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Resolve, To Establish a Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes a working group to study the effectiveness and timeliness of early identification and intervention for children with hearing loss; and

Whereas, this resolve requires that the working group submit a report and recommended legislation by December 7, 2007, and the work needs to begin as soon as possible; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Working group established. Resolved: That the Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine, referred to in this resolve as "the working group," is established; and be it further

Sec. 2 Working group membership. Resolved: That the working group consists of 18 members appointed as follows:

1. The following members appointed by the President of the Senate:

A. Two members of the Senate. When making the appointments, the President of the Senate shall give preference to members from the Joint Standing Committee on Education and Cultural Affairs and to members from the Joint Standing Committee on Health and Human Services;

B. One member from the Maine Newborn Hearing Program within the Department of Health and Human Services, Bureau of Health or Department of Health and Human Services;

C. One member from the Maine chapter of the American Academy of Pediatricians;

D. One member from the Maine Society of Otolaryngologists;

E. One member from a parent organization whose mission is to serve children and families with hearing loss;

F. One member from the Maine Academy of Audiology; and

G. One member from the Maine Administrators of Services for Children with Disabilities;

2. The following members appointed by the Speaker of the House:

- A. Two members of the House of Representatives. When making the appointments, the Speaker of the House shall give preference to members from the Joint Standing Committee on Education and Cultural Affairs and to members from the Joint Standing Committee on Health and Human Services;
 - B. One member from an auditory oral training program for deaf education;
 - C. One member from a manual training program for deaf education;
 - D. One member who is a parent of a child with hearing loss identified at birth and whose child uses an auditory oral approach for communication;
 - E. One member who is a parent of a child with hearing loss identified at birth and whose child uses manual communication;
 - F. One adult who is deaf or hard-of-hearing who uses an auditory oral approach for communication; and
 - G. One adult who is deaf or hard-of-hearing who uses manual communication;
3. The Director of the Maine Education Center for the Deaf and Hard-of-hearing or the director's designee; and
4. The Executive Director of hear ME now! or the director's designee; and be it further

Sec. 3 Chairs. Resolved: That the first-named Senate member is the Senate chair of the working group and the first-named House of Representatives member is the House chair of the working group; and be it further

Sec. 4 Appointments. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the working group, which must be no later than 30 days after the appointment of all members is complete; and be it further

Sec. 5 Duties. Resolved: That the working group shall examine issues of access to timely and accurate diagnosis of hearing loss by 3 months of age, and review and assess the processes by which families are informed of their options for communication and for finding providers in the State.

In examining these issues, the working group shall specifically examine:

- 1. The definition of a "highly qualified provider" in various professions serving this population;
- 2. The operation and effectiveness of existing programs and resources for families who have children who have been identified as having hearing loss;
- 3. Opportunities for coordination to maximize the effects of available resources;
- 4. The need for state or private programs to supplement state programs or to enable existing programs to serve a greater portion of those eligible;
- 5. Techniques to use resources in new ways or new combinations that have the potential for easing the burden on current providers and enhancing the training of current and new providers to enable equal access to highly qualified providers to all children statewide;

6. The effects of limited resources for diagnostic testing and poor reimbursement rates; and
7. Programs and techniques that are employed in other states or countries; and be it further

Sec. 6 Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the working group; and be it further

Sec. 7 Compensation. Resolved: That the legislative members of the working group are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the working group. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the working group; and be it further

Sec. 8 Report. Resolved: That, no later than December 7, 2007, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 123rd Legislature. The working group is not authorized to introduce legislation; and be it further

Sec. 9 Extension. Resolved: That, if the working group requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

Sec. 10 Working group budget. Resolved: That the working group shall seek outside funds to fully fund all costs of the working group. If sufficient outside funding has not been received by the working group by September 15, 2007 to fully fund all costs of the working group, no meetings are authorized and no expenses of any kind may be incurred or reimbursed. Contributions to support the work of the working group may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. The certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of the funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received by the working group. The executive director shall notify the chairs of the working group when sufficient funding has been received. Within 10 days after its first meeting, the working group shall present a work plan and proposed budget to the Legislative Council for its approval. The working group may not incur expenses that would result in the working group's exceeding its approved budget.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

HP0881, LD 1239, item 1, 123rd Maine State Legislature
Resolve, To Establish a Working Group To Study the Effectiveness and Timeliness
of Early Identification and Intervention for Children with Hearing Loss in Maine

This resolve establishes the Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine. The working group shall submit a report that includes its findings and recommendations, including suggest legislation, to the Second Regular Session of the 123rd Legislature.