

1 S.162

2 Introduced by Senator White

3 Referred to Committee on

4 Date:

5 Subject: Human services; Department of Disabilities, Aging, and Independent

6 Living; services for individuals who are Deaf, Hard of Hearing, or

7 DeafBlind

8 Statement of purpose of bill as introduced: This bill proposes to rename the  
9 existing Division for the Blind and Visually Impaired within the Department of  
10 Disabilities, Aging, and Independent Living as the Division for the Visually  
11 and Hearing Impaired and to expand the Division's scope of services to  
12 individuals who are Deaf, Hard of Hearing, or DeafBlind.

13 An act relating to services for individuals who are Deaf, Hard of Hearing, or  
14 DeafBlind

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 3 V.S.A. § 3092a is amended to read:

3 § 3092a. APPEALS FROM ~~DIVISIONS~~ DIVISION OF VOCATIONAL  
4 REHABILITATION, ~~BLIND~~ AND DIVISION FOR THE  
5 VISUALLY AND HEARING IMPAIRED

6 (a) Notwithstanding the provisions of subsection 3091(a) of this title  
7 relating to fair hearings before the Human Services Board, appeals concerning  
8 benefits or services under the Rehabilitation Act of 1973 as amended shall be  
9 to the Director of the Division of Vocational Rehabilitation or the Division for  
10 the ~~Blind and~~ Visually and Hearing Impaired, as appropriate, rather than the  
11 Human Services Board so long as federal law requires that final decisions be  
12 made by the Director of that Division.

13 \* \* \*

14 Sec. 2. 21 V.S.A. § 497a is amended to read:

15 § 497a. COMMITTEE ESTABLISHED

16 There is hereby established a permanent committee to be known as the  
17 Vermont Governor's Committee on Employment of People with Disabilities,  
18 to consist of 23 members, including one representative each from the Vermont  
19 Department of Labor's Workforce Development Division and the Jobs for  
20 Veterans State Grant, ~~one representative from~~ the Department of Disabilities,  
21 Aging, and Independent Living, Vocational Rehabilitation Division and ~~one~~

1 from the Division for the ~~Blind and~~ Visually and Hearing Impaired, ~~one~~  
2 representative of; the U.S. Department of Veterans Affairs, ~~one representative~~  
3 of; and the State of Vermont Office of Veterans Affairs; and 17 members to be  
4 appointed by the Governor. The appointive members shall hold office for the  
5 term specified or until their successors are named by the Governor. The  
6 members shall receive no salary for their services as such, but the necessary  
7 expenses of the Committee shall be paid by the State.

8 Sec. 3. 21 V.S.A. § 501 is amended to read:

9 § 501. DEFINITIONS

10 As used in this subchapter:

11 (1) "Person who is blind or visually impaired" means a person whose  
12 visual acuity with correction is no better than 20/60; or whose field of vision  
13 subtends an angle of no greater than 20 degrees.

14 (2) "Division" means the Division for the ~~Blind and~~ Visually and  
15 Hearing Impaired.

16 \* \* \*

17 Sec. 4. 29 V.S.A. § 160b is amended to read:

18 § 160b. SALE OF MILK AND MILK PRODUCTS AT INFORMATION  
19 CENTERS

20 (a) The ~~division for the blind and visually impaired~~ Division for the  
21 Visually and Hearing Impaired is encouraged to sell milk and milk products,

1 with a preference for the sale of Vermont-produced milk whenever feasible, in  
2 vending machines at rest areas and information centers in this ~~state~~ State  
3 according to policies and rules established by the ~~commissioner of buildings~~  
4 ~~and general services~~ Commissioner of Buildings and General Services.

5 \* \* \*

6 Sec. 5. 33 V.S.A. § 503 is amended to read:

7 § 503. COMPOSITION OF DEPARTMENT

8 The Department, created pursuant to 3 V.S.A. § 3085a, shall consist of the  
9 Commissioner of Disabilities, Aging, and Independent Living, the Advisory  
10 Board established under section 505 of this title, and all divisions and units of  
11 the Department, including the Division for the ~~Blind and Visually~~ and Hearing  
12 Impaired and the Division of Vocational Rehabilitation.

13 Sec. 6. 33 V.S.A. § 504 is amended to read:

14 § 504. DUTIES OF DEPARTMENT

15 (a) The Department shall administer all laws and programs specifically  
16 assigned to it for administration, including:

17 (1) Federally funded services for older persons in accordance with the  
18 Older Americans Act.

19 (2) Federally funded vocational rehabilitation and independent living  
20 services for persons with disabilities in accordance with the Rehabilitation Act.

21 The Division of Vocational Rehabilitation may contract with clients at up to

1 \$51.00 per year per employee, or may charge up to \$70.00 per hour, for  
2 services rendered by the Employee Assistance Program. The Division shall  
3 charge \$160.00 for each injured worker screening defined in the Department of  
4 Labor rules. For activities outside the scope of services funded by the Federal  
5 Assistive Technology Act, the Division may charge up to \$100.00 per hour for  
6 assistive technology services rendered, including assistive technology  
7 consultations, assistive technology evaluations, individual assistive technology  
8 training, and assistive technology topic training. The Division may charge fees  
9 at the rate of up to \$100.00 per month for specialized assistive technology  
10 equipment leasing. The Division may charge these fees to service providers,  
11 State agencies, schools, and individuals. The Division shall continue to  
12 provide the following services at no charge: information and assistance, State  
13 financing activities, equipment demonstration, short-term device loans, public  
14 outreach, technical assistance, and equipment reutilization. Fees shall be  
15 retained by the Division.

16 (3) Federally required survey and certification of health care facilities  
17 participating in Medicare or Medicaid, as provided by Titles XVIII and XIX of  
18 the Social Security Act.

19 (4) Special services, including vocational rehabilitation, for Vermonters  
20 who are blind or have a visual impairment, and for Vermonters who are ~~deaf or~~  
21 ~~hard of hearing~~ Deaf, Hard of Hearing, or DeafBlind.

1

\* \* \*

2

Sec. 7. EFFECTIVE DATE

3

This act shall take effect on July 1, 2018.