Missouri Assistive Technology

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CG Docket NO. 10-210
Comments on NPR for Relay Services for Deaf-Blind Individuals

EQUIPMENT DISTRIBUTION PROGRAMS

Missouri Assistive Technology (MoAT) supports the Federal Communications Commission's (FCC) proposal to implement an 18- to 24-month pilot program for the National Deaf-Blind Equipment Distribution Program (NDBEDP). MoAT also supports the proposal to have the established state Equipment Distribution Programs (EDPs) as the responsible state entities for the program. The state EDPs provide existing infrastructures for the program rather than expending dollars on developing new distribution systems. As outlined in the FCC proposal, the EDPs, where necessary, may coordinate implementation efforts with other entities such as State Assistive Technology Act programs. We also support the concept of allowing other entities to participate if the state EDP is unable or unwilling to do so.

We recognize that some state EDPs do not currently provide equipment of the type that would be provided through the NDBEDP. To our knowledge, the Missouri program is the only EDP that currently provides equipment/software needed to access the internet. The Missouri EDP is administered through the State Assistive Technology (AT) Program as are the EDPs in four other states. In a many other states, EDPs work closely with their State AT Programs.

CONSUMER ELIGIBILITY

Missouri Assistive Technology concurs with the proposal that the definition of individuals who are deaf-blind for NDBEDP eligibility purposes include consideration of settings in which the deaf-blind individual is likely to establish telecommunications with others.

Regarding verification of disability, we agree with the conclusion that individuals be able to obtain certification of disability from any practicing professional who has direct knowledge of the individual's disability, whether it be an appropriate allied health professional or appropriate agency professional (vocational rehabilitation, rehabilitation services for the blind, etc.). We strongly suggest that there not be a requirement that such certifications be made under penalty of perjury. Such a requirement would mean that already existing certifications of disability could not be used, but a new certification with the added "penalty" provision would have to be obtained by the consumer. It has been our experience with

our current program that certifying professionals are truthful within their scope of practice in attesting to disability and a "penalty of perjury" certification is not necessary.

With regard to income eligibility, we agree with the proposal that a nationwide threshold of 400% of the Federal Poverty Guidelines (FPG) be applied. In our initial comments, we had suggested utilizing the income eligibility criteria of each individual state EDP. However, when reviewing some of the state EDP income eligibility guidelines, an individual with an income of over 100% of the Federal Poverty Guidelines ($10,830 annually in 2010) could be precluded from obtaining deaf-blind equipment costing several thousand dollars. This would make it impossible for all but the most impoverished individuals who are deaf-blind from being able to access the program. Only in states with income eligibility higher than the floor of 400% of FPG, should the state income eligibility guidelines be used. We agree with the approach that individuals who are income eligible for certain programs (SSI, food stamps, etc.) be automatically income eligible for the NDBEDP. Each state could provide a listing of assistance programs in their state that would make individuals income eligible.

With regard to the question of whether to require individuals to have access to internet or telephone service before being able to receive equipment used with those services, the Commission is correct in its assumption that the Missouri program includes this requirement because such equipment or software is useless if such service is needed in order to use the equipment/software. We would ask that the Commission give some more specificity to definitions of "consumer premises equipment" (CPE) and "specialized consumer premises equipment" (SCPE). In the definition of CPE – "equipment employed on the premises of a person to originate, route or terminate telecommunications", does "premises" mean anywhere the consumer happens to be at the time of use? If so, the definition could include a wireless outside of their home. Again, however, if telephone or internet service is required for the use of particular equipment, it would make sense that the availability of the service be verified prior to the EDP expending equipment funds. With respect to SCPE, it would be useful for the Commission to provide a non-exclusive listing of equipment and software examples that might be provided through the program as well as any devices that would not be eligible through the program.

INDIVIDUALIZED ASSESSMENT OF COMMUNICATION NEEDS / INSTALLATION AND TRAINING

We agree with the Commission's conclusions that EDPs or other NDBEDPs be able to determine the need for individualized assessments, that assessments be available and reimbursable through the program when deemed necessary. Assuring an appropriate match between the telecommunications technology and the individual needs will be essential to the cost-effective provision of equipment and to limit the abandonment of the equipment by the consumer because it does not meet his/her needs. One key resource for assessment may be the short-term equipment loan and device demonstration programs provided by State AT Programs.

We also concur with the Commission that funding for installation and training on equipment use be eligible for funding. Clearly, some of the devices will require assistance to consumers with installation and at least some limited training. In terms of the possibility of a national training program, we would

suggest considering utilization of the Association of Assistive Technology Act Programs (ATAP) to implement a potential program. ATAP is made up of 54 State and territory assistive technology programs and may be an excellent source for the type of expertise needed to implement such a program. The network of programs have considerable experience and expertise in a wide variety of cross-disability assistive technology including accessible information technology and telecommunications.

MAINTENANCE, REPAIRS AND WARRANTIES

MoAT supports the inclusion of maintenance, repairs and warranties as compensable expenses under the NDBEDP. Particularly for software, some maintenance agreements can allow consumers to receive upgrades as they become available. In terms of equipment warranties, the value of extended warranties can vary widely for different equipment compared to the cost and likelihood of repairs. Repair or replacement expenses should not be reimbursed when they are the result of negligence or misuse on the part of the consumer.

With respect to the appropriateness of giving equipment out on loan compared to consumer ownership of equipment, we recommend that EDPs be able to utilize either approach, as long as, in the case of long-term loans, the consumer is able to use the equipment for as long as needed. Particularly for very expensive equipment, EDPs should have the option of providing it through long-term loan. We would encourage that programs have a means of allowing consumers to return equipment that is no longer used for recycling and re-distribution. Most State AT Programs are involved with equipment recycling programs which may be an avenue of collaboration in this area.

FUNDING / OVERSIGHT AND REPORTING

Because we believe that a national training program will be essential to the program's success, we would suggest that a portion of funds be available for this effort. While outreach is also essential, the most effective avenues for outreach can vary widely from state to state. Relating to the state-by-state funding allocation, we agree with the Commission's proposal that an allocation proportional to the at-large state population is the best possible approach. We would agree that the Commission's proposal to require state EDP's and certified program recipients to submit data every six months until the conclusion of the pilot is reasonable.

IN CONCLUSION

Missouri Assistive Technology appreciates the opportunity to submit comments on this NPR. Should additional information or clarification be helpful, questions may be addressed to Marty Exline at marty.exline@att.net.