

Telecommunications Access for Communication-Impaired Persons

Third Annual Report to the Minnesota Public Utilities Commission

December 31, 1989



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I. Introduction

On May 19, 1987, Governor Rudolph G. Perpich signed the Telecommunications Access for Communication-Impaired Persons (TACIP) bill into law, Minn. Statutes 237.50-.56 (1987). The new law created the TACIP Board as a state agency with the task of improving access to telephone communication services for those with communication impairments. The TACIP law was amended on April 25, 1988 to transfer responsibility for the Equipment Distribution Program to the Minnesota Department of Human Services.

The overall goal of the TACIP funded programs is to make telephone services for communication-impaired people as accessible as they are for people without communication impairments. Up to 1988, a communication-impaired person desiring telephone access would need to spend \$200-\$600 to obtain special telecommunications equipment. At one time, people using Telecommunication Devices for the Deaf (TDDs) were limited only to communication directly with other TDD users. With the implementation and maintenance of the statewide equipment distribution program and the toll-free 24 hours/7 days per week relay service, TACIP is now providing equal access between the communication-impaired community and all other users of the telecommunications network. The TACIP Board strives to seek ways to enhance this access by evaluating new telecommunication devices/innovative ideas and by seeking input from the members of the communication-impaired community.

There was one appointment made by the Governor to the TACIP Board during the year. Wayne Moldenhauer was appointed to represent Deafness, Advocacy and Education Foundation (D.E.A.F.) after this non-profit organization was awarded the relay service contract, as specified in Subdivision 2 (8) of Statute 237.51. Sherri Rademacher resigned from the board on December 6, 1989 to assume a professional position in Peoria, Illinois. The Governor's office has been notified of this resignation and is in the process of filling this vacancy with a term expiring on January 1, 1991. See Attachment 1 for the roster of the current Board members, as well as significant developments made by the Board during the calendar year 1989.

Herb Pickell has served as the Program Administrator of the TACIP Board since November 29, 1988.

II. Minnesota Relay Service

A. Consultant's Report

The TACIP Board determined early in 1988 that it was necessary to obtain the expertise of a consultant in the initial planning of the message relay service. The firm of McGladrey and Pullen of Chicago was retained as the consultant. It conducted a needs analysis to determine the general design of the program and recommended a single centralized message relay center that would consist of a private branch exchange (PBX) telephone system including the optional feature of automatic call distribution (ACD). The PBX equipment would switch incoming and outgoing calls and the ACD software option would route the incoming calls evenly to available relay operators. McGladrey and Pullen also recommended the utilization of TDD compatible terminals and the use of WATS and 800 lines for the long distance facilities necessary to handle the projected volume for a centralized message relay center.

B. Policy Guidelines Established

The TACIP Board adopted the Message Relay Service (MRS) policies in July of 1988. These policies are available in Attachment 2.

C. Message Relay Service Operation

1. Introduction

The legislation that established the TACIP program requires that the TACIP Board contract with a local non-profit consumer organization that serves communication-impaired persons for the operation of the MRS. After undergoing the Request for Proposal bidding process, Deafness, Education and Advocacy Foundation (D.E.A.F.) was awarded a contract for the period October 14, 1988 through June 30, 1990.

D.E.A.F., Inc. is a non-profit organization designed by the deaf community and created by the Minnesota Association of Deaf Citizens. D.E.A.F. was incorporated in 1980 and it opened a Resource Center in St. Paul in 1982. D.E.A.F.'s main goals are to perform the functions of education and advocacy. Wayne Moldenhauer is the Executive Director of this organization.

2. D.E.A.F.'s Responsibilities

D.E.A.F.'s main responsibility is to operate the message relay service on a 24-hour, seven days per week basis. To carry out this responsibility, D.E.A.F. is providing staff, including relay operators, an office location, an operations manual,

local telephone lines, publicity, and other duties it deems necessary to carry out the contract within budgetary constraints. As part of its duties, D.E.A.F. must exercise fiscal management of the funds made available through this contract. To ensure the funds are managed appropriately, D.E.A.F. must:

- file an annual budget to the TACIP Board for approval
- file quarterly reports, including costs incurred during the quarter, usage of the service and other pertinent statistics to the TACIP Board for review, and
- secure TACIP Board approval prior to spending \$2,500 or more on non-budget items.

The TACIP Board approved the revised FY 1990 budget of \$1,186,891 for the relay service (See Attachment 3) and an allotment of \$38,520 for health insurance coverage. The Board directly covers the cost of other relay service related expenses such as purchases of equipment and payments for toll-free and long distance charges.

Rob Yaeger was hired in November 1988 as the Unit Manager of the Minnesota Relay Service.

3. Telephone System

In July of 1988 the Board adopted the MRS Policy Guidelines and a schematic outline of how the message relay service would work. The backbone of the message relay service is a telephone system that will distribute calls to the operators and that will be connected to incoming and outgoing telephone lines. The telephone system consists of a Private Branch exchange (PBX) and a telephone handset for each operator workstation. The PBX basically switches the incoming and the outgoing calls through the message relay center. The InterTechnologies (InterTech) Division of the Minnesota Department of Administration, which makes its expertise available to all state agencies, assisted with the project by drawing up specifications for the PBX, evaluating bids and coordinating implementation to the time of acceptance of payment to selected vendors. The award of the bid was made to Norstan Communications of Maple Grove. The InterTech staff met with the members of the TACIP Message Relay Service subcommittee, and representatives of D.E.A.F., Norstan Communications, and U.S West on a weekly basis to ensure that the schedule for installing equipment was on target. Other equipment purchased by the TACIP Board for the message relay center included IBM - PS2-5031 computers from Ameridata and Intel-Modems from Ultratec, Inc. of Madison, Wisconsin.

4. MRS Implementation Schedule

The location of the Minnesota Relay Center was procured and readied by D.E.A.F. in December of 1988. The installations of the telephone system, the tele-

phone lines, the modems, and computers were completed by February 15, 1989. Over 70 part-time operators were hired and trained. The service was tested during the last two weeks of February. The full service began on March 1, 1989.

An Open House was held on February 23, 1989 in Suite 300 of the Bremer Building, which was to be the permanent location of the Minnesota Relay Service Direct Connect. The event was well attended and the participants were extremely excited about the new service which was to be open to the public in March. The telephone number for the Metro Area to reach the relay service is 612-297-5353 and the toll-free number for Greater Minnesota is 1-800-657-3529 (1-800-OK-RELAY).

The number of workstations was expanded from 20 to 28 during the fall of 1989 and the number of full and part time operators to man the service was expanded to 100 in November 1989.

D. Statistical Information

There were 15,647 calls placed through the MRS during the initial month (March 1989) and this number was increased each month except for the month of September to a high of 31,163 in November 1989, for a total of 227,334 during the nine-month period. The average number of incoming calls per month was 25,259.

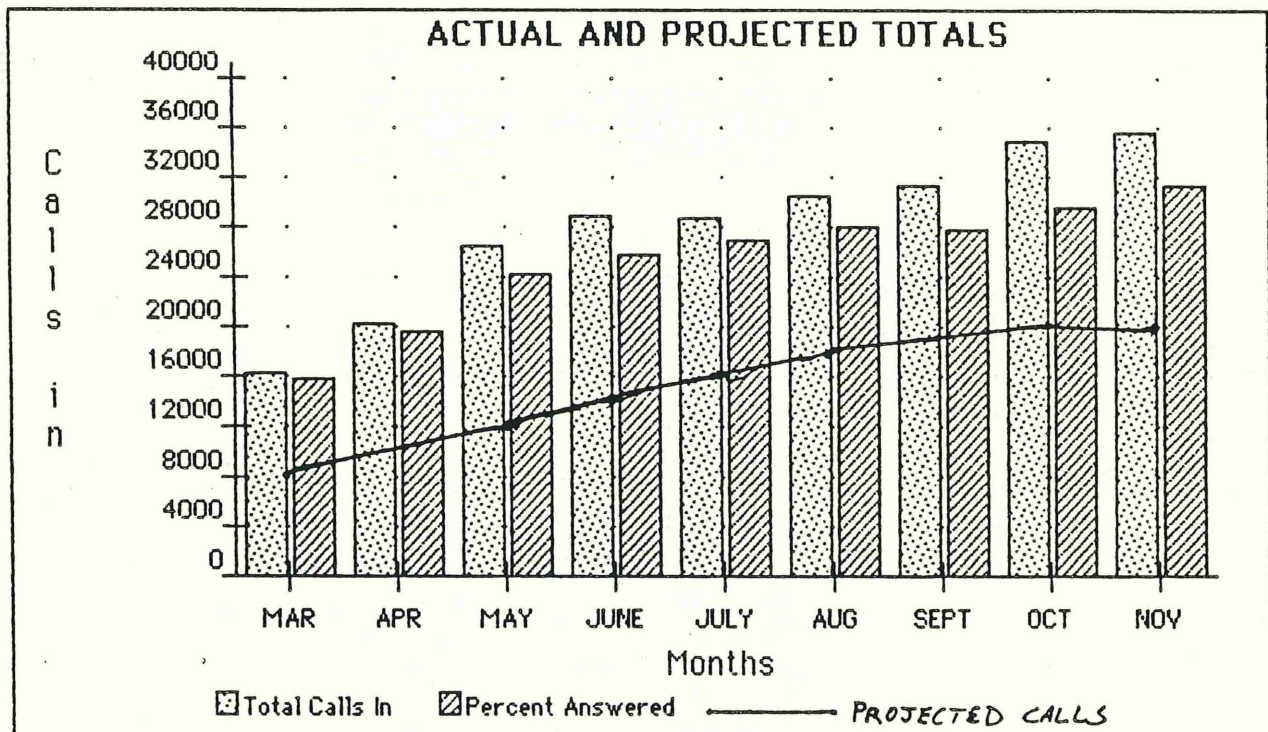
The weekly/monthly totals for the above period were as follows:

MONTH	1st WEEK	2nd WEEK	3rd WEEK	4th WEEK	5th WEEK	TOTAL
MARCH	1729	4709	1974	4125	3110	15647
APRIL	1307	3946	4335	5010	4710	19308
MAY	5178	5232	5520	8107		24037
JUNE	2993	5698	6117	5806	4983	25597
JULY	6564	6476	6175	6340	1157	26712
AUGUST	5394	5684	6196	6428	4125	27827
SEPT.	1987	6026	6609	6787	6194	27603
OCTOBER	7279	6788	6480	6833	2060	29440
NOV.	4707	7328	7404	6618	5106	31163
DEC.	2848	8090	8182	8280	* 6800	34200

NOTE: * Denotes an estimate for the final week of the month of December.

