

California Captioned Telephone Privacy Message

This is to provide a little background information regarding the California Captioned Telephone Privacy Message requirement.

Background:

The CPUC released the California Relay Services RFP (08PS5800) on January 21, 2009. The requirement in the RFP was that the CTS provider must disclose to all parties to the conversation the participation of a communications assistant on a Captioned Telephone call. The CPUC included this requirement in the RFP to comply with the California privacy law that prohibits monitoring, recording or transcribing of telephone conversations unless all parties to the conversation give their express prior consent, or have received notice that such monitoring, recording or transcribing is occurring.

Implementation:

The new CRS contract went into effect on June 2, 2010. At beginning of each call, the CapTel user received a text message, and both the CapTel user and the hearing user received an audio announcement, "This call is being monitored for service quality".

Feedback:

The CPUC, DDTP, Hamilton and CTI received much customer feedback and many complaints after implementation of the privacy message. The CPUC responded to the customer complaints and feedback by working with different stakeholders to identify other options for compliance.

Changes:

Although the law had not changed, the CPUC determined that CapTel users could comply with the law by directly informing the called party that another person is on the CapTel call. On October 28, 2010 the pre-recorded message was removed from all CapTel calls, and was replaced with a text message that each CapTel user would see on their CapTel phone at the start of every call. The new message is "California law requires that you inform the other parties that there is an operator on the call." No audio announcement is employed. CapTel users now may use their own words to announce to the other party that an operator is on the call.

Results to date:

Members of the CPUC's advisory committees and California CapTel users responded favorably to this change. Within a few weeks, user complaints were reduced to almost none.