

AN ACT

---

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

To amend the Disability Rights Protection Act of 2006 to establish the Office for the Deaf, Deafblind, and Hard of Hearing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office for the Deaf, Deafblind, and Hard of Hearing Establishment Amendment Act of 2020”.

Sec. 2. The Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-239; D.C. Official Code § 2-1431.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1431.01) is amended as follows:

(1) New paragraphs (3A), (3B), and (3C) are added to read as follows:

“(3A) “Deaf” means a severe or complete absence of auditory sensitivity, where the primary effective receptive communication mode is visual, tactile, or both.

“(3B) “Deafblind” means a sensory disability resulting from a combination of hearing and vision loss or impairment.

“(3C) “Deaf, deafblind, and hard of hearing communities” means the cultural minority of individuals who are deaf, deafblind, or hard of hearing .”.

(2) New paragraphs (5A) and (5B) are added to read as follows:

“(5A) “Hard of hearing” means permanent hearing loss which is severe enough to necessitate the use of amplification or other devices to hear and comprehend oral communications.

“(5B) “Interpreter services” means services that provide communications access to members of the deaf, deafblind, and hard of hearing communities through qualified interpreters or the use of assistive technology, including assistive listening devices (“ALDs”) and communication access real-time translation (“CART”).”.

(3) A new paragraph (7A) is added to read as follows:

“(7A) “ODDHH” means the Office for the Deaf, Deafblind, and Hard of Hearing established by section 4a.”.

(4) A new paragraph (9A) is added to read as follows:

“(9A) “Qualified interpreter” means a specialist who provides interpreting, translation, and transliteration services in American Sign Language or other visual and tactile communication forms used by individuals who are deaf, deafblind, or hard of hearing, and is certified by ODDHH or a credentialing program or organization recognized by ODDHH.”.

(b) Section 3 (D.C. Official Code § 2-1431.02) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (6) is added to read as follows:

“(6) Submit an annual self-evaluation and implementation plan to ODDHH describing how the agency shall ensure that all programs and public information are accessible to the deaf, deafblind, and hard of hearing communities, including an evaluation of the agency’s coordination with ODDHH to provide interpreter services.”.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Paragraph (2) is amended by striking the period and inserting a semicolon in its place.

(C) New paragraphs (3) and (4) are added to read as follows:

“(3) Establish and implement a plan to enhance existing programs or to create new programs to ensure that all services provided by agencies are accessible to the deaf, deafblind, and hard of hearing communities; and

“(4) Establish and implement a plan to address particular areas of concern identified by ODDHH.”.

(c) A new section 4a is added to read as follows:

“Sec. 4a. Establishment of the Office for the Deaf, Deafblind, and Hard of Hearing.

“(a) There is established an Office for the Deaf, Deafblind, and Hard of Hearing.

“(b) The purpose of ODDHH is to advance the civil rights of the deaf, deafblind, and hard of hearing communities by ensuring and overseeing District-wide compliance with laws that affect the deaf, deafblind, and hard of hearing communities.

“(c)(1) ODDHH shall be headed by a Director, who shall be deaf, deafblind, or hard of hearing and who shall be appointed by the Mayor with the advice and consent of the Council in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

“(2) The Director shall serve as the Chief Administrative Officer and may organize personnel, re-delegate authority, develop programs, and take other action consistent with appropriations and other applicable law. Annual compensation for the Director shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit

**ENROLLED ORIGINAL**

Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-610.51 *et seq.*).

“(3) If the position of Director is vacant or about to be vacant, the Mayor shall seek and receive input on the selection of the Director from organizations representing the interests of the deaf, deafblind, and hard of hearing communities.

“(d) The Director shall endeavor to hire qualified individuals who are members of the deaf, deafblind, and hard of hearing communities.

“(e) ODDHH shall:

“(1) Advocate for the adoption of laws, policies, and programs that benefit the deaf, deafblind, and hard of hearing communities;

“(2) Provide community outreach, training, and education on issues affecting the deaf, deafblind, and hard of hearing communities;

“(3) Provide information about existing programs and services for the deaf, deafblind, and hard of hearing communities;

“(4) Refer members of the deaf, deafblind, and hard of hearing communities with problems or concerns to the appropriate District agency or organization;

“(5) Assist educational institutions, employment agencies, social service agencies, and businesses comply with District and federal laws that affect the deaf, deafblind, and hard of hearing communities;

“(6) Provide members of the deaf, deafblind, and hard of hearing communities with access to specialized services, including case management, interpreter services, technology services, such as assistive listening devices, independent living services, and information services;

“(7) Maintain a registry of available qualified interpreters in the District and work to increase the number of qualified interpreters in the District;

“(8) Create and distribute visor communication cards to the Metropolitan Police Department containing instructions on how to effectively communicate with a deaf, deafblind, or hard of hearing motorist, along with images of common traffic situations;

“(9) Assist agencies in developing policies and practices that consider the needs of the deaf, deafblind, and hard of hearing communities;

“(10) Ensure District-wide compliance with laws and policies that protect the civil rights of the deaf, deafblind, and hard of hearing communities;

“(11) Assist agencies and the Council with referrals to qualified interpreters;

“(12) Coordinate with the appropriate agencies to provide:

“(A) All members of the deaf, deafblind, and hard of hearing communities who are children with support and access, from birth, to all services necessary to ensure language access and developmental support; and

“(B) The deaf, deafblind, and hard of hearing communities with support and access to workforce development opportunities;

“(13) Provide training to agencies and the Council on:

**ENROLLED ORIGINAL**

“(A) The needs of the deaf, deafblind, and hard of hearing communities as it relates to each agency’s and the Council’s functions and mission;

“(B) Cultural awareness of the deaf, deafblind, and hard of hearing communities; and

“(C) Basic sign language communication; and

“(14) Within one year of the effective date of this act, and annually thereafter, submit to the Council and the Mayor a report that includes:

“(A) An analysis of the accessibility of District programs for the deaf, deafblind, and hard of hearing communities;

“(B) An evaluation of the availability of American Sign Language interpretation, real-time captioning, assistive listening systems, and other language access measures for the deaf, deafblind, and hard of hearing communities, at agencies and the Council; and

“(C) Recommendations for new laws, policies, or programs that address the needs of the deaf, deafblind, and hard of hearing communities.”.

(d) Section 6(b) (D.C. Official Code § 2-1431.05(b)) is amended by striking the phrase “The Office shall” and inserting the phrase “The Office of Disability Rights and the Office for the Deaf, Deafblind, and Hard of Hearing shall” in its place.

(e) Section 9(c) (D.C. Official Code § 2-1431.08(c)) is amended to read as follows:

“(c) All agencies assigned specific functions under the rules described in subsection (b) of this section shall enter into a Memorandum of Agreement (“MOA”) or a Memorandum of Understanding (“MOU”) with the Office of Disability Rights and with the Office for the Deaf, Deafblind, and Hard of Hearing. Each MOA or MOU shall describe operational and communication procedures for interaction with the Office and with ODDHH.”.

**Sec. 3. Applicability.**

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

**Sec.4. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

**ENROLLED ORIGINAL**

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

---

Chairman  
Council of the District of Columbia

---

Mayor  
District of Columbia