



KENTUCKY COMMISSION ON THE DEAF AND HARD OF HEARING

STEVEN L. BESHEAR
GOVERNOR

HELEN W. MOUNTJOY
SECRETARY, EDUCATION AND WORKFORCE DEVELOPMENT CABINET

MEMORANDUM

DATE: July 1, 2009

TO: Robert S. Sherman, Director
Legislative Research Commission

CC: Helen W. Mountjoy, Secretary
Education and Workforce Development Cabinet

Mr. Jeff Derouen, Executive Director
Public Service Commission

FROM: Virginia L. Moore, Acting Executive Director
Kentucky Commission on the Deaf and Hard of Hearing

RE: Telecommunications Access Program (TAP) Annual Report for
the Fiscal Year 2008- 2009

Enclosed is the Telecommunications Access Program (TAP) Annual Report for the fiscal year 2008 - 2009. As per KRS 163.527, this report is to be submitted annually to the Kentucky General Assembly through the Legislative Research Commission.

If you have any questions, please feel free to contact me at Virginia.moore@ky.gov or at 502-573-2604 (V/T).

The Kentucky Commission on the Deaf and Hard of Hearing

Since its inception in 1995, the Telecommunications Access Program (TAP), administered by the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH), has served almost 15,000 applicants. From time to time the program receives letters of thanks from grateful recipients. Below are some of the experts from 2008-2009.

“I am writing to thank you for the wonderful free amplified telephone I received from your program. I heard of your program from a farmer neighbor in Paris, KY who was impressed with the phone he received from you. Thank you for making life easier for an elderly farmer!”

(Hard of Hearing Consumer – Shelbyville)

“Thank you for your help in getting my husband a phone he can hear on. The smile on his face was such a blessing; you will never know what your service means to us!”

(Late Deafened Consumer – Ryland Heights)

“I want to thank you for the Captioned telephone you gave me. It has made a big difference as I am a widow and live alone and had to wait for someone to come to help me make calls to doctors and plumbers. Sometimes it was a long wait! Now I can do it myself, thank you, thank you, thank you!”

(Severely Hard of Hearing Consumer – Lexington)

“The CapTel phone, ringer and visual signaler you sent me have opened up a whole new world for me. I could not understand what people were saying to me for the last few years and it was very frustrating trying to call anyone, even people I knew. Now I can call anyone and read the captions to know what they are saying. Thank you for helping others!”

(Late Deafened Consumer – Owensboro)

“I want to thank you for the wonderful program your organization provides to those who are deaf or have a hearing loss. My aunt tried several other pieces of equipment bought at her own expense which failed to provide enough amplification to meet her needs. I then found out about your agency, contacted you and promptly received an application for the free telephone and information on how to manage a hearing loss. My aunt is thrilled with the telephone she received; its quality is exceptional and much clearer than anything we had tried in the past. Continue the good work.”

(Hard of Hearing Consumer – Versailles)

“I would like for you to add wireless devices to your program soon as the deaf community needs a way to communicate on the go the same as hearing people do. I need a cell phone!”

(Deaf Consumer – Pikeville)

**Telecommunications Access Program
Annual Report
Fiscal Year 2008 - 2009**

**Kentucky Commission on the Deaf and Hard of Hearing
Virginia L. Moore
Acting Executive Director**

In compliance with KRS 163.527, this annual report is submitted to the Kentucky General Assembly through the Legislative Research Commission.

“The Commission on the Deaf and Hard of Hearing shall provide to the General Assembly an annual report on the operation of the Telecommunications Access Program (TAP). The report shall be due on July 1st of each year, beginning July 1, 1995, and, at a minimum, provide:

- (1) The number of persons served and the number of TDDs distributed;
- (2) The revenues and expenditures of the program;
- (3) Discussion of any major policy or operational issues;
- (4) Any changes the Commission plans to make in the program that does not require legislative action; and
- (5) Any proposals for legislative changes in the program.”

The number of persons served and the number of STE's distributed:

The Telecommunications Access Program (TAP) received **1,017** applications during FY 08-09. The status of pending applications for Specialized Telecommunication Equipment (STE) is as follows as of 6/30/2009.

