



Maryland Association of the Deaf  
Written Testimony  
HB 1253 – Health Care Facilities – Access to Telephones  
Wednesday, March 13, 2024

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As you may be aware, there are approximately 1.2 million Deaf, DeafBlind, and Hard of Hearing (D/DB/HH) individuals living in the State of Maryland. The Maryland Association of the Deaf (MDAD) is a statewide organization that protects and promotes the interests of accessibility, equity, and quality of life for those D/DB/HH Marylanders. We are advocating for the passage of HB 1253 sponsored by Delegate Metzgar regarding Health Care Facilities – Access to Telephones.

This bill will ensure that telephones are accessible in the health care facilities. MDAD requests that the bill should include the amendment below to reflect our needs using technology and telecommunication devices.

MDAD has heard stories where facilities do not provide these devices or they are not working due to no high speed internet for these devices. We use videophone or video remote interpreting which requires high speed internet. The amendment that we propose will solve this issue. It is important to MDAD that all facilities are accessible and for us to make phone calls to our family and friends.

**RECOMMENDED CHANGES, ADDITIONS, AND OMITTANCE:**

Article – Health – General

19–353.1.

(A) IN THIS SECTION, “HEALTH CARE FACILITY” MEANS:

- (1) A HOSPITAL;
- (2) A LIMITED SERVICE HOSPITAL;
- (3) A RELATED INSTITUTION;
- (4) AN INPATIENT FACILITY THAT IS ORGANIZED PRIMARILY TO ASSIST IN THE REHABILITATION OF DISABLED INDIVIDUALS THROUGH AN INTEGRATED PROGRAM OF MEDICAL AND OTHER SERVICES PROVIDED UNDER COMPETENT PROFESSIONAL SUPERVISION; OR
- (5) A NURSING HOME, AS DEFINED IN § 19–1401 OF THIS TITLE.

**(B) “TELECOMMUNICATION DEVICES” MEANS:**

**(1) TEXT-BASED COMMUNICATION, SUCH AS SMS OR TEXT RELAY SERVICES;**

**(2) TDD/TTY**

**(3) AMPLIFIERS**

**(4) VIDEO RELAY SERVICES;**

**(5) CAPTIONED TELEPHONES**

**(6) VIDEOPHONES, WITH PORTABLE STANDS OR FIXED INSTALLATION WITHIN THE PATIENT'S ROOM**

**(7) PUFF BLOW DEVICES**

**(8) BRAILLE-TTY DEVICES**

**(9) EQUIPMENT FOR THE MOBILITY DISABLED;**

**(C) "INDIVIDUAL WITH DIFFICULTY MEANS A PERSON WITH A DISABILITY THAT PREVENTS THEM FROM USING A STANDARD TELEPHONE"**

**(D)(B)** (1) ON OR BEFORE JANUARY 1, 2025, EACH HEALTH CARE FACILITY SHALL IMPLEMENT A PROGRAM TO PROVIDE EACH INDIVIDUAL ADMITTED TO THE HEALTH CARE FACILITY WITH REASONABLE ACCESS TO A TELEPHONE AND TELECOMMUNICATION DEVICES FOR INDIVIDUALS WHO ARE DEAF, DEAFBLIND, HARD OF HEARING, INDIVIDUALS WITH HEARING LOSS, OR INDIVIDUALS WITH DIFFICULTY AS SET FORTH IN SECTION (C)(2)(II)."

(2) THE PROGRAM SHALL:

(I) ENSURE THAT EACH INDIVIDUAL ADMITTED TO THE HEALTH CARE FACILITY IS INFORMED OF THE AVAILABILITY OF A TELEPHONE AND TELECOMMUNICATION DEVICES FOR PRIVATE USE;

(II) ENSURE THAT A TELEPHONE, AND FOR DEAF, DEAFBLIND, HARD OF HEARING INDIVIDUALS, INDIVIDUALS WITH HEARING LOSS AND INDIVIDUALS WITH DIFFICULTY, TELECOMMUNICATION DEVICES THAT FACILITATE COMMUNICATION, **IS** ARE PROVIDED IN THE INDIVIDUAL'S ROOM:

(III) ENSURE THAT THE TELEPHONE AND TELECOMMUNICATION DEVICES ARE **IS** MAINTAINED ON A REGULAR BASIS AND FUNCTIONING.

