

October 16, 2018

Ms. Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

**Re: CG Docket Nos. 03-123 and 13-24, Internet Protocol Captioned Telephone Service Modernization and Reform.**

Reply Comments: The Telecommunications Equipment Distribution Program Association (TEDPA) would like to address concerns and possible misgivings of how state equipment distribution programs (EDPs) operate and provide services to the residents of their state, based on the responses and comments from Hearing Loss Association of America (HLAA), et al regarding the matter of Re: CG Docket Nos. 03-123 and 13-24, Internet Protocol Captioned Telephone Service Modernization and Reform.

Most TEDPA state programs provide a generous list of valid alternatives, such as amplified phones and amplified accessories, that offer effective telecommunications access.  From field research, TEDPA state members have noticed the escalated usage of captioned phones is due to an increased number of IP CTS providers that are now in business and more representatives in the field providing the devices.  Also, marketing had increased dramatically over the years by these for-profit entities, specifically targeting Hearing Health Professionals (HHPs) and senior living facilities/communities.

When individuals seek assistance with their hearing loss and opt to see their HHP, the consumer or consumer’s family and friends often already know there is an issue with the hearing not properly functioning. HHPs are great at assessing the level of hearing acuity, whether the type of loss is conductive, sensory- neural, or a mixed loss.  And, depending on the diagnosis, the best course of treatment is to refer the consumer to a specialist to test how much the consumer is able to understand the spoken word. Some HHPs are now starting to conduct some cross hearing, mental, and cognitive evaluations, as hearing can and does play a part in how a person interacts on many levels.

These, again, are what make HHPs the best in what they do. HHPs are a huge asset when it comes to ensuring what hearing aids, personal FM systems, or other assistive devices may work best for the consumer.  However, there is a different compatibility issue when it comes to using a telephone.

A consumer is first given information about the status of their hearing.  Then technology is introduced, when applicable. In the end, the consumer leaves overwhelmed by the amount of information provided to them in that meeting and after fitting, while simultaneously also dealing with new emotions of the diagnosis or confirmation of their hearing status.

As TEDPA state administrators, we see on a consistent basis, the consumer not knowing how to use the phone in regards to their hearing aids, even when shown at the HHP office.  For example, if the hearing device has t-coil, which may affect how the two devices work overall with other technology, the consumer will need to understand that.  It is also important to train individuals that the boost and volume on the device are not the same, how to make adjustments on placement of equipment, adjusting the key feature of the phone so that the telephone meets their needs, determining other technology that may make their device more operational either to support the telephone or to access the telephone - especially important for consumers who have vision loss and or physical disabilities, etc.  These are the issues that TEDPA state programs are able to address and work through on a one-on-one basis, in person in the office, in the home as needed, or via telephone calls.

How can an individual personally attest to their own needs for IP CTS if he/she has not been assessed or tried out all types of telecommunications equipment available to him/her?  TEDPA state programs focus on educating consumers on all telecommunications devices and assist the consumer in determining what is the most accessible for that specific consumer.  Many TEDPA state programs have established demonstration centers where contractors assess the consumer for all types of telecommunications equipment, while other states have assessors in the field to visit the consumer in their homes and demonstrate equipment there.

Noting again what was stated by comments from various HHPs and HLAA, et al, there should be clarification as to the term “certification.”  Some TEDPA states are able to certify a consumer’s disability and technology while others are not. Some TEDPA program administrators, even with their background including certifications from national accrediting/licensing boards, are able to make diagnoses but also feel that HHPs are great at assessing the actual hearing itself and appreciate this feedback. Some TEDPA states have legislative requirements that limit who can certify the disability. This, however, is all challenging when certifying the disability for equipment.  Look at this from two (2) different aspects as it pertains to Certification.

1. Certification of disability: Does the consumer have a disability? In the case of IPCTS, there must be hearing loss.

Answer is simple, Yes or No.

2. Certification of equipment based on:

a. disability,

b. significance of hearing loss,

c. significance of word discrimination,

d. significance of a stable or progressive loss OR medical condition significant enough to impede the hearing, such as ototoxicity, Meniere’s Disease, fluctuating hearing loss, etc.

e. other physical or sensory disabilities,

f. ability to work the equipment and retain the information for later recall,

g. has the appropriate telephone line set up to accept such equipment (VoIP, FoIS, digital, mobile wireless home, or analog), and how this may impede sound quality,

h. knows how to use current technology with such equipment,

i. limitations of the equipment,

j. setting up the equipment once it is obtained without having to bring in another company or provider,

k. counseling on when and how to use captions,

l. understanding how to use tone, boost (amplification), and volume controls on amplified phones,

m. options for equipment when dual sensory disability is noted, such as DeafBlind, where captioning is necessary but an IPCTS phone is not a viable solution,

n. when spoken language is also impacted and the consumer cannot be understood by most, what options are available to allow consumer to continue to engage in distance communications,

o. issues related to interference in the community, lines, technology, IP and how to troubleshoot this.

While both certifications may go hand in hand, they really do not work if you do not provide consumer choice or allow for informed decisions.  This is why TEDPA state programs are the most viable option to assist consumers in finding the right equipment.  It is the TEDPA state administrator's responsibility to educate consumers on what is the best fit for the consumer to ensure effective compatibility and usage.  State programs assess the individual as a whole in regards to mobility, hearing, speech, lifestyle, other medical conditions, etc.  As it currently stands with self-certification, consumers are not being educated on best fit, but rather are only shown one type of device.  Again, these are the issues that TEDPA state administrators are able to address and work through on a one-on-one basis, in office in person, in the home as needed, or via telephone calls.

TEDPA programs are administered by government agencies and non-profit entities, these programs do not have equal budgets to educate on all types of technology available, funding to demonstrate what is appropriate for each individual and provide assessments for all in need of such technology. For many states who distribute equipment, many TEDPA state programs have visited with HHPs in their office and notice, there are no other phones displayed or to be seen other than a captioned phone by one of the IPCTS providers.  This is a problem and cause for concern as it provides no consumer choice or education on the available technology.  As mentioned in Missouri Assistive Technology’s response (page 3 and 4,

paragraph 119) there are HHPs who will only offer IPCTS devices and no other device is recommended. Missouri also referenced individuals who were not appropriate for IPCTS equipment and why. This is not an isolated incident. Many states across the reach of the FCC have experienced these same situations.

TEDPA state programs are experts in this field.  TEDPA and its state members provide the research and education needed to adequately assess the consumer and demonstrate equipment and devices so the consumer will have the communications accessibility to be independent.

Respectfully submitted:

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