Status	Total
Approved	61
Complete	925
Incomplete	113
Denied	31
Not Active	3
Total **	1,143

** Total status count does not match the number of new applications received during the FY due to receipt of some applications in the previous FY and processing in the current FY, or pending incomplete into the next FY.

DEFINITIONS:

Approved - Applications approved and on the waiting list. Equipment has been ordered but is pending delivery or equipment has not yet been ordered at the end of the FY. Customers ready to receive equipment once funds are available.

Completed - Applications were approved and the STE was ordered, delivered to the consumer and paid for during the FY.

Incomplete - Applications are pending receipt of missing verification. Applications lacking information required to determine eligibility (approval/denial) are returned to the applicant with a request for additional information. Applications are kept pending for one year to allow adequate time to provide necessary verification.

Denied – Applications denied because the applicants did not meet the eligibility criteria in order to receive the STE. Notification is sent to each applicant outlining the reason for ineligibility and an explanation of why they are ineligible.

Not Active – These applications have been pending verification for more than twelve (12) months. During the twelfth month the applicant is notified and given an additional 30 days to submit the missing verification. If no response is received the application is changed to NA in the database and archived. If the applicant reapplies he/she must complete a new application with all required verification.

925 consumers received equipment during FY 08-09.

A breakdown of these applicants by degree of hearing loss is listed below:

Degree of Hearing Loss	Total
Deaf	21
Deaf w/ Limited Vision	2
Deaf-Blind	2
Hard-of-Hearing	627
Late-Deafened	6
Severely Hard-of-Hearing	261
Speech-Impaired	6
Total	925

During FY 08-09 the number of applications increased slightly. However, deaf consumers continue to move toward alternate technology (i.e., wireless devices, videoconferencing, web cams, or internet relay services) for their telephone communication needs. Requests for equipment typically used by self-identified deaf constituents, such as TTY's continue to decrease with only 2.5% of the deaf population served by the TAP compared to 4.25% last FY, and of those 1.75% selected the CapTel (captioned telephone) rather than a traditional device used in the past. As of June 30, 2009 there are 61 approved applications waiting until FY 10 funds are available to purchase equipment.

The number of hard of hearing individuals in the Commonwealth, which includes those self identified as hard of hearing, severely hard of hearing and late deafened, continues to increase as the population ages. The highest demand for specialized equipment comes from this population, 97% compared to 95% last FY. Hard of hearing consumers utilize amplified phones, speech strengthening telephones, voice carry over telephones and the CapTel device in particular. The TAP served .5% deaf-blind or speech impaired individuals during FY 08-09, a slight increase over FY 07-08.

Per the National Institute on Deafness and Other Communication Disorders (NIDCD), approximately 17 percent (36 million) of American adults report some degree of hearing loss. There is a strong relationship between age and reported hearing loss: 18 percent of American adults 45-64 years old, 30 percent of adults 65-74 years old, and 47 percent of adults 75 years old or older have a hearing impairment. The NIDCD estimates that approximately 15 percent (26 million) of Americans between the ages of 20 and 69 have high frequency hearing loss due to exposure to loud sounds or noise at work or in leisure activities. Per the 2008 Kentucky Long-Term Policy Research Center report, *Visioning Kentucky's Future Measures and Milestones*, Kentucky's population age 80+ is projected to reach 220,000 by 2030, an increase from 126,000 in 2000. Kentucky currently ranks third per capita nationally with more than 646,000 people identified as deaf or hard of hearing, which further emphasizes the need for the TAP.

Hamilton Telecommunications Relay Service provider contract is effective through June 30, 2011. Customer satisfaction with Hamilton Relay is well documented and KCDHH is satisfied with their performance record. The state Outreach Coordinator works with the TAP to ensure consumer training is provided in a timely manner. Hamilton also partnered with us in hosting several Town Hall meetings throughout the state during the spring of 2009. Consumer input was gathered at the meetings and has proven to be valuable as we strive to "do more with

less” and plan for the future expansion of the program. Both deaf and hard of hearing consumers continue to request that a wireless device be added to the program to meet the needs of today’s world.

