



Washington Assistive Technology Act Program

UW Mailbox 357920, Seattle, WA 98195-0001

Administration:

Phone: (800) 214-8731

TTY: (866) 866-0162

FAX: (206) 543-4779

Email: watap@u.washington.edu

Web: <http://watap.org>

NDBEDP PN Comments

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Alan Knue, State Project Director, Washington Assistive Technology Act Program

Deborah Cook, Technical Assistance Coordinator, University of Washington Center for Technology and Disability Studies

The Washington Assistive Technology Act Program (WATAP) located at the University of Washington Center for Technology and Disability Studies, has been providing technical support and contractual services to the Certified Entity for Washington State, the Office of the Deaf and Hard of Hearing, in support of the National Deaf Blind Equipment Distribution Program. We are pleased to offer comments on behalf of WATAP and other Washington stakeholders.

II. Program Structure.

Comments in response to question 3: The NDBEDP should continue the current flexibility to operate the program within a structure set by the certified state entity, including: seeking technical assistance from other entities, forming a regional or other consortium in order to conduct part or all of the program, and any other reasonable structure that meets the unique needs of the certified entity in carrying out the NDBEDP.

In many instances having the NDBEDP has been instrumental in helping states identify gaps and enhance the supports and services related to telecommunications access available to people who are deaf blind. Certified programs at the state level also (1) are able to develop the best information about how to reach and serve potential customers, since local stakeholders are aware of the best avenues for outreach to the various deaf-blind communities, and (2) have access to utilize or leverage the most appropriate and timely resources available including qualified evaluators and contractors who can provide initial and on-going evaluation, training, and customer support. Only a few states have seemingly had insurmountable difficulties implementing the program at all.

There is no advantage to centralizing all or part of the program except reporting and data collection. Such centralization would discourage states from developing or enhancing local resources, create financial burdens due to excessive travel of service delivery personnel or program participants, and generally make the program less accessible.

States should, however, be encouraged to collaborate where it makes sense particularly with respect to geography, particular expertise and other factors unique to the state or region. Technical assistance should focus on assisting states to identify the most appropriate structure to meet the unique needs of the state and its population of individuals who are deaf blind.

Comments in response to question 4: Centralized web-based systems for processing reimbursement claims and program reporting would provide infrastructure and consistency which contribute to long term success of the program. These functions specifically relate to interaction with the FCC, require particular structures and data, and should be the same in every state. It therefore makes sense that the program would provide a consistent infrastructure and interface for all reporting and claim submission. This would significantly reduce duplication, and would reduce the burden for states who may lack expertise to develop such a system. It also contributes to consistency of data collection which is essential to measuring long term success of the program.

Comments in response to question 5: The criteria for the state certified entity should remain the same. Again, we do not support the notion for a centralized single entity since such an entity would be less effective to address state needs and add unnecessary bureaucracy.

If any part of the program is centralized in the future, the Commission should invite entities to apply and should make a selection from among the qualified applicants.

Comments in response to question 6: Five years is an appropriate length of certification and is consistent with the TRS certification. This provides an opportunity for the Commission to verify that the entity is still qualified and provides an appropriate opportunity to seek a new qualified entity if necessary. This recertification should not be construed to be an open competition, however, or it may discourage entities from developing resources to administer the program. The entity should not be decertified without cause.

When permanent rules are adopted, entities should be required to recertify if there are any significant changes or clarification to operation of the program. This ensures that all entities meet the qualifications and are not grandfathered into the program.

Comments in response to question 7: RSLA and FCC reporting requirements imposed upon state entities should become synchronized as one report to RSLA. RSLA should transmit the appropriate data to the FCC. This would ease the administrative burden on state certified programs.

III. Funding

Comments in response to question 8: We recommend that the Commission continue to operate the NDBEDP through certified programs. The current funding allocation system is reasonable and is consistent with other federal funding formulas.

Comments in response to question 9: The FCC should retain the flexibility to reallocate funds in order to help meet the needs of certified programs and to fully maximize the use of available annual funding.