Based on the estimated number of calls for the final week of the month of December 1989, the total number of incoming calls for the ten-month period (March 1, 1989-December 31, 1989) would be 261,534, for an average of 26,153.4 per month.

Below is a graph illustrating the projected and actual number of incoming calls handled by the Minnesota Relay Service during the months of March through November of 1989. The graph also shows the percentage of calls answered by the relay operators.



The Bars indicate the actual number of Calls In and Calls Answered. The line indicates the Projected number of calls handled by MRS.

E. Authority to Resell Long Distance Service

After selecting TeleCom USA as the long distance carrier for the Message Relay Service, the TACIP Board learned through InterTech Division of the Department of Administration that there was no system available to charge the user of the service from the originating point to the intended party. The only viable option

was to charge the user for the call from the relay service center to the intended party. The TACIP Board felt the most logical solution was to have either the Minnesota Relay Service or the Board itself charge rates to cover long distance costs based on usage rather than on distance.

The TACIP Board filed, on March 8, 1989, a request with the Minnesota Public Utilities Commission for a certificate of authority to resell long distance service within the state of Minnesota. The proposed rates did not cover the billing costs as such information was not available at the time. The TACIP Board is still waiting for a formal proposal to handle the billing of long distance calls made through the relay service center.

The Commission approved the request for a certificate of authority to resell long distance service and ordered TACIP to submit a report by December 31, 1989 on the plans to revise the proposed tariffed rates to cover the billing costs.

F. Publicity, Awards and Recognition

The Minnesota Relay Service received much publicity on the new program through various newspapers, radio and television announcements, particularly during the early part of 1989. The program has been promoted through billboard advertising at various locations. Many tours of the relay center were given to interested individuals, including representatives from the Minnesota State Legislature and the Federal Relay Center as well as visitors from West Germany, Japan, and Malaysia.

D.E.A.F. received letters from consumers, service providers, and employers such as the Regional Transit Board, in appreciation of the impact the new service had on the lives of communication-impaired persons. This included greater opportunities for upward job mobility.

Governor Perpich presented a Certificate of Commendation to Jan McCready-Johnson, President of Deafness, Education, and Advocacy Foundation on March 14, 1989 in recognition of outstanding work for disabled Minnesotans in receiving the 1989 Governor's Technology to Assist People with Disabilities Award. See Attachment 4 for the copy of this award.

On August 19, 1989, Wayne Moldenhauer received an award from the Minnesota Association of Deaf Citizens in recognition of his outstanding leadership, including the development and implementation of the Minnesota Relay Service, as the Executive Director of Deafness, Education, and Advocacy Foundation, Inc.

A nomination of the Minnesota Relay Service was made by Judith A. Pinke, Assistant Commissioner of InterTech Group of the Minnesota Department of Administration to the Council of State Governments for the Charles McCarthy Award for Outstanding Information Product, Program or Service Award. The announcements of the awards have not been made yet.

III. Equipment Distribution Program

A. Legislative Changes: Responsibilities for purchase and distribution of special telecommunications were shifted to the Department of Human Services

The original TACIP legislation specified that the telephone company providing local exchange service to the largest number of persons in the state would handle the purchase and distribution of special telecommunications to individuals who meet the disability and income criteria. The Deaf Services Division of the Department of Human Services indicated an interest in assuming these responsibilities as it already had a statewide network through its regional service centers and through an ongoing working relationships with resources serving hearing-impaired individuals. Legislative changes, including the transfer of responsibilities for administering the program to the Department of Human Services were proposed and approved in the spring of 1988. The amended statutes also provide the Board with the authority to adopt rules, including rules under Chapter 14, to implement the TACIP program.

According to subdivision 5 (3) of Statute 237.51, the TACIP Board has the authority to establish specifications for communication devices to be purchased under Section 237.53, subdivision 3. This means the Board will be able to consider any communication device that may be beneficial to eligible persons by establishing specifications for desired special telecommunication devices.

B. Interagency Contract Between the TACIP Board and the Department of Human Services/Deaf Services Division (DHS/DSD)

The purpose of the interagency agreement between the TACIP Board and the Deaf Services Division of the Department of Human Services was to design and implement procedures and methods for the distribution of telecommunication devices to eligible persons; for maintenance of such devices; for outreach to communication-impaired persons to inform them of what devices are available through the program; and for orderly reporting, billing, and payment between the parties. The end result of this agreement has been the provision of high quality and efficient delivery of TACIP services. The initial agreement covered the Fiscal Year 1989. The interagency agreement for the Fiscal Year 1990 was revised and will remain in effect until June 30, 1990. See Attachment 5 for the copy of the revised interagency agreement.

C. Program Implementation

The Equipment Distribution (EDP) Program began with a pilot project the week of August 29, 1988 in Rochester to serve the southeastern region. The purpose of this project was to test the procedures as presented in the preliminary distribution plan

and to identify problem areas before making appropriate modifications. All members of the Equipment Distribution Program staff were hired by December of 1988. The Program Specialists were assigned to the Regional Service Centers located in Duluth, Fergus Falls, Mankato, Metro of St. Paul, Rochester, and St. Cloud.

D. Statistical Information

The monthly statistical information has been provided to the TACIP Board throughout the year. The number of devices distributed to eligible applicants, the number of interviews held with prospective applicants, the number of households receiving equipment, and the number of individuals served both during the first eleven months of the calendar year 1989 and from the beginning of the program in October 1988 through the month of November 1989 were as follows:

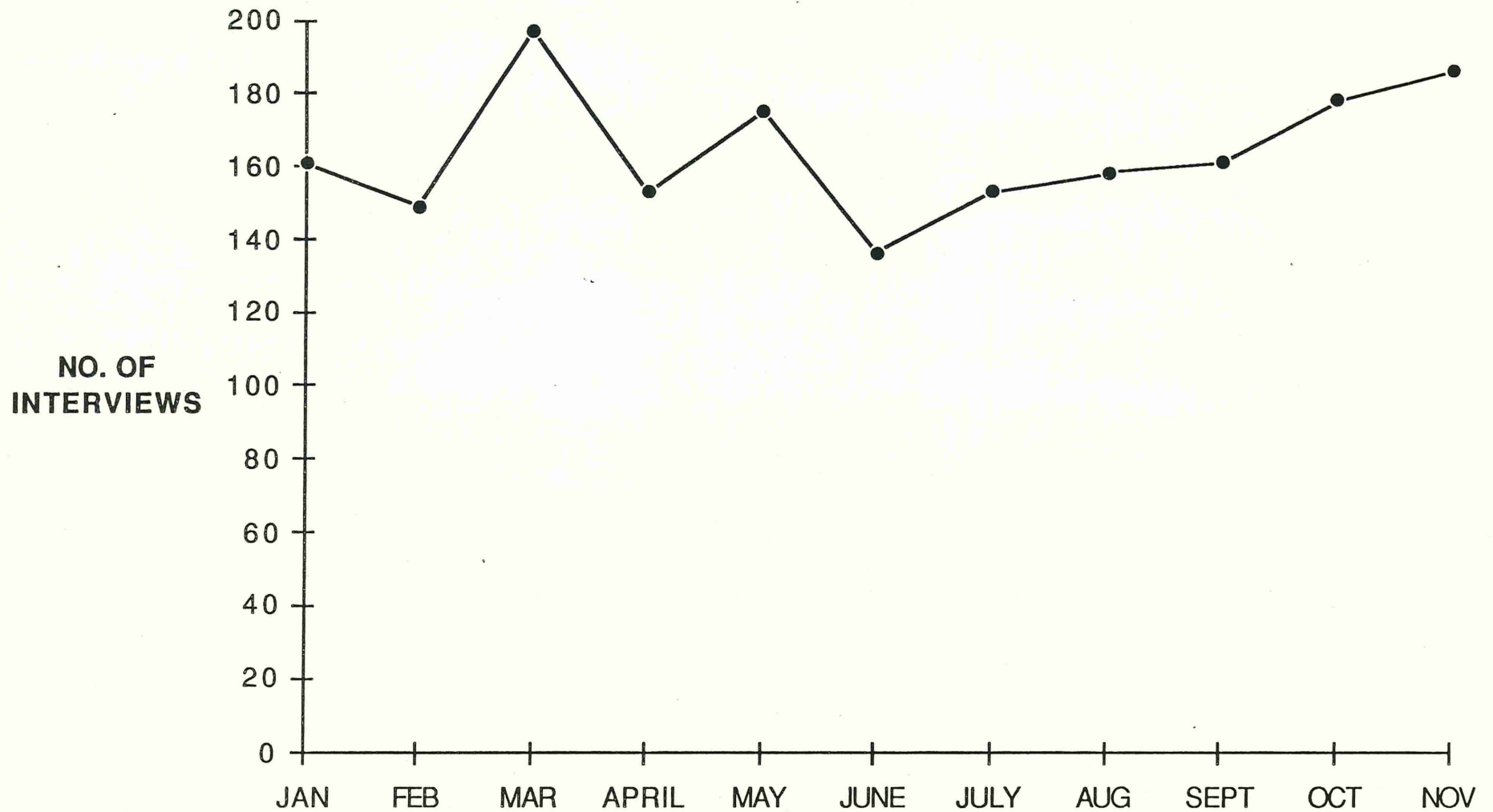
	January- November 1989	October 1988- November 1989
Number of Devices Distributed	2,389	2,755
Number of Interviews Held	1,807	2,696
Number of Households Receiving Equipment	1,274	1,899
Number of Individuals Served	1,473	2,178

The types of equipment distributed during the first eleven months of the calendar year 1989 and from the beginning of the program through the month of November of 1989 were as follows:

Type of Equipment	January- November 1989	October 1988- November 1989
Telecommunication Devices for the Deaf	621	779
Large Visual Displays for the Visually Impaired	23	29
Telephone Ringing Devices	1,110	1,282
Telephone Amplifiers	631	661
Other	4	4
Total Number of Devices Distributed	<u>2,389</u>	<u>2,755</u>

See page 10 for an illustration of number of interviews conducted in 1989.