The TAP equipment vendor contract renewals were processed during May 2009, the last year before all equipment is re-bid. The equipment offerings were streamlined to reduce consumer confusion, with only five varieties of amplified phones offered, compared to eleven in prior years. Even professional hearing specialists and audiologists were confused as to which device to select from such a large group of choices. Devices which have become for all purposes obsolete, such as TTY’s, VCO’s and older models of amplified phones have been deleted from the program.

In order to increase awareness of the program and its offerings, and ensure that consumers select the most appropriate piece of equipment for their needs, several demonstration sites will be established throughout the state to display the equipment available through TAP. Partnerships with private, public and state agencies will be utilized to minimize cost for this project. This will allow consumers access to a more convenient location to “test” equipment before selection and professionals will be able to see and use the equipment before making recommendations.

In order to make the application process more accessible, a video rendition of the application process is being developed for addition to the KCDHH website. The application process will be explained in American Sign Language (ASL), with captioning and will be converted to a DVD so that professionals can be provided with a visual explanation as well. This will allow outreach to continue without the added expense of travel.

The majority of our current outreach is accomplished through partnerships with other agencies, word of mouth, and in-house electronic advertising (i.e., newsletter, eblitz), due to budgetary restrictions. However, to optimize outreach opportunities the TAP participated in the 2008 Kentucky State Fair as part of the agency’s booth on Main Street. We plan to participate again in 2009 to increase awareness of the distribution program and the addition of wireless devices during FY 09-10. Kentucky’s Relay Service provider, Hamilton Telecommunications, conducts outreach activities statewide and also informs consumers of the availability of the TAP. AT&T continues to partner with the TAP ongoing and once again included billing inserts advertising the program, to extend our outreach capabilities. TAP program staff utilizes videoconferencing, video relay interpreting, AIM and email, as well as traditional voice lines, interpreters, and face to face contacts to promote the program and explain its requirements to professionals and consumers.

The KCDHH Internal Policy Analyst III represents the TAP Advisory Board and serves on several other Advisory Boards for state, local and national organizations that serve the deaf and hard of hearing population. The IPA III served during FY 08-09 as Secretary for the Telecommunication Equipment Distribution Program Administrators (TEDPA) national organization, the AT&T Advisory Board, the Telephone Relay Service (TRS) providers Advisory Board, the Vocational Rehabilitation Interagency Coordinators Council (ICC), the Southeast Technical Assistance and Continuing Education (TACE) Region IV workgroup and the Kentucky Outreach and Information Network (KOIN). The IPA III was also appointed by the Governor to serve for three years on the Kentucky Assistive Technology Service (KATS)

Network Advisory Board and the Kentucky Assistive Technology Loan Corporation (KATLC) Board. Written reports from these meetings are compiled and included in the agency's quarterly reports and archived as part of the agency's records retention.

Staff members attended the following trainings / workshops / conferences to promote the TAP during FY 08 - 09:

- Kentucky Black Deaf Advocates Conference and workshops;
- National Association of the Deaf 49th conference and workshops;
- National Association of the Deaf Youth Leadership Conference;
- American Sign Language Expo in Louisville, outreach;
- National Senior Citizens conference and workshops;
- Kentucky Speech-Language Hearing Association conference;
- Eastern Kentucky University Summer Transition Enhancement Program;
- Kentucky Arts Council Disability Diversity Fair;
- Northern Kentucky Health Fair, outreach;
- Kentucky Telephone Association conference;
- Northern KY Senior Citizens Expo, outreach;
- Barren River Aging Network convention;
- Kentucky School for the Deaf (KSD) Family Learning Vacation;
- KSD Leadership Training;
- Kentucky Storytelling Conference and workshops;
- American Association of Retired Persons Health Fair;
- University of Louisville Deaf Awareness Day presentation;
- Hearing Loss Association of America conference and workshops;
- Mental Health consumer event and workshops, held in conjunction with DeaFestival Kentucky 2008 (10,000 + attendees);
- Central Kentucky Special Education Cooperative conference; and
- Four Town Hall meetings held in Madisonville, Pikeville, Danville and Covington.