Comments in response to question 10: Programs would clearly benefit from using a centralized web-based system to input cost-related information and documentation, from which standardized reimbursement claims and reports could be generated to expedite processing, payment, and reporting if the system is robust enough to eliminate the need for duplication of record keeping locally. In this way, the Commission could ensure that

adequate information is collected in a format useful to the Commission, and states do not have to guess at what is required or provide inconsistent and inadequate information. Claims should be processed within 60 days of receipt to reduce the financial burden on states. Any denial of claims should be clear as to the reason for denial.

Comments in response to question 11: The cap on administrative costs should be based on the program's funding allocation rather than on reimbursable costs. Administrative costs are generally fixed costs which are incurred regardless of the level of program activity. It is a burden for states if they are unable to determine in advance how much funding will be available to support administrative costs of the program. If it does occur that a program is billing for significant administrative activity without providing a minimum level of services, this should be cause for decertifying the program.

Comments in response to question 12: Programs should be encouraged, but not required, to participate in centralized reporting and data collection provided by the commission. If the reporting system is efficient, collects adequate data, facilitates reimbursement etc. states will be glad to participate. The Commission should use a portion of the funds currently set aside for outreach to develop and maintain this reporting system. The administrative cap of 15% should not be reduced since as stated these costs are generally fixed. States should not be charged a fee to use the reporting system.

IV. Consumer Eligibility

Comments in response to question 14: We feel it makes some sense to have income exceptions to the 400% limitation. In WA state, we have had to reject several applicants who exceeded the 400% limitation, and in particular, these have been deaf-blind individuals who are employed and their annual income puts them just over 400% limitation disqualifying them from participation in the NDBEDP. It may make sense to look an individual's annual income rather than the household, especially when an individual is not considered a dependent on others in the household. Some adaptive equipment such as screen reading and screen magnifying software, braille displays and notetakers, and CCTVs are cost prohibitive for many. One solution is for the certified program to allow an income exception for higher end expensive adaptive equipment and the associated training or to develop a sliding scale to cover a portion of the costs for equipment and training for individuals who exceed the 400% limitation. Both of these options would help meet the needs of the individuals who are gainfully employed but could not otherwise afford to purchase this equipment outright. Another option is to allow an income exception for areas that have a higher cost of living, such as New York City, San Francisco, San Diego, Seattle and other metropolitan areas.

If an income exception is not allowed, rejected applicants who do not qualify for the equipment due to income should be encouraged to use Alternative Financing Programs to purchase the equipment, but perhaps the NDBEDP could provide the funds to cover the cost of any needed training. This solution would leverage existing community resources and help make meeting the need more affordable for more individuals.

Comments in response to question 15: Programs should be required to establish and describe any eligibility criteria beyond the stated requirements for functional limitations and income. For example, programs might establish a list of conditions for which equipment and services will be provided—the individual has no equipment to perform a particular function; the individual's equipment is no longer supported by the manufacturer; the individual's functional limitations have changed due to change in disability or other factors

that make the existing equipment no longer useable by the individual. This would help manage the expectation of consumers that the program is available for them to get any equipment at any time for any reason regardless of specific need and it would ensure that individuals with identified need have priority when there is not adequate funding to respond to all requests.

Programs should be required to consider resources available through other programs but should be allowed to provide services and equipment even when other resources are available if the program can document that it would be in the best interest of the client to do so. For example, the individual may be eligible for equipment through employment but the equipment may not be adequate to meet the individual's telecommunication needs or may not be available for this purpose. In contrast, the individual may receive training from another program which could be applicable to equipment provided through the NDBEDP and could be a factor in determining what equipment is both cost effective and meets the individual's telecommunication needs.

V. Equipment

Comments in response to question 16: Rather than limiting the number of items that can be provided to an individual, it is more appropriate to develop a Telecommunications Plan with the individual to determine over time how the NDBEDP will increase the individual's access to telecommunications services. This plan should address each relevant area of telecommunications and detail at what point technology should be added or replaced over time and an estimate of anticipated training and support costs. This would account for life cycle of technologies, maintenance and repair, anticipated changes in the individual's abilities or limitations etc. There is no way to fully predict the cost of service to the individual, but it's reasonable to establish a projected cost which can be factored into an overall program budget.

