

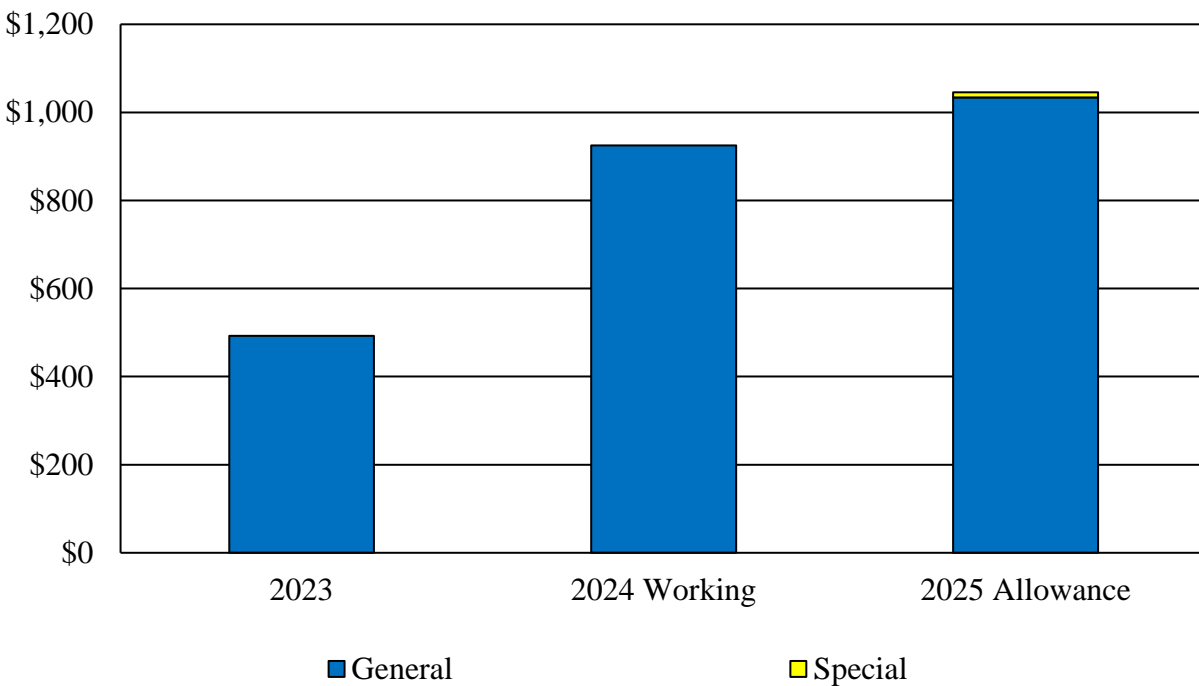
D11A0401
Office of the Deaf and Hard of Hearing

Program Description

The Governor’s Office of the Deaf and Hard of Hearing (ODHH) promotes the general welfare of deaf and hard of hearing individuals in Maryland by addressing policy gaps, providing expertise on issues relevant to the deaf and hard of hearing community, and facilitating access to resources and services. ODHH also offers information and referral services to support community engagement. The office’s key goals include providing all deaf and hard of hearing citizens equal and full access to State programs, resources, and services to fully participate in community life and enhancing awareness among Marylanders regarding the needs and challenges faced by individuals who are deaf or hard of hearing.

Operating Budget Summary

Fiscal 2025 Budget Increases \$120,741, or 13.1%, to \$1.05 Million
(\$ in Thousands)



Note: The fiscal 2024 working appropriation includes deficiencies. The fiscal 2024 impacts of statewide salary adjustments appear in the Statewide Account in the Department of Budget and Management (DBM), and adjustments are not reflected in this agency’s budget. The fiscal 2025 impacts of the fiscal 2024 statewide salary adjustments appear in this agency’s budget. The fiscal 2025 statewide salary adjustments are centrally budgeted in DBM and are not included in this agency’s budget. The fiscal 2025 allowance includes \$12,000 in special funds.