EQUIPMENT DISTRIBUTION PROGRAM INTERVIEWS 1989



E. Changing Complexion of the Program

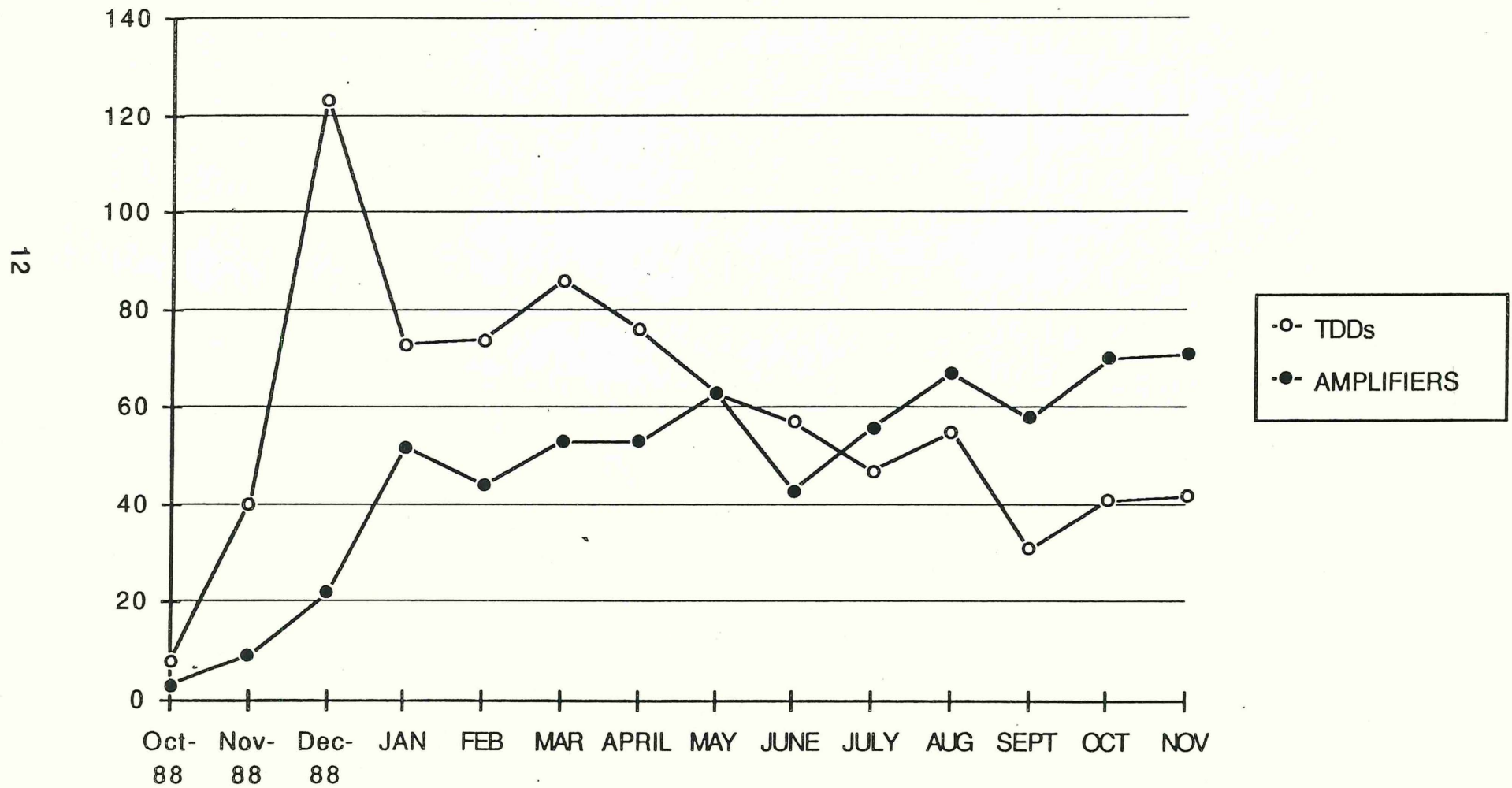
The Equipment Distribution Program initially started off serving primarily deaf people but has now evolved into a program that is serving the communication-impaired population. This is illustrated on the graph on page 12 comparing the number of TDDs and amplifiers distributed each month since the inception of the program. A shift toward distribution of amplifiers indicated that many hard of hearing and speech impaired people are being served as a result of special efforts to reach out to these individuals, including senior citizens, who have experienced a gradual loss of hearing. Several products are currently available to amplify at varying levels the transmission of incoming or outgoing messages to meet individual needs.

F. Program Presentations

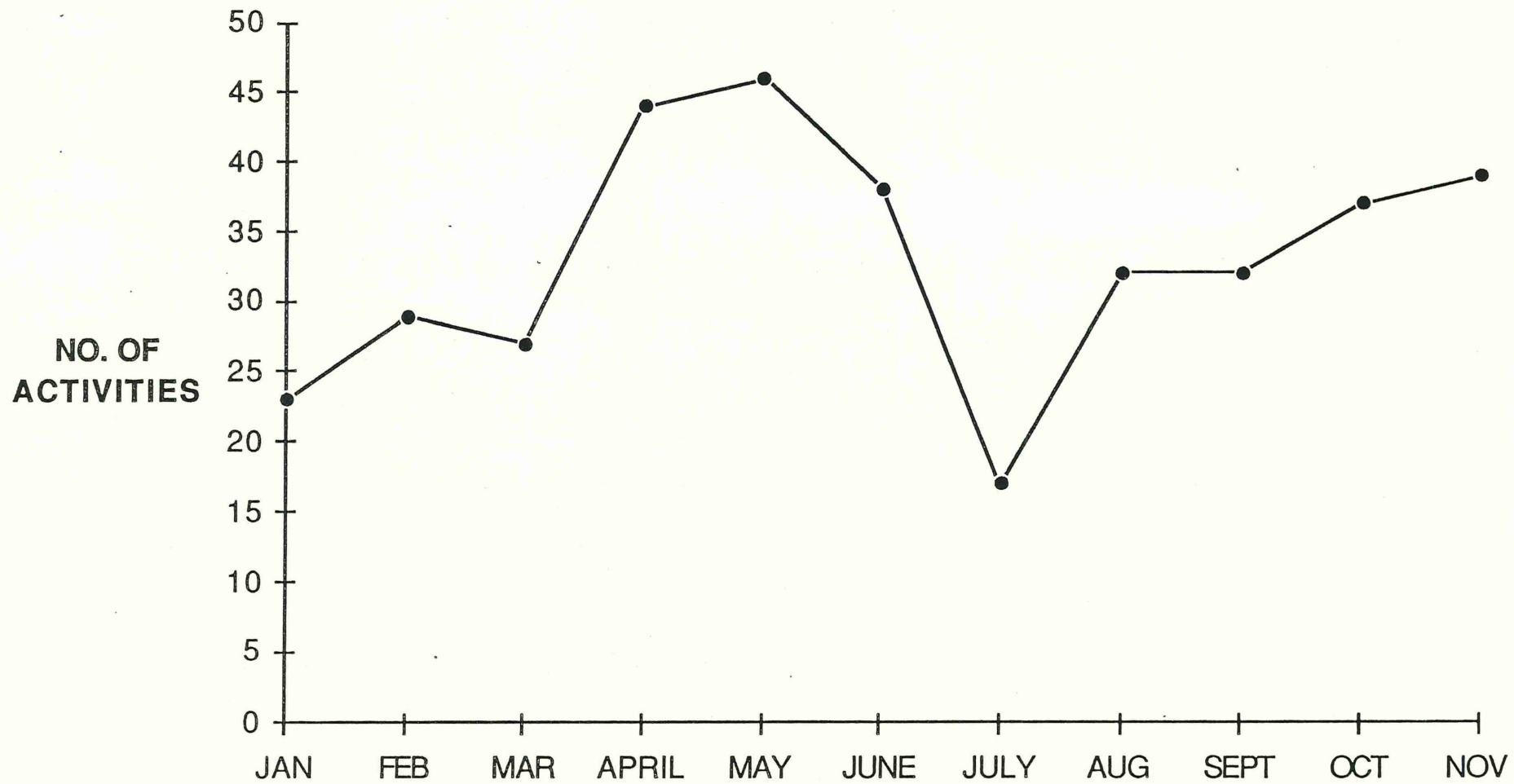
The presentations by the EDP staff cover the purpose of the program, the eligibility requirements, the types of equipment that are currently available, the availability of statewide message relay service, and other pertinent information. 359 presentations were given the calendar year 1989 through the month of November and the number of individuals participating in these presentations was 6,802. See page 13 for the graph to illustrate the number of presentations given from month to month. The number of presentations, the number of participants, and the average number in attendance for each month from January 1989 through the month of November 1989 were as follows:

	NUMBER OF PRESENTATIONS	NUMBER OF PARTICIPANTS	AVERAGE NUMBER IN ATTENDANCE
JANUARY	23	449	19.5
FEBRUARY	29	583	20.1
MARCH	27	452	16.7
APRIL	44	946	21.5
MAY	41	845	20.6
JUNE	38	439	11.6
JULY	17	277	16.3
AUGUST	32	597	18.7
SEPTEMBER	32	787	24.6
OCTOBER	37	626	16.9
NOVEMBER	39	801	20.5
TOTALS	<u>359</u>	<u>6,802</u>	<u>19.0</u>

EDP MONTHLY DISTRIBUTION COMPARISON TDDs VS AMPLIFIERS



EQUIPMENT DISTRIBUTION PROGRAM PUBLIC RELATIONS ACTIVITY 1989



G. Technical Assistance

Over the past twelve months, technical assistance was provided to the states of Montana, Ohio, and South Dakota where statewide equipment distribution programs are in the process of being established. Assistance was also provided to the research unit of the Assistive Devices Division of the Electronic Industries Foundation to develop a model distribution program. EDP was also instrumental in assisting Ultratec, Inc. with the development of superprint keyguard designed to help deaf and speech impaired people who experience difficulties in controlling their upper extremities.