Under the current program, it is impossible to predict the cost of maintenance and equally impossible to predict when people will return except that they are likely to come when new products are released regardless of need. Because of this, states have imposed artificial limitations on training and thereby reduced the effectiveness of the program.

If an individual relocates to another state and equipment relocates with the individual, the receiving state should also have the option to review the approved plan and make adjustments where necessary based on that state's resources, policies and processes. In other words, states should not involuntarily inherit each other's long term costs as recipients move from state to state. States should also have a process for recovering the cost of commitments made by other states when an individual has relocated if the receiving state can show that the inherited costs will be burdensome.

Many deaf blind people relocate to our state because of strong community supports. It is not appropriate for other states to make commitments which must be carried out by our funds, making it impossible to project the rate of services we can provide.

If the FCC adopts a national policy, it will help at the state level with understanding program intent and managing expectations.

VI. Individualized Assessment of Communications Needs

Comments in response to question 17: It is imperative that the NDBEDP allow reimbursement of travel for consumers when necessary to complete a comprehensive assessment of telecommunication needs. Consumers benefit from trying a variety of equipment which may not be anticipated or may not easily be transported to their home. Additionally, qualified resources such as tactile interpreters and other service providers may be more readily available in a centralized location. The program needs the flexibility for both staff and consumers to travel as appropriate for efficient service delivery. It is not reasonable to expect low income individuals to incur high travel costs in order to participate in an assessment.

VII. Installation and Training

Comments in response to question 18: In the same way as for assessment costs, the costs of consumer travel to receive training should be reimbursed. This should never preclude a program from providing onsite training, but in those cases where it is more beneficial or cost effective to provide training in a centralized location, the low income consumer should not bear the burden of these costs. The program needs to be flexible in providing all services in a manner that is both efficient and meets the needs of individuals being served. For example, many locations may not have adequate resources to accommodate the communication needs of deaf blind individuals receiving training on telecommunications equipment. Or, the individual may be receiving equipment that is not commonly distributed and therefore has limited resources for training.

No state should be permitted to require all consumers to receive training in a centralized location merely for the convenience of the certified entity.

Comments in response to question 19: There continues to be a critical shortage of qualified training providers who can effectively serve individuals who are deaf blind. The technical assistance provided to states has done little or nothing to resolve this shortage. States should be allowed to use part of their administrative resources to conduct train-the-trainer activities for the express purpose of expanding qualified resources. If the Commission develops a reporting mechanism as recommended above, states should have resources using administrative funds to support this development activity.

Currently, qualified assistive technology specialists who communicate via English have little or no experience providing assessment and training for deaf blind individuals. Members of the deaf or deaf blind community who communicate primarily in ASL have little or no experience providing assistive technology training. Effective collaboration brings these communities together to provide quality assessment and training services. Many of these trainers have sensory disabilities so developing online training that meets the communication needs of all involved may be less effective. However, a repository of online training resources could be beneficial.

States should be encouraged to develop a local plan for how training resources will be increased. Technical assistance and consultation should be available and should include resources from states that are successfully implementing the program.

VIII. Outreach and Education

Comments in response to question 20: We feel that outreach is best handled at the local level and at least in our state, we have not seen the benefits of the national efforts. State consumers have heard about the program from the local deaf-blind service center, by word of mouth, and the state's NDBEDP website. We still need to

increase our efforts to reach out to individuals who have congenital or long term vision loss and acquired hearing loss later, and to the elderly population. This will be a focus for our program's outreach efforts in the next few years.

Comments in response to question 21: Local outreach plans should include components that reach various sectors of the deaf blind community. In some states the outreach is strong to the ASL community but not to the English speaking community, and opposite in other states. Outreach should be accountable and comprehensive. In addition to consumer identification, outreach should be utilized to develop and expand partnerships in order to increase utilization and effectiveness of the program.

IX. Oversight and Reporting

Comments in response to question 22: As stated earlier, submission of reporting through an online interface that includes all required data for reporting and billing would significantly simplify operation of the program, would lead to more consistent data collection, and would result in fewer submission errors.