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ASSEMBLY BILL NO. 200—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR  
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

FEBRUARY 26, 2015

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the program to provide devices for telecommunication to persons with impaired speech or hearing. (BDR 38-419)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to persons with disabilities; revising provisions relating to the program to provide devices for telecommunication to persons with impaired speech or hearing; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 The Aging and Disability Services Division of the Department of Health and  
2 Human Services is required to develop and administer a program to provide devices  
3 for telecommunication to persons with impaired speech or hearing and to fund  
4 centers for persons who are deaf or hard of hearing operated by this State. (NRS  
5 427A.797) This bill requires that this program include the provision of certain  
6 services by such centers, including, without limitation: (1) facilitating the provision  
7 and distribution of devices for telecommunication to persons with impaired speech  
8 or hearing; (2) assisting persons with impaired speech or hearing in accessing  
9 assistive devices; (3) expanding service capacity for devices for telecommunication  
10 in areas where there is a need and services are not available; and (4) providing  
11 instruction in language acquisition. This bill also requires that funding be provided  
12 for these centers, including, without limitation, these specific services, from the  
13 surcharge imposed on each telephone and wireless telephone line of each customer  
14 in this State.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     **Section 1.** NRS 427A.797 is hereby amended to read as  
2 follows:

3     427A.797 1. The Division shall develop and administer a  
4 program whereby:

5     (a) Any person who is a customer of a telephone company  
6 which provides service through a local exchange or a customer of a  
7 company that provides wireless phone service and who is certified  
8 by the Division to be deaf or to have severely impaired speech or  
9 hearing may obtain a device for telecommunication capable of  
10 serving the needs of such persons at no charge to the customer  
11 beyond the rate for basic service; and

12     (b) Any person who is deaf or has severely impaired speech or  
13 hearing may communicate by telephone, including, without  
14 limitation, a wireless phone, with other persons through a dual-party  
15 relay system.

16     ➤ The program must be approved by the Public Utilities  
17 Commission of Nevada.

18     2. *The program developed pursuant to subsection 1 must*  
19 *include the establishment of centers for persons who are deaf or*  
20 *hard of hearing that provide services which must include, without*  
21 *limitation:*

22     (a) *Facilitating the provision and distribution of devices for*  
23 *telecommunication to persons with impaired speech or hearing;*


24     (b) *Assisting persons who are deaf or have severely impaired*  
25 *speech or hearing in accessing assistive devices, including,*  
26 *without limitation, hearing aids, electrolarynxes and devices for*  
27 *telecommunication;*

28     (c) *Expanding the capacity for service using devices for*  
29 *telecommunication in areas where there is a need for such devices*  
30 *and services for persons with impaired speech or hearing are not*  
31 *available; and*

32     (d) *Providing instruction in language acquisition to persons*  
33 *determined by the center to be eligible for services.*

34     3. A surcharge is hereby imposed on each access line of each  
35 customer to the local exchange of any telephone company providing  
36 such lines in this State and on each personal wireless access line of  
37 each customer of any company that provides wireless phone  
38 services in this State which is sufficient to:

39     (a) Cover the costs of the program;

40     (b) Fund the centers for persons who are deaf or hard of hearing  
41 operated by this State  *established pursuant to subsection 2;* and



1 (c) Cover the costs incurred by the Division to carry out the  
2 provisions of chapter 656A of NRS that are not covered by the civil  
3 penalties received by the Division pursuant to NRS 656A.800.

4 ~~↳~~ The Commission shall establish by regulation the amount to be  
5 charged. Those companies shall collect the surcharge from their  
6 customers and transfer the money collected to the Commission  
7 pursuant to regulations adopted by the Commission.

8 ~~13-1~~ 4. The Account for Services for Persons With Impaired  
9 Speech or Hearing is hereby created within the State General Fund  
10 and must be administered by the Division. Any money collected  
11 from the surcharge imposed pursuant to subsection ~~12-1~~ 3 must be  
12 deposited in the State Treasury for credit to the Account. The money  
13 in the Account may be used only:

14 (a) For the purchase, maintenance, repair and distribution of the  
15 devices for telecommunication, including the distribution of devices  
16 to state agencies and nonprofit organizations;

17 (b) To establish and maintain the dual-party relay system;

18 (c) To reimburse telephone companies and companies that  
19 provide wireless phone services for the expenses incurred in  
20 collecting and transferring to the Commission the surcharge  
21 imposed by the Commission;

22 (d) For the general administration of the program developed and  
23 administered pursuant to subsection 1;

24 (e) To train persons in the use of the devices;

25 (f) To fund the centers for persons who are deaf or hard of  
26 hearing operated by this State ~~1-1~~ *established pursuant to subsection*  
27 *2;* and

28 (g) To cover the costs incurred by the Division to carry out the  
29 provisions of chapter 656A of NRS that are not covered by the civil  
30 penalties received by the Division pursuant to NRS 656A.800.

31 ~~14-1~~ 5. For the purposes of this section:

32 (a) "Device for telecommunication" means a device which is  
33 used to send messages through the telephone system, including,  
34 without limitation, the wireless phone system, which visually  
35 displays or prints messages received and which is compatible with  
36 the system of telecommunication with which it is being used.

37 (b) "Dual-party relay system" means a system whereby persons  
38 who have impaired speech or hearing, and who have been furnished  
39 with devices for telecommunication, may relay communications  
40 through third parties to persons who do not have access to such  
41 devices.