H. Publicity, Awards and Recognition

Since the Equipment Distribution Program is still relatively new, the staff under the direction of State Coordinator Bill Lamson has been heavily involved with the promotion of its program as well as the Minnesota Relay Service over the last twelve months. Several TV news broadcasts and public service announcements regarding EDP had been on the air. There were also numerous newspaper and newsletter articles about the program. The results of these promotional activities accounted for the strong demand for both TACIP Board funded programs.

The Equipment Distribution Program attracted visitors from New Jersey, South Dakota, Wisconsin, and West Germany during the past year.

The Deaf Services Division (of which the Equipment Distribution Program is a major part) was the recipient of the Gordon Allen Award at the Minnesota Association of Deaf Citizens Convention held in August. This award recognized the positive contributions made by the Deaf Services Division toward the advancement of deaf people in Minnesota over the past ten years.

I. Services to Deaf-Blind Applicants

The Equipment Distribution Program has provided individuals with partial visual impairments with large visual displays along with TDDs and appropriate signaling devices. However, a device designed to meet the telecommunication needs of deaf-blind applicants has not been available on the market for at least three years. Two different firms are still attempting to develop telebraille equipment. In the meantime, the program staff will continue to explore alternatives that may have the potential to meet the unique telecommunication needs of deaf-blind individuals.

J. Adoption of Permanent Eligibility Administrative Rules

The TACIP Equipment Distribution subcommittee met several times during the

second half of the Fiscal Year 1989 to resolve the remaining issues relating to the proposed permanent administrative rules governing eligibility for the Equipment Distribution Program. The issues were the definition of the terms "severely hearing impaired" and "residency" and how to handle the appeal process. The Board voted to accept the recommendation of the subcommittee to expand the definition of the term "residency" to include those who are the wards of the state of Minnesota, regardless to location of actual temporary placement. See Attachment 6 for the copy of the permanent administrative rules.

There was a proposal to expand the scope of the Equipment Distribution Program by offering modular jacks to households where there is a need to replace the existing hardwire in order to enhance accessibility to the telephone system. Based on the interpretation of the intent of current legislation, it was decided not to offer modular jacks at this time. Instead, the program specialists would be encouraged to seek resources to assist with the cost of installing modular jacks for individuals, particularly the elderly, who may be on limited income. The other issue which needs to be resolved early in 1990 through the Attorney General's office is an interpretation of subdivision 4 of Statute 237.50 to determine if the Equipment Distribution Program could distribute telephones equipped with an amplifier to needy individuals.

IV. Economic Impact Study

After learning from the Attorney General's Office that the appeal on the possible conflict of interest made by one of the bidders had been denied, the TACIP Board awarded the contract to study the potential economic impact of the TACIP Equipment Distribution Program on local retailers and vendors of telecommunication devices to Dr. Mel Gray of the College of St. Thomas on April 24, 1989 with July 3, 1989 as the targeted completion date. The completion date was later extended to August 30, 1989 and again to February 15, 1990.

A preliminary report was presented at the May 17, 1989 quarterly board meeting and the first draft copy of the Economic Impact Study was presented at the next quarterly meeting held on September 6, 1989. A revised version of the report was mailed on October 15, 1989.

The TACIP Board had lengthy discussions on the above report at the last two quarterly meetings and then decided to request additional work on the report. In addition, the Board agreed to establish an Economic Impact subcommittee to review the final report and explore additional options before making specific recommendations to the full Board at the March 8, 1990 quarterly meeting.

V. Financial Status

A. PUC Approved Implementation of TACIP Surcharge

Minnesota Statute 237.52, subdivision 2 (1987) requires that the TACIP Board annually recommend to the Public Utilities Commission the surcharge level needed to fund the TACIP programs. The maximum allowable surcharge under the TACIP Act is 10 cents per local access telephone line per month. The TACIP Board recommended that the Commission establish a 10 cent per line per month surcharge, effective March 1, 1988. The Board had determined that this surcharge level will need to continue in order to generate the amount of revenue required for the TACIP program budget at least through the fiscal year 1991. After initiating a pilot project in Southeastern Minnesota in September of 1988, the Equipment Distribution Program was expanded to serve the entire state by the end of that year. In addition, the Minnesota Relay Service made its debut on March 1, 1989. The Board projects that the monthly expenses will exceed the monthly revenues early in 1990 and it will need additional time to project the overall cost of maintaining two major ongoing programs on an annual basis. If, in future years, the costs diminish relative to revenues collected by the program, the surcharge can be reduced.

The TACIP Act requires that every telephone company providing local service in the state will collect the surcharge and remit it to the Commissioner of Administration in the same manner as they do the 911 and TAP surcharges. The TACIP Act also provides that the same lines that are assessed the 911 and TAP surcharges will be assessed the TACIP surcharge. Telephone companies will be free to choose how the surcharge will appear on their billing statements to ratepayers and whether or not fractional billing will be used. Ratepayers must be given a detailed description of the surcharge amount and the reason for the assessment when they are initially charged and at least once annually thereafter.

The Minnesota Public Utilities Commission approved the TACIP tariff with April 1, 1988 as the effective date. All local telephone companies shall use the TACIP customer notice approved by the PUC and insert it with the first local service bill reflecting the TACIP surcharge. It was projected that the 10 cent per line surcharge will generate approximately \$200,000 per month (10 cents @ 2,000,000 lines).

The potential increase of revenue through a surcharge is tied to the projected access line growth of 2% per year. The projected revenues for the Fiscal Years (FY) 1990, 1991, and 1992 are as shown on the following page:

FY 1990

(July 1, 1989-June 30, 1990)

2,064,500 lines x 10 cents x 12 months =	\$2,477,400
Carryover from FY 1989	1,017,861
Estimated Interest (\$1,000,000 x .07) =	70,000
Total Revenues	\$3,565,261

FY 1991

(July 1, 1990-June 30, 1991)

2,105,790 lines x 10 cents x 12 months =	\$2,526,948
Carryover from FY 1990	750,000
Estimated Interest (\$700,000 x .07) =	49,000
Total Revenues	\$3,325,948

FY 1992

(July 1, 1991-June 30, 1992)

2,147,905 lines x 10 cents x 12 months =	\$2,577,486
Carryover from FY 1991	439,948
Estimated Interest (\$400,000 x .07)	28,000
Total Revenues	\$3,045,434

B. Current and Projected Budgets

1. Fiscal Year 1989 Expenses

The total actual expenses for the FY 1989 were as follows:

TACIP Administration	\$ 113,620
TACIP Program Operations	1,935,569
Total Expenses	<u>\$2,049,189</u>

2. Projected Expenses for the Fiscal Years 1990-92

The projected expenses for the Fiscal Years 1990-92 are as follows:

FY 1990
(JULY 1, 1989-JUNE 30, 1990)

TACIP Administration	\$ 104,000
Equipment Distribution Program	1,185,836
Message Relay Service	1,525,425
Total Projected Expenses	<u>\$2,815,261</u>

FY 1991
(July 1, 1990-June 30, 1991)

TACIP Administration	\$ 110,000
Equipment Distribution Program	1,150,000
Message Relay Service	1,625,000
Total Projected Expenses	<u>\$2,885,000</u>

FY 1992
(July 1, 1991-June 30, 1992)

TACIP Administration	\$120,000
Equipment Distribution Program	1,115,000
Message Relay Service	1,725,000
Total Projected Expenses	<u>\$2,960,000</u>

C. TACIP Surcharge Update

1. No Change in Surcharge Requested

The TACIP Board requests that the monthly surcharge of 10 cents for each customer access line be maintained at least through the Fiscal Year 1991. The current funding level will be needed to allow the TACIP Board to implement and further refine programs designed to enable communication-impaired persons to achieve full access to the existing telecommunication network.

2. Message Relay Service Expenses Higher than Expected

The cost of operating a Message Relay Service has been higher than expected primarily due to increasing demand for service. Based on the Minnesota Relay Service reports for March-November 1989, the number of calls handled have already far exceeded the projections made by a consulting firm. Presently, 85% of the calls received to date are from the Metro Area. As the percentage of incoming calls from Greater Minnesota increase over the next couple of years, it will have an impact on the use of toll-free lines and the number of long-distance calls required to complete relay requests to local calling areas. TeleCom USA is the long distance carrier for the service. The TACIP Board will continue to assume the cost of long distance calls until a billing system is finalized and approved.

VI. Summary

The TACIP Board wants to thank the Minnesota Public Utilities Commission, the state legislators, the local telephone companies, and advocates for making it possible to provide telephone access to all people, including those who are communicatively-impaired. Through use of the message relay service, communication-impaired persons are now able for the first time to access the basic telephone network by communicating with a much larger segment of the general population. Communication-impaired persons with income up to the median state income level are now able to receive equipment through the Equipment Distribution Program. This equipment enables people to communicate over the telephone network with their peer groups as well as with persons who are not communication-impaired. The TACIP Board wants to thank the InterTechnologies Group in the Department of Administration, the Department of Public Service, the Attorney General's Office, the Deaf Services Division of the Department of Human Services, and Deafness, Education, and Advocacy Foundation for their cooperation in making the two major programs a reality. The TACIP Board and interested individuals wish to express their appreciation for making the above services possible through a surcharge.

**ATTACHMENTS
TO
THIRD ANNUAL
TACIP BOARD
REPORT**

ATTACHMENT 1

Attachment 1

Board Membership and Developments

Board membership consists of:

Joann Anderson of A T & T, representing interLATA interexchange companies.

Mary Buley of the Telecommunications Unit, designated to represent the Department of Public Service.

Robert Cook is a deaf person, a community services development specialist, and the Chair of the Board.

Paul Hoff of Park Region Telephone, representing the Minnesota Telephone Association.

David Johnson is an audiologist at the Hennepin County Medical Center, representing professionals in the area of communication impairments, and the Vice Chair of the Board.

Wayne Moldenhauer, Executive Director of Deafness, Education, and Advocacy Foundation (D.E.A.F.), representing the organization operating the Minnesota Relay Service.

Lloyd Moe is a deaf person, retired, from Duluth.

Leslie Peterson is a deaf and blind person from Minneapolis.

