the State; and generally relating to the Office of the Deaf and Hard of
7 Hearing and the Deafblind Co-Navigation Services Program.

8 BY repealing and reenacting, without amendments,
9 Article – State Government
10 Section 9–2401(a), (b), (c), (g), (h), (k), (m), (o), and (r)
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2023 Supplement)

13 BY adding to
14 Article – State Government
15 Section 9–2438 through 9–2443 to be under the new part “Part IV. Deafblind
16 Co-Navigation Services Program”
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2023 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – State Government**

22 9–2401.

23 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) “American Sign Language” means a visual–spatial method of communication that is a distinct language involving the hands, arms, facial markers, and body movements to communicate with others, including through the conveyance of thoughts, words, emotions, and grammatical information.

(c) “Behavioral health setting” means a setting that provides:

- (1) psychiatric or psychological assessment or screening;
- (2) group or individual psychotherapy, counseling, or treatment; or
- (3) rehabilitation services for substance use disorders, addictive disorders, mental disorders, or a combination of these disorders.

(g) “Deafblind” means those residents of Maryland who have concomitant vision and hearing loss.

(h) “Director” means the Director of the Office.

(k) “Legal setting” includes:

- (1) court proceedings;
- (2) attorney–client conferences;
- (3) investigations by law enforcement;
- (4) depositions;
- (5) witness interviews;
- (6) real estate settlements; and
- (7) administrative and legislative hearings.

(m) “Medical setting” includes:

- (1) an acute care hospital;
- (2) an urgent care center;
- (3) an outpatient clinic;
- (4) short–term care facilities;
- (5) long–term care facilities;

(6) a physician's office; and

(7) home health care.

(o) "Office" means the Office of the Deaf and Hard of Hearing.

(r) "School setting" means a setting in which the following are provided:

(1) educational programs or services offered by a public or nonpublic school; or

(2) career training programs for secondary education students that are regulated by the State Department of Education.

9-2436. RESERVED.

9-2437. RESERVED.

PART IV. DEAFBLIND CO-NAVIGATION SERVICES PROGRAM.

9-2438.

(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COMMUNICATION MODE" INCLUDES COMMUNICATION THROUGH:

(1) AMERICAN SIGN LANGUAGE OR SIGNED ENGLISH BY BOTH TACTILE AND VISUAL MEANS;

(2) AUDITORY AMPLIFICATION, INCLUDING AN ASSISTIVE LISTENING DEVICE OR A PERSONAL HEARING AID; OR

(3) PROTACTILE LANGUAGE.

(C) (1) "CO-NAVIGATION SERVICES" MEANS SERVICES PROVIDED TO A DEAFBLIND INDIVIDUAL:

(I) BY PROVIDING VISUAL AND ENVIRONMENTAL INFORMATION OR SIGHTED SERVICES TO ASSIST WITH COMMUNICATION ACCESSIBILITY;

(II) IN THE INDIVIDUAL'S PREFERRED LANGUAGE AND COMMUNICATION MODE; AND

(III) TO ASSIST THE INDIVIDUAL WITH ACCESSING THE INDIVIDUAL'S PHYSICAL SURROUNDINGS AND MAKING INFORMED DECISIONS REGARDING THE INDIVIDUAL'S SURROUNDINGS.

(2) "CO-NAVIGATION SERVICES" DOES NOT INCLUDE:

(I) COMPLETING ERRANDS OR PROVIDING PERSONAL CARE SERVICES FOR AN INDIVIDUAL;

(II) INTERPRETING FOR AN INDIVIDUAL IN A BEHAVIORAL HEALTH SETTING, LEGAL SETTING, MEDICAL SETTING, SCHOOL SETTING, OR OTHER FORMAL SETTING;

(III) MAKING DECISIONS FOR AN INDIVIDUAL; OR

(IV) TEACHING OR INSTRUCTING AN INDIVIDUAL.

(D) "PROGRAM" MEANS THE DEAFBLIND CO-NAVIGATION SERVICES PROGRAM.

(E) "PROTACTILE LANGUAGE" MEANS A METHOD OF COMMUNICATION BASED ON TOUCH USED BY DEAFBLIND INDIVIDUALS.

9-2439.

(A) THERE IS A DEAFBLIND CO-NAVIGATION SERVICES PROGRAM WITHIN THE OFFICE.

(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE CO-NAVIGATION SERVICES TO DEAFBLIND RESIDENTS OF THE STATE.

(C) THE PROGRAM SHALL BE AVAILABLE STATEWIDE.

(D) CO-NAVIGATION SERVICES OFFERED BY THE PROGRAM SHALL BE PROVIDED BY AN INDIVIDUAL WHO HAS RECEIVED TRAINING AS A CO-NAVIGATOR.

9-2440.

THE OFFICE SHALL ENSURE THE PROGRAM PROVIDES QUALITY SERVICES BY:

(1) IDENTIFYING FUNDING SOURCES FOR THE PROGRAM THAT WILL REDUCE THE PROGRAM'S RELIANCE ON STATE FUNDING;

1 **(2) MONITORING THE COMPLIANCE OF CO-NAVIGATORS WITH RULES**
2 **ESTABLISHED BY THE OFFICE; AND**

3 **(3) PROVIDING, OR FUNDING AND SUPPORTING, TRAINING**
4 **PROGRAMS FOR:**

5 **(I) CO-NAVIGATORS PROVIDING SERVICES THROUGH THE**
6 **PROGRAM; AND**

7 **(II) DEAFBLIND INDIVIDUALS TO FACILITATE EFFECTIVE USE**
8 **OF THE SERVICES OFFERED BY THE PROGRAM.**

9 **9-2441.**

10 **(A) THE DIRECTOR MAY ESTABLISH AN ADVISORY COMMITTEE TO ADVISE**
11 **THE OFFICE ON DEVELOPING AND OPERATING THE PROGRAM.**

12 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
13 **DIRECTOR MAY PROVIDE FOR THE SIZE AND MEMBERSHIP OF THE ADVISORY**
14 **COMMITTEE.**

15 **(2) IF AN ADVISORY COMMITTEE IS ESTABLISHED, THE COMMITTEE**
16 **SHALL INCLUDE DEAFBLIND INDIVIDUALS AND OTHER STAKEHOLDERS.**

17 **9-2442.**

18 **(A) (1) THE PROGRAM SHALL PROVIDE CO-NAVIGATION SERVICES AT NO**
19 **COST TO AN INDIVIDUAL RECEIVING THE SERVICE.**

20 **(2) THE OFFICE MAY CHARGE AND ACCEPT PAYMENT FROM PRIVATE**
21 **OR PUBLIC INSURERS FOR CO-NAVIGATION SERVICES PROVIDED BY THE PROGRAM.**

22 **(B) THE OFFICE SHALL:**

23 **(1) REIMBURSE CO-NAVIGATORS WHO PROVIDE CO-NAVIGATION**
24 **SERVICES THROUGH THE PROGRAM; AND**

25 **(2) ESTABLISH A TIERED WAGE SCALE FOR CO-NAVIGATORS IN THE**
26 **PROGRAM THAT ACCOUNTS FOR A CO-NAVIGATOR'S LEVEL OF:**

27 **(I) FLUENCY AND SKILL IN COMMUNICATION MODES AND**
28 **SIGHTED GUIDE-MOBILITY FOR DEAFBLIND INDIVIDUALS; AND**

(II) TRAINING IN COMMUNICATION MODES AND IN SIGHTED
GUIDE-MOBILITY TECHNIQUES FOR DEAFBLIND INDIVIDUALS.

9-2443.

THE OFFICE MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1, 2024.