

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 940

Short Title: Temporary Loan Pgrm/Comply w/ADA. (Public)

Sponsors: Representatives Earle, Lucas (Primary Sponsors); Alexander, Faison, Glazier, Harrison, Luebke, Parmon, Wainwright, and Wright.

Referred to: Health.

March 21, 2007

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE DIVISION OF SERVICES FOR THE DEAF AND
HARD OF HEARING COMMUNICATION SERVICES PROGRAM IN ORDER
TO BRING THE PROGRAM INTO COMPLIANCE WITH THE AMERICANS
WITH DISABILITIES ACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-216.34 reads as rewritten:

"§ 143B-216.34. **Division of Services for the Deaf and the Hard of Hearing –
~~communications services~~ temporary loan program established.**

(a) There is established ~~a communications services~~ an assistive equipment loan
program for the deaf, hard of hearing, and speech impaired to be developed,
administered, and implemented by the Division of Services for the Deaf and the Hard of
Hearing. The assistive equipment loan program supplements the telecommunications
equipment distribution program established pursuant to G.S. 62-157.

(b) The Division shall develop rules ~~to implement a schedule for the purchase~~
~~and distribution of the telecommunications devices and~~ for the distribution of the
communications and alerting equipment necessary to implement the communications
services program and shall determine performance standards. The Division shall
establish by rule performance standards for TDDs, ring signaling devices, and volume
control handsets. The Division shall select equipment ~~to be purchased~~ for distribution to
qualifying recipients. The equipment discussed in this section shall be ~~subleased~~ leased
at no cost to qualifying recipients for a period of time ~~not exceeding five years~~ up to and
not exceeding two years. Nothing herein shall be construed to prevent the renewal of
any lease previously executed with a qualified recipient. In addition, the Division shall
provide consultative services and training to those individuals and organizations
utilizing communications and alerting equipment pursuant to this section.

(c) The central communications office of each county sheriff's department shall
purchase and continually operate at least one ~~TDD~~ telecommunications device that is

1 functionally equivalent in providing equal access to services for individuals who are
2 deaf, hard of hearing, deaf-blind and speech impaired.

3 The central communications office of each police department and firefighting
4 agency in municipalities with a population of 25,000 to 250,000 shall purchase and
5 continually operate at least one ~~TDD~~such device.

6 The central communications office of each police department and firefighting
7 agency in municipalities with a population exceeding 250,000 persons shall purchase
8 and continually operate at least two ~~TDDs~~such devices.

9 ~~At least one hospital in each county shall purchase and continually operate at least~~
10 ~~one TDD.~~

11 ~~Each 911 emergency number system and each agency receiving automatically routed~~
12 ~~calls through a 911 emergency system shall purchase and continually operate at least~~
13 ~~one TDD.~~

14 (d) ~~Each public safety office, health care provider, and 911 emergency number~~
15 ~~system required to obtain a TDD pursuant to this section shall continually operate and~~
16 ~~staff such equipment on a 24-hour basis as follows:~~

17 (1) ~~Offices and organizations required to purchase TDDs pursuant to this~~
18 ~~section may buy such equipment from the Division, or from private~~
19 ~~vendors who can supply devices identical to or compatible with those~~
20 ~~selected by the Division at a lower price than the Division offers.~~

21 (2) ~~The purchase price imposed on such offices and organizations by the~~
22 ~~Division shall not exceed the actual per-unit cost including shipping~~
23 ~~and storage charges."~~

24 Each public safety office, health care facility (including hospitals and urgent care
25 facilities), and the 911 emergency number system is required to obtain a
26 telecommunications device that is functionally equivalent in providing equal access to
27 services for individuals who are deaf, hard of hearing, and speech impaired pursuant to
28 this section and shall continually operate and staff the equipment during hours of
29 operation, including up to 24 hours."

30 **SECTION 2.** This act is effective when it becomes law.