Mark Prowatzke is the Director of Deaf Services Division, and represents the Department of Human Services.

Sherri Rademacher is a deaf person, homemaker, and a college student from Belgrade. Sherri resigned on December 6, 1989.

Donna Thompson is a deaf person and homemaker from Elmore.

Linda Wrzos of U.S. West, representing the largest telephone company in the State of Minnesota.

January 12, 1989: The TACIP Board held its first meeting of the year 1989. The Board authorized up to \$7000 to supplement \$57,000 previously approved toward the purchase of 20 IBM PS/2 50Z for the Minnesota Relay Service work stations. The Board also approved a resolution authorizing Robert Cook, the Chair of the TACIP Board, to "sign and to give the Notice of the Board's Intent to Adopt a rule without a public hearing governing the eligibility for services, including eligibility for and distribution of communication devices under Minn. Statute 237.53, to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto."

February 9, 1989: The TACIP Board held its last monthly meeting. Wayne Moldenhauer, Executive Director of Deafness, Education and Advocacy Foundation (D.E.A.F.) was appointed by the Governor to the Board to represent the organization operating the message relay service. The Board approved the purchase of operating computer software for the relay service. D.E.A.F. announced the Open House for the Minnesota Relay Service to be held on February 23, 1989. The speakers will include Bob Cook, Sherri Rademacher, and Herb Pickell from the TACIP Board. The Board authorized the D.E.A.F. to spend up to \$5,000 for advertising and publicity of the new MRS service. Dr. Mel Gray of College of St. Thomas was granted an award to conduct an Economic Impact Study, to fulfill the intent of Subdivision 5 (10) of the Statute 237.51. The amount of the grant for the study was \$12,800.

March, 16, 1989: The TACIP Board began holding meetings on a quarterly basis. The Board authorized an increase of the administrative budget from \$87,000 to \$112,000 for the FY 1989. The Program Administrator announced that there will be an interpreter intern from the St. Paul Technical Institute assigned to the TACIP Board administrative office for the month of April 1989. The telephone numbers for the Minnesota Relay Service are 612-297-5353 and 1-800-OK-RELAY. D.E.A.F. received an award from Governor Perpich on March 15, 1989 for development of new technology to enhance access to the telecommunication network. The petition for a certificate of authority to resell long-distance service to users of the Minnesota Relay Service to cover only the long distance costs from Teleconnect was submitted to the Minnesota Public Utilities Commission.

May 17, 1989: The TACIP Board held its second quarterly meeting and approved the revised permanent rules on eligibility for and distribution of special communication devices. The Board also approved the budget requests of \$1,186,890.87 for the Minnesota Relay Service and \$908,680 for the Equipment Distribution Program for the Fiscal Year 1990 as well as the request for \$7,000 to purchase a computer for the Program Administrator's office.

September 6, 1989: The decisions made during the third quarterly meeting included the approval of \$38,520 for health insurance coverages for the Minnesota Relay Service employees; the approval of \$20,000 to secure emergency maintenance service contracts for M.R.S; and the go-ahead signal to establish guidelines for the purchase of modular jacks to enhance compatibility to the telephone system, for a total cost not to exceed \$5,000 per year.. The Board also agreed to distribute telephones equipped with an amplifier, subject to approval by the Attorney General's office. There was an agreement to up-date the administrative rules on eligibility for and distribution of special communication devices by revising the definition of the term "severely hearing impaired" and expanding the definition of the term "residency" to include those who are the wards of the state of Minnesota. Dr. Gray presented the final Economic Impact Study report. The Board moved not to accept the final report at this time as there was a need for additional data and for further work on the proposed set of recommendations. The Board adopted the Fiscal Year 1990 budget of \$2,474,571, including \$102,000 for the TACIP Board administration.

December 14, 1989: The actions taken at the final quarterly meeting for the year 1989 included the purchase of a comprehensive maintenance service through Norstan Communications to cover telephone equipment at M.R.S., establishment of an Economic Impact Study subcommittee to review the revised report and make specific recommendations at the next board meeting, and granting of authority to Program Administrator to spend up to \$15,000 to purchase, through the R.F.P. process, professional services to produce a video presentation on the TACIP Board, the Equipment Distribution Program, and the Minnesota Relay Service. Sherri Rademacher submitted her resignation from the board.

ATTACHMENT 2

What the MRS is:

- a service to make the telephone system fully accessible for people who require a Telecommunications Device for the Deaf (TDD) to communicate over the telephone;
- a necessary link between people who use TDDs and people who use voice to communicate over telephone lines;
- Established for the benefit of all Minnesotans;
- Accessible to any telephone user as long as the relay originates or terminates in Minnesota and involves a TDD user and a voice user;
- Designed to mirror telephone service that is provided to hearing people;
- A 24 hour per day 7 day per work service;
- Easily accessible with less than 10% of callers getting busy signals and a maximum wait time of 90 seconds.

What the MRS is not:

- A place to store messages to relay later;
- A way for people living outside of Minnesota to contact other people also living outside of Minnesota;
- An "Information referral" or "directory assistance" service;
- A way for TDD-users to contact people or places that also have a TDD;
- A direct source of counseling or intervention;
- Fully capable to handle emergency calls. TDD-users should call the "911 TDD number" that serves their area.

How you use it:

A. Access

- Relay users within the Twin Cities local calling area will access the relay center through a local service number;
- Relay users in Minnesota but outside the Twin Cities local calling area will access the relay center through an 800 number;
- Relay users outside Minnesota will access the relay center through the local service number;
- Relay callers in Minnesota can place relay calls to any destination.

B. Procedure

- The MRS processes calls in a friendly and professional manner;
- The calling party should give the operator his/her name and whatever information is necessary for long distance billing;
- To save time and allow others to use the relay, callers should be brief as possible, prepare all information before calling, and only request up to three relays each time you call in;
- The MRS will keep callers informed of the status of their call;
- To ensure proper confidentiality, the MRS will not:
 - keep a record of the content of relay conversations;
 - divulge the content of relay conversations;
 - act on any information contained in a relay conversation, aside from actually relaying the call.
- The MRS will transmit messages verbatim unless the language needs of either party necessitate an ASL/English translation. The goal of the service is to facilitate communication.

Special Issues

- The MRS will be staffed with operators skilled at relaying calls and knowledgeable about TACIP relay policies, relay procedures, deaf culture, and American Sign Language;
- The MRS will develop an "Operator Code of Ethics," to be signed by all relay operators, consistent with their role as telephone operators serving communicatively-impaired people.
- Complaint Process - Refer to the Relay Director. If the customer is still not satisfied, or a major concern, TACIP Program Administrator works with Relay Director to resolve. If problem persists, bring to the TACIP Board.
- Billing
 - The MRS will charge the relay calling party a flat rate for intrastate relays that terminate outside of the calling party's local calling area;
 - The called party may agree to pay long distance charges in place of the calling party;
 - The MRS will contact a long distance operator of the caller's choice for processing relay calls that terminate outside of Minnesota. Such calls will be billed using collect calling, credit card, or third party billing.

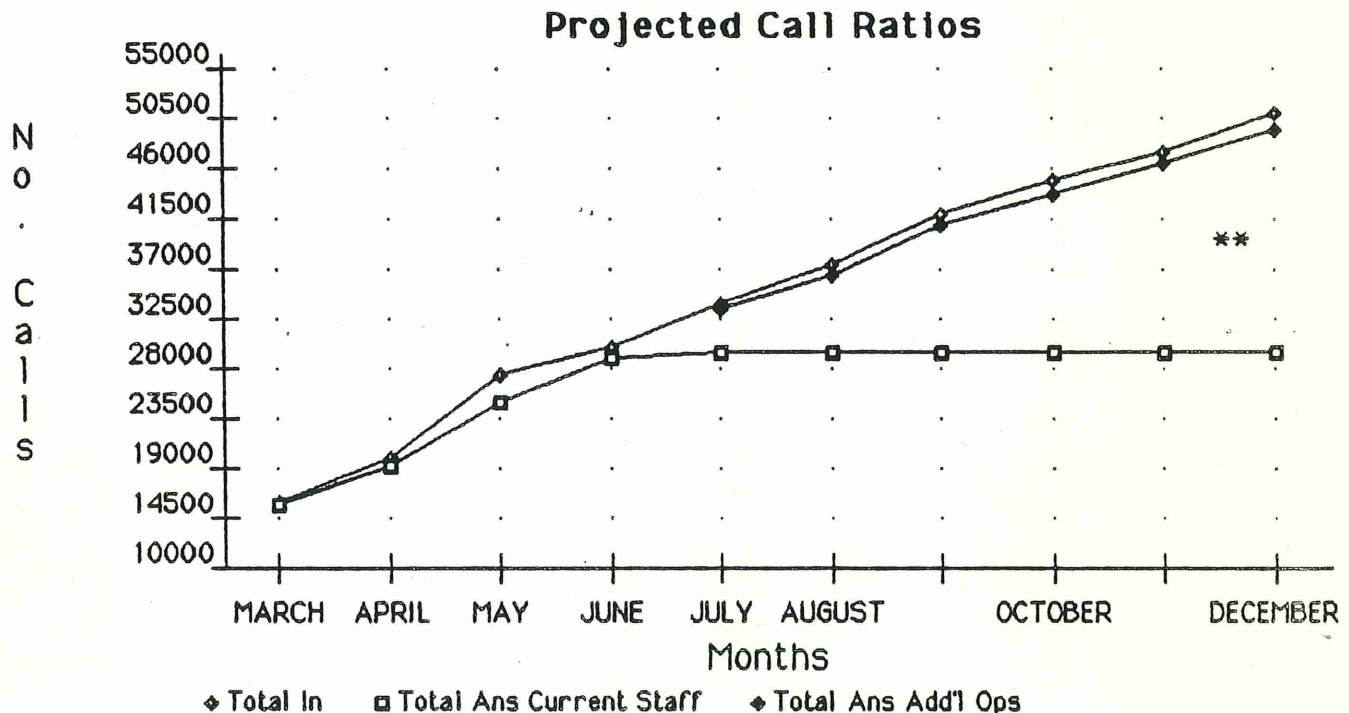
ATTACHMENT 3

BUDGET REQUEST
D.E.A.F. Inc.
Minnesota Relay Service
 May 3, 1989

Current staffing gives us thirteen operators and one supervisor from 9am to 9pm. If call volume continues to increase at it's present rate, this will not be sufficient to handle the flow of incoming calls. Our suggestion is to increase coverage incrementally every three months to insure the service stays ahead or equal to the growth curve.