Legislative Update:

During FY 07-08 the Telecommunications Access Program (TAP) filed a petition with the Public Service Commission (PSC) requesting that all telecommunication providers be included in the surcharge that funds the TAP and TRS. The inclusion of wireless providers will open the program to the addition of wireless devices that will not only be used for access to telephone communication but can also be utilized for notification during emergency situations. On February 16, 2009 the PSC petition was granted and effective June 1, 2009, wireless telecommunication providers began contributing to the surcharge for the TAP.

With the passage of HB 406, the Budget Bill, and inclusion of language for FY 08 -09 and FY 09 -10, the funding base for the TAP was allotted at two cents per telephone line. This allotment for the TAP is effective through June 30, 2010 and now includes wireless providers as well as hardlines, essentially doubling the funding base for FY 09-10. Effective July 1, 2010 the surcharge will revert back to one cent per access line unless the Kentucky Administrative Regulations (KAR) governing the TAP are revised.

Emergency regulation amendments to 735 KAR 1:010 and 735 KAR 1:020 were filed effective April 2009 and expire September 2009. Ordinary regulation amendments were also filed and are in process of passage by the Legislative Research Commission and will become effective prior to the expiration of the emergency regulations. The program application, incorporated by reference, was included in the emergency regulations and has been revised to include a wireless device as an option. Reprinting costs were included in this FY's budget.

A Request for Purchase (RFP) has been drafted and upon final approval by the Commission's full board will be filed with the Finance Cabinet. The vendor for wireless will be required to provide a comprehensive initial subscription plan as well as the device itself, to ensure consumers have access to services. This pilot project has been acclaimed at past TEDPA conferences and many states have inquired as to the details of the plan. Once finalized, Kentucky will become a state model for the national association and other state programs are requesting to duplicate the policy and procedures surrounding the proposed plan to incorporate wireless devices into the TAP. Kentucky will once again be a leader in providing access to state of the art telecommunications.

**The revenues and expenditures of the Telecommunications Access Program
For fiscal year 2008-2009**

REVENUE	Budgeted Expenditures		Actual Expenditures	
FY 2008 Allotment		452,000		442,786
Rollover funds	FY 08-09	10,348	FY 07-08	0
TOTAL REVENUE				442,786
PERSONNEL EXPENSES				
State Employee Salary		49,180		49,249
State Employee Benefits/Fringe		16,160		16,278
Other Personnel Services		24,000		24,324
Other		20,660		20,648
		61,500		61,001
Total Personnel Services		171,500		171,500
OPERATING EXPENSES				
Utilities		3,020		3,014
Maintenance and Repairs		23,450		23,432
Postage and Related Services		2,550		2,550
Miscellaneous Services		27,500		20,606
Telecommunications		4,000		3,995
Database		2,100		2,068
Computer Services		17,850		18,168
Supplies		5,000		4,192
TAP Equipment purchases		175,800		175,780
Travel Expense/ Allowances		5,730		4,884
Miscellaneous Commodities		13,500		12,597
Total Operating Expenses		280,500		271,286
TOTAL EXPENSES		452,000		442,786
13-33-340-TBOO BALANCE		AS OF 6/30/09	FY 08-09	\$ 0

Breakdown of expenditures and the cost analysis during FY 08- 09:

STE (Telephone equipment)	Units	Unit Price	Cost per FY
Ultratec 1140 Uniphone	3	\$183.00	\$549.00
Superprint 4425 w/ASCII	4	\$338.00	\$1,352.00
Pro 80 Gold	8	\$423.00	\$3,384.00
Pro 80 Gold with LVD	2	\$423.00	\$846.00
Ultratec Crystal Tone Plus	35	\$98.00	\$3,430.00
Ameriphone CL-4205 Cordless	209	\$137.95	\$28,831.55
Dialogue JV-35 Amp Speakerphone	50	\$81.84	\$4,092.00
Ultratec CapTel	187	\$420.50	\$78,633.50
Ultratec CapTel with LVD/USB port	3	\$485.50	\$1,456.50
Starplus 45	61	\$79.98	\$4,878.78
ClearSounds 40XLC	18	\$78.85	\$1,419.30
Dialogue XL-50	58	\$93.04	\$5,396.32
Dialogue XL-30	3	\$72.80	\$218.40
Uniden 7248i Cordless	106	\$114.06	\$12,090.36
Ameriphone VCO	2	\$125.00	\$250.00
RC 200 Speakerphone	2	\$375.00	\$750.00
HC-SPAMP Speech Amplified telephone	1	\$60.80	\$60.80
Compact/C-TDD	2	\$208.00	\$416.00
PocketComm TDD	2	\$149.50	\$299.00
TeliTalk Speech Aid phone	3	\$925.00	\$2,775.00
Serene Innovations HD – 60	86	\$98.00	\$8,428.00
Ampli-500 Amplified Phone	75	\$78.85	\$5,913.75
Total STE (telephone equipment)	*920		\$165,470.26
Signaling Devices			
Ultratec Clarity Tone Ringer	84	\$19.59	\$1,645.56
Sonic Alert TR 75 VAS	119	\$25.95	\$3,008.05
ClearSounds HT-CL1 Combo Signaler	169	\$33.00	\$5,577.00
Vibracell Ring – Tactile Signaler	0	\$90.00	\$0.00
Total Signaling Devices	372		\$10,310.61
Total Equipment pieces / cost	1292		\$175,780.87

* five individuals received signalers only

One visual alert signaler (VAS), Amplified Ringer, Tactile Signaler or Combo Signaler, in addition to the STE (telephone equipment) is distributed per consumer upon completion of the application. Not all applicants request or receive a signaler, ringer or combo unit with their telephone equipment choice and some applicants may request a signaler only, and therefore the numbers are not synchronized.

Discussion of any major policy or operational issues:

The TAP Advisory Board, which consists of consumers and agency representatives, meets at least once annually. The board met face-to-face in May 2009 and re-elected two new board members, one deaf and one speech impaired. One deaf member resigned and was not replaced as the number of deaf members exceeds the requirements in statute. Information and updates were provided via electronic mail between face-to-face meetings, and members were kept apprised of the status of the PSC petition request. Written minutes of each meeting are approved by the full Commission, then distributed to the advisory board members and archived.

The current voting members*, Ex-Officio members** and TAP staff*** are listed below. Consumer terms expire on a rotating basis effective June 30th and are replaced as needed by the board through the nomination process. Elected members may serve two consecutive four-year terms, while other member positions are mandated by law. One speech-impaired consumer position remains vacant because no consumers are available to fill the position. TAP staff does not have voting rights.

Last Name	First Name	Membership Status	Term Ends
Stuckey	Robert	*KCDHH Commissioner / Hard of Hearing Consumer / Advisory Board Chair	2010
Ziehr	Jeremiah	*Deaf Consumer	2013
Fowler	Lewis	*Deaf Consumer	2011
Lawson	Johnny	*Speech-impaired Consumer	2013
Vacant		*Speech-impaired Consumer	
McGirt	Melinda	*Hard of Hearing Consumer	2011
Caldwell	Shannon	*Deaf-Blind Consumer	2011
Skaggs	Forest	*KY Telephone Association Representative	Law
Stevens	Jim	**Public Service Commission Representative	Law
Coyer	Nina	**KCDHH Commission Chair	Law
Moore	Virginia	**KCDHH Acting Executive Director / Deputy Executive Director / TAP Supervisor	Law
Zulauf	Cole	***Document Processing Specialist III	Staff
Wright	Wilma	***Administrative Specialist II	Staff
Holloway	Rowena	***Internal Policy Analyst III	Staff

Legislative Plans for FY 09 - 10:

None, unless demand for equipment mandates revision of the statute to allow for the two-cent per access line surcharge to remain in effect permanently.

Plans for FY 2009 - 2010, not involving Legislative changes include:

During the last five years commercial voice and data wireless communication has become an integral part of the Commonwealth's telecommunications infrastructure. Wireless devices will be utilized by consumers not only for equitable telecommunications access, but also to receive warning notifications during emergency situations. The addition of wireless devices to the distribution program will fulfill the unmet need of deaf, hard of hearing and speech impaired consumers, for current technology that is necessary to ensure equitably access to communications regardless of geographical location.