(IV) ENSURE THAT THE TELEPHONE IS CAPABLE OF MAKING OUTGOING AND RECEIVING INCOMING LOCAL AND LONG-DISTANCE CALLS;

(V) ENSURE THAT THE TELEPHONE IS ACCESSIBLE FOR USE BY **DEAF, DEAFBLIND, HARD OF HEARING** ~~AN~~ **INDIVIDUALS, INDIVIDUALS WITH HEARING LOSS, AND INDIVIDUALS WITH DIFFICULTY** ~~A HEARING IMPAIRMENT~~ AND:

- A. IS HEARING-AID COMPATIBLE; **AND OR**
- B. PROVIDES AN ADEQUATE RANGE OF VOLUME, INCLUDING AMPLIFIED SOUND OPTIONS AND ADJUSTABLE TONE AND VOLUME SETTINGS;

**(VI) ENSURE THAT THE TELEPHONE IS USABLE WITH ALL FORMS OF TELECOMMUNICATIONS RELAY SERVICES.**

**(VII) ENSURE HIGH-SPEED INTERNET WITH SUFFICIENT BANDWIDTH TO SUPPORT VIDEO COMMUNICATION INCLUDING VIDEOPHONES AND VIDEO REMOTE INTERPRETING;**

**(VIII) ESTABLISH A CLEAR AND UNDERSTANDABLE PROCESS FOR:**

- A. AN INDIVIDUAL TO REQUEST OTHER ASSISTIVE COMMUNICATION TECHNOLOGY **OR TELECOMMUNICATIONS RELAY AND/OR ASSOCIATED EQUIPMENTS** BASED ON THE INDIVIDUAL'S SPECIFIC COMMUNICATION NEEDS;
- B. AN INDIVIDUAL OR A FAMILY MEMBER OF THE INDIVIDUAL TO FILE A COMPLAINT REGARDING THE PROGRAM ESTABLISHED UNDER THIS SECTION;

**(E)(e) (1) IF, FOR ANY REASON, AN INDIVIDUAL'S ACCESS TO A TELEPHONE IS LIMITED, INCLUDING FOR DEAF, DEAFBLIND, HARD OF HEARING INDIVIDUALS, INDIVIDUALS WITH HEARING LOSS, OR INDIVIDUALS WITH DIFFICULTY, THE HEALTH CARE FACILITY SHALL:**

(I) DOCUMENT THE LIMITATION AND INCLUDE THE DOCUMENTATION AS A PERMANENT PART OF THE INDIVIDUAL'S RECORD;

(II) SPECIFY THE CIRCUMSTANCES, DURATION, AND ANY OTHER RELEVANT FACTORS CONTRIBUTING TO THE LIMITATION; AND

(III) REVIEW THE LIMITATION AT REGULAR INTERVALS WHILE THE LIMITATION REMAINS IN EFFECT.

(2) IF A LIMITATION ON TELEPHONE ACCESS IS PROLONGED OR MAY IMPACT PATIENT CARE, THE HEALTH CARE FACILITY SHALL OBTAIN

WRITTEN ACKNOWLEDGMENT FROM THE INDIVIDUAL THAT A VALID MEDICAL NEED EXISTS FOR THE RESTRICTION.

**(F)Ⓡ** EACH HEALTH CARE FACILITY SHALL DOCUMENT AND MAINTAIN EACH COMPLAINT FILED UNDER SUBSECTION (B)(2)(VI)2 OF THIS SECTION AND THE RESOLUTION OF THE COMPLAINT.

**(G) EACH STAFF MEMBER OF THE HEALTH CARE FACILITY SHALL RECEIVE ANNUAL TRAINING ON THE USE OF TELECOMMUNICATION DEVICES, INCLUDING HOW TO ACCESS TECHNICAL SUPPORT FOR TROUBLESHOOTING PURPOSES. CONTACT INFORMATION FOR TECHNICAL SUPPORT SHALL BE MADE READILY AVAILABLE AND ACCESSIBLE WITHIN THE HEALTH CARE FACILITY.**

MDAD looks forward to favorable with amendments on HB 1253.

Thank you,

MDAD Board of Directors