July '89	Additional 104 hrs/wk (9am-9pm total of 16 operators)
October '89	Additional 208 hrs/wk (9am-9pm total of 18 operators)
Jan '90	Additional 104 hrs/wk (9am-9pm total of 19 operators)
April '90	Additional 208 hrs/wk (9am-9pm total of 21 operators)

The graph below demonstrates the increase in the number of calls we can expect for the rest of the calendar year*, the number of calls we can expect to handle with current staffing, and the number of calls we can handle with the proposed increase in staffing.



* (Estimates based on current rate of increase with expected plateaus after time)

** (due to surges of incoming calls, callers hanging up before being answered and occasional coincidences of timing, there will always be some gap between Calls In and Calls Answered.)

LINE ITEM	FTE	ORIGINAL FY'90	CHANGES	PROPOSED FY'90
PERSONNEL				
Unit Manager	1.0	\$43575.00	(\$1075.00)	\$42500.00
Community Ed / PR Specialist		\$28000.00	(\$28000.00)	\$0.00
Administrative Assistant	1.0	\$17742.00		\$17742.00
Supervisors	4.0	\$58968.00	\$24840.00	\$83808.00
General Operators	47.0	\$473597.00	\$210293.00	\$683890.00
Fringe @ 12%		\$134728.00	(\$35375.20)	\$99352.80

Sub-Total Personnel		\$756610.00	\$170682.80	\$927292.80
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CONTRACT SERVICES

Bookkeeper / Accountant		\$19950.00	(\$6950.00)	\$13000.00
Operator Trainers		\$20475.00		\$20475.00
Sign Language Interpreters		\$26000.00	(\$10000.00)	\$16000.00

Total Personnel		\$823035.00	\$153732.80	\$976767.80
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RECURRING EXPENSES

Occupancy (Rent, Repairs)		\$58362.00		\$58362.00
Utilities		\$3299.00		\$3299.00
Phone Service (Non-Relay)		\$936.00		\$936.00
Trunk Lines		\$9048.00		\$9048.00
Repair & Maintenance		\$3696.00		\$3696.00
Postage		\$3000.00	\$500.00	\$3500.00
Public Education & Advertising		\$4000.00	\$4000.00	\$8000.00
Printing & Reproduction		\$3000.00		\$3000.00
Office Supplies		\$3500.00		\$3500.00
Equipment Lease & Rental		\$2000.00		\$2000.00
Travel Expenses		\$4000.00		\$4000.00
Wkshps, Seminars, Conferences		\$2500.00		\$2500.00

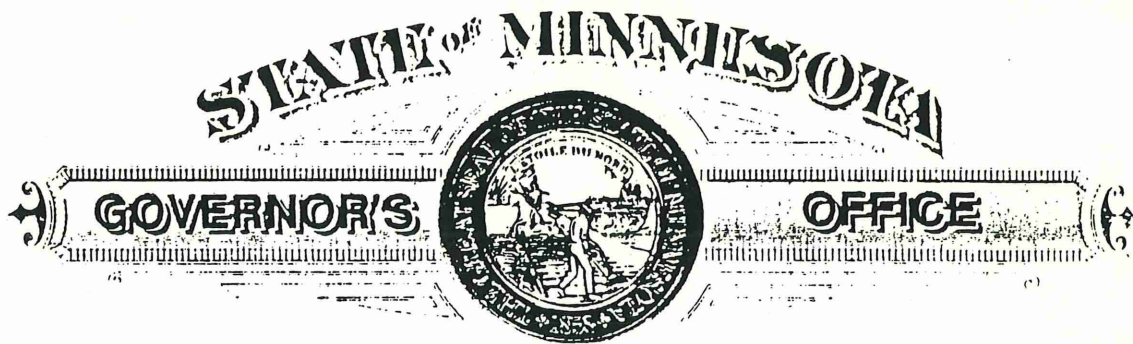
Sub-Total Recurring Expenses		\$97341.00	\$4500.00	\$101841.00
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LINE ITEM	AMOUNT		
NON-RECURRING EXPENSES			
Phone Line Inst. & Line Charge	\$685.00	\$1000.00	\$1685.00
Operator Stations	\$22400.00		\$22400.00
Desks	\$300.00		\$300.00
Chairs	\$1800.00		\$1800.00
File Cabinets	\$700.00		\$700.00
TDD's with Printer	\$0.00		\$0.00
Copying Machine	\$0.00		\$0.00
Electric Typewriters	\$0.00		\$0.00
Computer / Software	\$0.00	\$3000.00	\$3000.00
Misc. Office Equipment	\$750.00		\$750.00
Sub-Total Non-Recurring	\$26635.00	\$4000.00	\$30635.00

Total Personnel	\$823035.00		\$976767.80
Sub-Total Recurring	\$97341.00		\$101841.00
Sub-Total Non-Recurring	\$26635.00		\$30635.00
Indirect Expense @ 7%	\$66290.77	\$11356.30	\$77647.07

TOTAL	1013301.77	\$173589.10	\$1186890.87
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ATTACHMENT 4



RUDY PERPICH

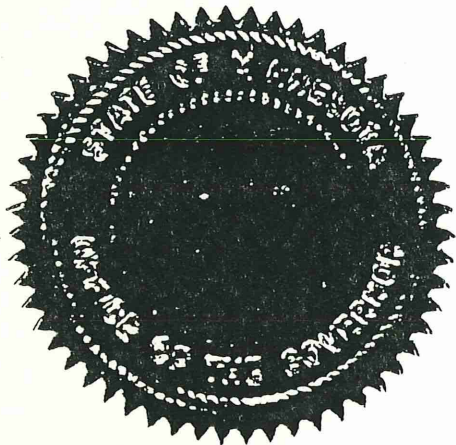
GOVERNOR

Certificate of Commendation

In recognition of your outstanding work for disabled Minnesotans in receiving the 1989 Governor's Technology to Assist People with Disabilities Award; Now therefore I, Rudy Perpich, commend and congratulate:

Deafness Education and Advocacy Foundation

on a job well done.



In Witness Whereof, I have hereunto set my hand and caused the Seal of the Office of the Governor of the State of Minnesota to be affixed at the State Capitol this fourteenth day of March in the year of our Lord one thousand nine hundred and eighty-nine, and of the State the one hundred thirtieth.

Rudy Perpich
GOVERNOR

ATTACHMENT 5

**Interagency Agreement between the Telecommunications Access for
Communication Impaired Persons Board and the Department of Human
Services/Deaf Services Division**

Recitals

Parties to the Agreement

The parties to this agreement are the Telecommunication Access for Communication-Impaired Persons Board (referred to as TACIP in this agreement) and the Department of Human Services, Deaf Services Division (referred to as DHS/DSD in this agreement). The parties are agencies of the State of Minnesota.

Authority for the Agreement

The parties are authorized by Minnesota Statute section 471.59 (1986) to enter into interagency agreements and by Minnesota Statute Section 237.50-56 (1988) to carry out the duties set forth in this agreement.

Purpose of the Agreement

The purpose of the agreement is to establish and implement TACIP program procedures and methods for the distribution of communication devices to eligible persons; for maintenance of such devices; for outreach to communication impaired person to inform them of availability of distribution programs, for orderly reporting, billing, and payment between the parties to facilitate high quality and efficient delivery of TACIP services.

The parties, in consideration of their reciprocal duties and benefits of the agreement, do hereby agree as follows:

I. Term of Agreement

This agreement shall be effective on July 1, 1989, and shall remain in effect until June 30, 1990. The agreement may be cancelled prior to this date by either party giving the other 30 days written notice.

II. Duties of TACIP

- (A) Within 20 days, after execution of this agreement, TACIP will advance to DHS/DSD the sum of One Hundred Fifty Thousand Dollars (\$150,000) for materials and services to be provided under this agreement.
- (B) TACIP will reimburse DHS/DSD for monthly expense as provided in section IV of this agreement.
- (C) In no event shall the payments exceed \$908,680 for the duration of the contract.

III. Duties of DHS/DSD

- (A) DHS/DSD will purchase communication devices with specification established by TACIP pursuant to Minnesota Statute section 257.50-56 (1988).
- (B) A manual for the equipment distribution program shall be submitted by DHS/DSD to TACIP no later than 30 days after the final permanent rules have been approved by the TACIP Board.
- (C) DHS/DSD will house equipment distribution staff in current DHS/DSD facilities around the state. DHS/DSD will also supervise distribution staff using current DHS/DSD supervisory staff at no charge to TACIP.
- (D) DHS/DSD will conduct outreach to communication impaired persons and groups to publicize the availability of TACIP services.
- (E) DHS/DSD will provide interpretative services to equipment distribution and maintenance staff needed at Regional Service Center sites.
- (F) DHS/DSD will provide clerical support and administrative services to distribution staff for duties performed under this agreement.
- (G) DHS/DSD will perform other duties it deems necessary to carry out this agreement, provided that expenditures are specified in the line item budget, Amendment A, which is hereby incorporated by reference. TACIP and/or its Program Administrator must approve any duties that require expenditures that were not included in the line item budget.

IV. Reporting, Billing and Payment Schedule

- (A) DHS/DSD will provide to TACIP by the 15th of every month a report on services provided. At the same time, DHS/DSD will provide an itemized statement of all receipts and disbursements related to this agreement and include copies of invoices for all disbursements. The billing shall be equal to the cost of service and materials on the statement. The cost of labor billed to TACIP shall equal the sum of the person's wages plus fringe benefits, actual FICA, MSRS, insurance as shown on payroll audit trail. TACIP will reimburse DHS/DSD for all expenditures relating to travel of program staff, conferences and training for the distribution program, staff and expenses related to equipment handling and storage approved by TACIP and specified in the line item budget.
- (B) Payment shall be transmitted by TACIP upon its approval within ten days of receipt of report, statement and billing.
- (C) On the final billing in June 1990, the expenditures of DHS/DSD will be matched against the \$150,000 advance issued by TACIP. If the expenditures of DHS/DSD exceed the advance, TACIP shall pay DHS/DSD the difference. If the expenditures are less than the advance, DHS/DSD shall transmit the same to TACIP.
- (D) The funds received under this contract shall be deposited by DHS/DSD in a segregated account. All earnings arising from the funds such as interest, dividends, and any other earnings shall remain with the funds received under this contract.