Effective June 1, 2009, a surcharge is being collected from all telecommunication access line providers to support the TAP funding base. Per the Public Service Commission (PSC) order regarding case # 2007-00464 the a Request for Proposal (RFP) will be issued during FY 09-10 for the purpose of expanding the TAP, administered per KRS 163.525. The selected device(s) must provide affordable, portable, consistent, reliable and secure wireless data and voice communications for all eligible and approved applicants of the TAP. Regulations are in place outlining criteria for approving applications, outlining a processing system for vendor participation and specifying maintenance and repair procedures.

Wireless communication has rapidly become the most preferred and accessible technology for deaf consumers and is also frequently utilized by hard of hearing consumers throughout the Commonwealth. When the program was first implemented in FY 95-96, the TAP experienced a large surge in applications for specialized equipment. Based on current analysis the introduction of wireless devices to the TAP will result in a 59% increase in applications during FY 09 -10. Current estimates are that the TAP will receive up to 3,230 applications by the end of the next biennium.

Addition of wireless devices to the program will increase the number of incoming applications significantly and may require other staff to assist with daily tasks; or temporary staff may need to be hired should the demand for equipment increase as expected. Group training sessions at centralized locations throughout the state may be necessary to ensure consumers receive the greatest benefit from the devices distributed. Consumers will be asked to sign up for emergency warning messages from the local Emergency Management offices and additional training of their staff may be required to ensure the messages are distributed in a format that is easily understood by the deaf and hard of hearing population. The Acting Executive Director is working with Representative Tanya Pullin and other legislators to ensure that emergency notifications are transmitted efficiently and effectively to the general population as well as deaf and hard of hearing consumers. If necessary, Representative Pullin will introduce legislation during the 2010 General Assembly to mandate responsibility of the distribution of warning notifications.

During FY 08-09 three Public Access Video (PAV) terminals were purchased and installed in the three major airports (Louisville, Lexington, and Northern Kentucky). The PAV is a videoconferencing stand alone unit that allows airline passengers to make a telephone call regardless of their hearing status. Deaf individuals are able to utilize the internet to place a video relay call utilizing American Sign Language, while hearing individuals can place a call utilizing their voice. Emergency warning notices and flight change information are also displayed on the device. The devices were placed outside security gates to ensure access to

telecommunication for all air travelers. If funds permit, additional devices will be placed inside the security gates so travelers can access communication without being required to go through security checks again.

Outreach plans for FY 09-10 include partnerships with the following entities:

- Hamilton Relay Service;
- AT&T;
- Kentucky Telephone Association;
- Kentucky Association of the Deaf;
- Alexander Graham Bell Association;
- Hearing Loss Association of America;
- American Association of Retired Persons;
- Kentucky School for the Deaf;
- Kentucky Office of Vocational Rehabilitation;
- Kentucky Department for the Blind;
- Kentucky Assistive Technology Services Network;
- Kentucky Department of Education;
- Commission for Children with Special Health Care Needs;
- Kentucky Speech-Language and Hearing Association:
- Heuser Hearing Institute;
- Speech and Language Pathologists;
- Audiologists, Hearing Instrument Specialists; and
- Area Developmental Districts

Professionals, public and private agencies who serve the deaf, hard of hearing, speech impaired, and deaf-blind populations are also part of the ongoing TAP outreach. Staff provides informational workshops and educational materials throughout the year to educate the public and professionals about the availability of services from both KCDHH and the TAP.

A consumer satisfaction survey will be added to the KCDHH website during FY 09-10 to obtain feedback on the services provided through TAP. If consumers do not have access to the internet a hardcopy form will be mailed to obtain survey results. Results will be used to improve the services of KCDHH and TAP.

The Internal Policy Analyst III will attend the National Telecommunications Equipment Distribution Program Association (TEDPA) conference in the fall of 2009. The Internal Policy Analyst III currently serves as Secretary of the TEDPA National Board and is assisting in the planning of the conference which will be held in California.