V. Disposition of Property and Surplus Funds Upon Completion or Termination of the Equipment Distribution Program.

The return of surplus property or funds remaining upon the termination of the Equipment Distribution Program shall be determined by the TACIP Board after negotiation with DHS/DSD. The TACIP Board will then submit a written request to DHS/DSD listing all property and funds to be returned to the TACIP Board.

VI. Amendments

Modifications may be made at any time with the agreement of the parties and shall be in writing, and executed as an amendment.

VII. Authorized Agents

The DHS/DSD's authorized agent for this agreement is William Lamson. The authorized agent for the TACIP Board is the Program Administrator. Each authorized agent shall have authority to accept the services of the other party and shall have responsibility to ensure that all payments due to the other party are paid pursuant to the terms of this contract.

VIII. Data Privacy

Each party is independently required to comply with requirements of the Data Practices Act; therefore, both parties agree that neither shall be liable for any violation of any provision of the Data Practices Act directly or indirectly arising out of, resulting from, or in any manner attributable to the actions of the other party.

APPROVED:

TACIP BOARD

Department of Human Services/
Deaf Services Division

By: _____

By: [Signature]

Title: _____

Title: Deputy Commissioner

Date: _____

Date: 6/17/89

As to Form and Execution by the
Office of the Attorney General:

By: [Signature]

Title: Asst. Atty Gen

Date: 8/21/89

Department of Administration:

SIGN.

By: AUG 29 1989

Title: By: Gerald T. Joyce

Date: _____

Department of Finance:

Original Signed By
T. MARIER

By: SEP 01 1989

Title: _____

Date: _____

EQUIPMENT DISTRIBUTION PROGRAM
LINE ITEM BUDGET FOR FISCAL YEAR 1990

A. ADMINISTRATION

Staff Salaries plus Fringe Benefits:

Program Coordinator.....	\$ 39,000
Program Specialists (7 FTE).....	\$211,680
Clerical Support.....	\$ 29,000
Reception (6-.20 FTE @ \$6,344 ea).....	\$ 38,000
Interpreters (Staff).....	<u>\$ 38,000</u>
	\$355,680

(Direct supervision \$42,768, not included)	\$355,680
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Reoccurring Expenses:

Supplies.....	\$ 9,000
Communications (Phone, Postage, Printing, etc.).....	\$ 8,000
Shipping.....	\$ 4,000
Rent.....	\$ 17,000
In State Travel.....	\$ 34,000
Training and Conferences.....	\$ 10,000
Professional & Tech. Services.....	\$ 23,000
Office/Computer Equipment.....	\$ 12,000
Public Relations.....	\$ 20,000
Agency Indirect Costs.....	\$ 25,000
Miscellaneous.....	<u>\$ 10,000</u>
	\$172,000

\$172,000

Annual operating costs =	\$527,680
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EQUIPMENT FOR DISTRIBUTION

TDDs (includes SPR 400, Sprcom, & LVD).\$140,000
Ring Signaling Devices.....\$131,000
Amplifiers (speech & hearing).....\$ 60,000
Equipment for D/B & Physical Disabled..\$ 50,000
\$381,000

Equipment For Distribution	\$381,000
Annual Operating Costs	+ <u>\$517,680</u>
Total Program Costs =	\$908,680

Costs for equipment distribution are based on the following assumptions:

1. A total of 2400 households will be served in FY 90
2. Approximately 40% of households will require a TDD or a TDD with Large Visual Display (LVD) at a total cost of \$280,000. DSD currently has 6 months of TDD inventory on hand which results in reduction of funds needed in this category. Estimated cost will be \$140,000 for FY 90.
3. Approximately 60% of households will need an amplification device at a total cost of \$60,000.
4. All households will require a ring signaling device at a total cost of \$131,000.
5. Estimated cost of specialized equipment for Deaf/Blind and consumers with other physical impairments will be \$50,000.

ATTACHMENT 6

1 Telecommunication Access for Communication-impaired Persons

2 Board

3

4 Adopted Permanent Rules Relating to Eligibility for Services

5 Under the Telecommunication Access for Communication-impaired

6 Persons Act

7

8 Rules as Adopted

9 8775.0100 DEFINITIONS.

10 Subpart 1. Scope. The terms used in this chapter have the
11 meanings given them in this part.

12 Subp. 2. Applicable median income. "Applicable median
13 income" means the median gross income in Minnesota as estimated
14 by the Bureau of the Census in the most recent annual
15 announcement of the United States Department of Health and Human
16 Services Family Support Administration, published in the Federal
17 Register. These announcements are incorporated by reference.

18 Subp. 3. Appropriate communication device. "Appropriate
19 communication device" means a communication device that most
20 efficiently allows access to the telephone system by a
21 communication-impaired person.

22 Subp. 4. Blind. A person is "blind" if central visual
23 acuity does not exceed 20/200 in the better eye with corrective
24 lenses or, if greater than 20/200, visual acuity is accompanied
25 by a limitation in the fields of vision such that the widest
26 diameter of the visual field subtends an angle no greater than
27 20 degrees.

28 Subp. 5. Board. "Board" means the Telecommunication
29 Access for Communication-impaired Persons Board established in
30 Minnesota Statutes, section 237.51.

31 Subp. 6. Communication device. "Communication device"
32 means a device that when connected to a telephone enables a
33 communication-impaired person to communicate with another person
34 using the telephone system. A communication device includes a
35 ring signaler, an amplification device, a telephone device for

1 the deaf with auxiliary equipment the board considers necessary,
2 and a telebraille unit.

3 Subp. 7. Communication-impaired person.

4 "Communication-impaired person" means a person certified-as
5 determined by the division to be deaf, severely hearing
6 impaired, hard-of-hearing, or speech impaired, or deaf and
7 blind, by (1) determination of a qualified physician,
8 audiologist, or speech and language pathologist, or (2) when
9 made before the adoption of parts 8775.0100 to 8775.0600,
10 determination of division staff under the authority of law or
11 other rules relating to communication-impaired persons as
12 defined by subparts 8, 12, 13, and 20.

13 Subp. 8. Deaf. "Deaf" means the condition of a person
14 whose hearing in both ears is impaired to the degree that the
15 person is unable to understand speech, even when amplified. A
16 deaf person requires use of a telephone device for the deaf to
17 communicate effectively on the telephone.

18 Subp. 9. Deaf and blind. "Deaf and blind" means the
19 conditions of a person who is (1) deaf, severely hearing
20 impaired, or hard-of-hearing, and (2) blind or visually
21 handicapped. A person affected by these conditions requires use
22 of a telebraille unit or telephone device for the deaf with
23 auxiliary equipment to communicate effectively on the telephone.

24 Subp. 10. Division. "Division" means the Deaf Services
25 Division of the Minnesota Department of Human Services.

26 Subp. 11. Economic hardship. "Economic hardship" means an
27 economic condition or level of subsistence on a household income
28 that is at or below 60 percent of the applicable median income
29 in the state.

30 Subp. 12. Hard-of-hearing. "Hard-of-hearing" means a
31 condition of a person who has a reduced ability to understand
32 speech. Some of the effects of the impairment can be overcome
33 with proper amplification. A person that is hard-of-hearing may
34 require a communication device to communicate effectively on the
35 telephone.

36 Subp. 13. Hearing impaired. "Hearing impaired" means a

1 condition in which hearing in both ears is impaired. These
2 individuals require use of a telephone device for the deaf to
3 communicate effectively on the telephone.

4 Subp. ~~13~~ 14. Household criteria. For determining priority
5 when initially distributing equipment or receiving more than one
6 communication device, "household criteria" means the higher
7 priority given for a household having more than one
8 communication-impaired person or for a household with a
9 communication-impaired person living alone.

10 Subp. ~~14~~ 15. Household income. "Household income" means
11 the total income of a communication-impaired person and
12 immediate family living in the same residence. The immediate
13 family includes spouse and minor children. However, The income
14 of a minor child must not be included unless when the dependent
15 minor child is over under 15 years of age and residing with the
16 parents or custodial parent. If the communication-impaired
17 person is a minor child, then parents and siblings residing with
18 the minor are immediate family. ~~If-a-dependent-minor-child-is~~
19 ~~temporarily-living-outside-the-family-or-custodial-parent's~~
20 ~~residence,-the-household-income-is-considered-to-be-the-income~~
21 ~~of-the-parents-or-custodial-parent-plus-the-income-of-minor~~
22 ~~siblings-over-the-age-of-15-and-residing-with-the-parents-or~~
23 ~~custodial-parent.~~

24 Subp. ~~15~~ 16. Income. "Income" means money received in the
25 preceding calendar year from each of the following sources:

- 26 A. money, wages, or salary;
- 27 B. net income from nonfarm employment as defined for
28 federal tax purposes;
- 29 C. net income from farm self-employment as defined
30 for federal taxes;
- 31 D. income from any social security program;
- 32 E. supplemental social security income;
- 33 F. public assistance or welfare payments;
- 34 G. interest on savings or other investments that pay
35 interest;
- 36 H. dividend income from estates or trusts, or net

1 rental income;

2 I. veterans' payments, unemployment compensation
3 payments, and workers' compensation payments;

4 J. private or public employee pensions; and

5 K. alimony, child support, regular contributions from
6 persons not living in the household, and other periodic income.

7 This definition of income comes from that of the Bureau of the
8 Census and is interpreted according to its standards as
9 published in "Consumer Income," series P-60, No. 156, Money,
10 Income of Households, Families and Persons in the United
11 States: 1985. These standards are incorporated by reference,
12 are not subject to frequent change, and are located in the
13 government publications reference department of the University
14 of Minnesota and in the Minitex interlibrary loan system.

15 Subp. 16 17. Resident of Minnesota. "Resident of
16 Minnesota" means an individual who lives in Minnesota or who has
17 moved to Minnesota and intends to remain in Minnesota.

18 ~~Subp. 17. Severely hearing impaired. "Severely hearing~~
19 ~~impaired" means a condition in which hearing in both ears is~~
20 ~~impaired to the degree that the affected person is unable to~~
21 ~~understand speech, even when amplified. These individuals~~
22 ~~require use of a telephone device for the deaf to communicate~~
23 ~~effectively on the telephone.~~

24 Subp. 18. Significant visual impairment. "Significant
25 visual impairment" means a visual disability that does not
26 constitute legal blindness but which constitutes a substantial
27 handicap to employment or limits the person's ability to live
28 independently, perform self-care activities, or grow and develop.

29 Subp. 19. Special needs. "Special needs" means the needs
30 of an eligible person that may require that the person be given
31 priority when initially distributing the equipment or be given
32 more than one communication device because of severity of
33 communication impairment or presence of multiple disabilities.

34 Subp. 20. Speech impaired. "Speech impaired" means a
35 condition that renders a person physically incapable of speaking
36 clearly. The severity of the impairment may vary; however, it

1 renders speech on an ordinary telephone unintelligible or
2 impossible and requires a communication device to communicate
3 effectively on the telephone.

4 Subp. 21. TACIP. "TACIP" means telecommunication access
5 for communication-impaired persons.

6 8775.0200 PURPOSE AND CONSTRUCTION.

7 The purpose of this chapter is to develop and implement a
8 statewide program to distribute telephone communication devices
9 to eligible communication-impaired persons for improving access
10 to telephone communications services for communication-impaired
11 persons. This chapter is to be liberally construed to further
12 these purposes.

13 8775.0300 ELIGIBILITY FOR TACIP SERVICES.

14 Subpart 1. Information provided. On request, the division
15 shall offer to a person an application form developed by the
16 division and a brochure that describes the TACIP eligibility
17 requirements and application process.

18 Subp. 2. Application process. The applicant shall
19 complete the application form and return it to the division's
20 regional service center for hearing-impaired people. An
21 application may be made by the applicant, the applicant's
22 spouse, or a person authorized by the applicant to act in the
23 applicant's behalf. All documentation must be provided within
24 30 days of the first interview with the division. The applicant
25 shall provide medical documentation of hearing loss on request.

26 Subp. 3. Documenting, verifying, and reviewing
27 eligibility. The division shall verify the applicant's
28 household income, age, and access to telephone service, and that
29 the applicant is a communication-impaired person. When If the
30 division becomes aware that a condition of eligibility changes
31 has changed, the division may verify eligibility:

32 A. In-a-timely-manner Within 30 days, an applicant
33 shall document income or authorize the division to verify the
34 income. The division shall help an applicant or recipient
35 obtain documents that the applicant does not possess and cannot

1 obtain. Information previously verified and retained by the
2 division need not be verified again unless the information no
3 longer applies to current circumstances.

4 B. The division shall not request information about
5 an applicant for or recipient of TACIP services that is not of
6 public record from a source other than within the division
7 without the applicant's or recipient's previous written
8 consent. The division may request information about an
9 applicant or recipient that is not of public record from the
10 telephone companies by obtaining the applicant's or recipient's
11 previous written consent on an application or ~~recertification~~
12 redetermination form. The division shall not provide third
13 parties with access to information about an applicant's
14 eligibility status or other case record information without the
15 previous written consent of that applicant or recipient, except
16 when access to specific case information is granted to agencies
17 designated by the Minnesota Government Data Practices Act,
18 Minnesota Statutes, chapter 13. Information designated as
19 confidential by the Minnesota Government Data Practices Act may
20 only be made available to agencies granted access under that law
21 and must not be provided to an applicant, recipient, or third
22 party.

23 C. The division shall inform the recipient of the
24 recipient's responsibility to report permanent changes in
25 circumstances that affect eligibility within ten days of each
26 change.

27 Subp. 4. Eligibility criteria. To be eligible for the
28 TACIP program, a person must:

- 29 A. be at least five years of age;
- 30 B. be a communication-impaired person;
- 31 C. be a resident of Minnesota;
- 32 D. be a resident in a household at or below the
33 applicable median income in the state, except that a deaf and
34 blind person applying for a telebraille unit may reside in a
35 household that has a median income no more than 150 percent of
36 the applicable median household income in the state; and

1 E. have or have applied for telephone service and
2 been assigned a telephone number. A person who at the time of
3 application does not have telephone service, but meets all other
4 eligibility requirements, will be declared "conditionally
5 eligible" and, in order to be declared "eligible," must apply
6 for telephone service and be assigned a telephone number.

7 Subp. 5. Persons not eligible. Persons who are residents
8 of a residential or treatment facilities facility that
9 receive directly or indirectly receives federal funds-under
10 funding and is required to be fully accessible to all residents
11 by the Rehabilitation Act of 1973; United States Code, title 29,
12 section 774, and are eligible for and can obtain communication
13 devices through federal provisions are not eligible to receive
14 TACIP services under this chapter.

15 Subp. 6. Notification of eligibility. Within 30 days of
16 the receipt of the application and the necessary documentation
17 the division shall notify the applicant in writing whether the
18 applicant is found eligible and, if the applicant is denied, the
19 reasons for denial.

20 Subp. 7. Determination of appropriate communication
21 device. The division shall determine the appropriate
22 communication device for a recipient.

23 8775.0400 PRIORITY FOR INITIAL DISTRIBUTION OF COMMUNICATION
24 DEVICES.

25 Subpart 1. First priority: deaf and blind. The first in
26 priority are those eligible, deaf and blind persons having
27 special needs, experiencing economic hardship, or meeting the
28 household criteria standards.

29 Subp. 2. Second priority: deaf. The second in priority
30 are those eligible, deaf persons having special needs,
31 experiencing economic hardship, or meeting the household
32 criteria standards.

33 Subp. 3. Third priority: impaired speech. The third in
34 priority are those eligible, speech-impaired persons having
35 special needs, experiencing economic hardship, or meeting the

1 household criteria standards.

2 Subp. 4. Fourth priority: hard-of-hearing hearing
3 impaired. The fourth in priority are those
4 eligible, hard-of-hearing hearing-impaired persons having
5 special needs, experiencing economic hardship, or meeting the
6 household criteria standards.

7 Subp. 5. Fifth priority: others without special needs.
8 The fifth in priority are those eligible, communication-impaired
9 persons having no special needs, not experiencing economic
10 hardship, and not meeting the household criteria standards.

11 Subp. 6. Use of priority system. Initially, the priority
12 system must be used to determine the priority of eligible
13 applicants for receiving telecommunication devices, for example,
14 to establish a waiting list of eligible applicants. Only if
15 allotted program money is insufficient to provide all eligible
16 applicants with needed equipment may the priority system be used
17 to determine which individuals will receive equipment.

18 8775.0500 HOUSEHOLDS ELIGIBLE TO RECEIVE SEVERAL DEVICES.

19 Subpart 1. Deaf. A communication-impaired person who is
20 deaf or severely hearing impaired is eligible for a telephone
21 device for the deaf and a ring signaler.

22 Subp. 2. Deaf and blind. A communication-impaired person
23 who is deaf and blind is eligible to receive use of a telephone
24 device for the deaf with auxiliary equipment approved by the
25 board and necessary for efficient communication.

26 Subp. 3. Two or more eligible persons. If a household
27 contains more than one eligible communication-impaired person
28 with various communication impairments, the board or its
29 designee may approve more than one telephone device as necessary
30 for efficient communication.

31 Subp. 4. Hard-of-hearing Hearing impaired. A
32 communication-impaired person who is hard-of-hearing hearing
33 impaired is eligible for a ring signaler and amplification
34 device if both-devices-are more than one device is necessary for
35 efficient communication.

1 8775.0600 TRAINING AND MAINTENANCE.

2 The commissioner of human services shall maintain the
3 communication devices until the five-year warranty period
4 expires and at which time the board shall decide whether to
5 repair or replace defective units. The commissioner shall
6 provide training, without charge, to first-time users of the
7 devices.

8 8775.0700 OWNERSHIP.

9 Communication devices distributed under this chapter are
10 and must remain the property of the state of Minnesota.

11 8775.0800 APPEALS.

12 Subpart 1. Aggrieved party. An aggrieved party may appeal
13 a decision of the division. An aggrieved party is an applicant:

14 A. who is determined ineligible for TACIP service
15 under part 8775.0300, subpart 4;

16 B. who disagrees with the division's determination
17 regarding the appropriate communication device under part
18 8775.0300, subpart 6;

19 C. who disagrees with the division's decision
20 regarding priority for initial distribution of communication
21 devices under part 8775.0400; or

22 D. whose TACIP service is terminated.

23 Subp. 2. Procedure. Requests for appeal must be made
24 within 30 calendar days of receiving notice of adverse action
25 or, for good cause shown, within 60 calendar days of receiving
26 the notice. Requests for appeal can be made through written,
27 telephone, or face-to-face contact with a designated
28 representative of the Regional Service Center for the Hearing
29 Impaired.

30 Subp. 3. Conciliation conference. Within ~~ten~~ 30 calendar
31 days of receiving a request for appeal, a representative of the
32 Regional Service Center for the Hearing Impaired shall meet with
33 the aggrieved party and attempt to resolve informally the matter
34 leading to the appeal. Within ~~five~~ ten calendar days of the

1 conciliation conference, the representative shall prepare a
2 written summary of the issues addressed at the conciliation
3 conference and shall send a copy of the written summary to the
4 aggrieved party and to the board.

5 Subp. 4. Formal hearings. If still dissatisfied after
6 receiving a copy of the conciliation conference summary, the
7 aggrieved party may request a hearing before the board by making
8 written, telephone, or face-to-face contact with a designated
9 representative of the Regional Service Center for the Hearing
10 Impaired. A hearing before the board must be scheduled within
11 90 days. At the hearing, the aggrieved party may introduce
12 evidence relevant to the issues on appeal. An aggrieved party
13 may be represented by legal counsel or a lay advocate at the
14 hearing.

15 Subp. 5. Service pending appeal. Termination of TACIP
16 services must be stayed pending an appeal.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 24 1989

Joel Anderson Thayer
Secretary of State

12:01 PM

APPROVED AS TO FORM AND LEGALITY

August 22 1989
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