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Fiscal 2024

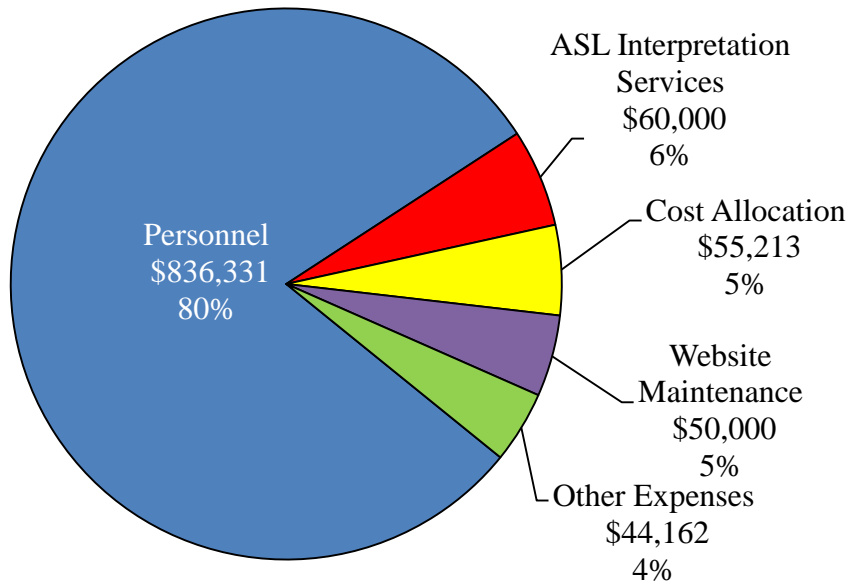
Proposed Deficiency

The fiscal 2025 budget includes one proposed deficiency appropriation for ODHH. The proposed deficiency of \$395,248 in general funds supports web portal development and 2 new positions related to Chapters 269 and 270 of 2023 (Maryland Sign Language Interpreters Act).

Fiscal 2025 Overview of Agency Spending

The fiscal 2025 allowance for ODHH totals \$1.05 million. As shown in **Exhibit 1**, the majority (80%) of ODHH’s fiscal 2025 allowance is allocated to personnel expenditures. Beyond personnel, the second largest share of the fiscal 2025 budget is dedicated to sign language interpreting services (6%), which is utilized for both internal and public meetings.

Exhibit 1
Overview of Agency Spending
Fiscal 2025 Allowance



ASL: American Sign Language

Note: The fiscal 2025 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

Source: Department of Budget and Management

Proposed Budget Change

Compared to the fiscal 2024 working appropriation, the fiscal 2025 allowance increases by \$120,741, or 13.1%. As shown in **Exhibit 2**, the primary factor contributing to this change is the increase of \$348,115 in personnel costs for 2 new positions (in addition to the 2 positions provided through the proposed deficiency) supporting the Maryland Sign Language Interpreters Act. Other operating costs also increase in fiscal 2025 to implement Chapters 269 and 270, though \$300,000 in one-time fiscal 2024 costs for an online portal partially offset the growth in spending. Further details regarding Maryland Sign Language Interpreters Act implementation are provided in Key Observation 1 of this analysis.

Exhibit 2
Proposed Budget
Office of the Deaf and Hard of Hearing
 (\$ in Thousands)

How Much It Grows:	General Fund	Special Fund	Total
Fiscal 2023 Actual	\$493	\$0	\$493
Fiscal 2024 Working Appropriation	925	0	925
Fiscal 2025 Allowance	<u>1,034</u>	<u>12</u>	<u>1,046</u>
Fiscal 2024-2025 Amount Change	\$109	\$12	\$121
Fiscal 2024-2025 Percent Change	11.8%		13.1%
Where It Goes:			<u>Change</u>
Personnel Expenses			
2.0 new positions to support the implementation of Chapters 269 and 270 of 2023 (Maryland Sign Language Interpreters Act) and annualization of the costs of the 2 new positions also related to the Act funded in the fiscal 2024 deficiency appropriation			\$348
Salary increases and associated fringe benefits including fiscal 2024 cost-of-living adjustment and increments			10
Other Changes			
Increased demand for sign language interpretation due to the expanded scope of the office and increased staffing			\$17
Travel			14
Contractual personnel, primarily due to a net increase of 0.5 full-time equivalent positions			12
Cost allocations			11
Funding to cover the Office of the Deaf and Hard of Hearing annual report....			4
Reduction of a one-time funds to create an online portal for the licensure of sign language interpreters			-300
Other expenses			5
Total			\$121

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Note: Numbers may not sum to total due to rounding. The fiscal 2024 working appropriation includes deficiencies. The fiscal 2024 impacts of statewide salary adjustments appear in the Statewide Account in the Department of Budget and Management (DBM), and adjustments are not reflected in this agency’s budget. The fiscal 2025 impacts of the fiscal 2024 statewide salary adjustments appear in this agency’s budget. The fiscal 2025 statewide salary adjustments are centrally budgeted in DBM and are not included in this agency’s budget.

Personnel Data

	<u>FY 23</u> <u>Actual</u>	<u>FY 24</u> <u>Working</u>	<u>FY 25</u> <u>Allowance</u>	<u>FY 24-25</u> <u>Change</u>
Regular Positions	3.00	5.00	7.00	2.00
Contractual FTEs	<u>0.00</u>	<u>0.50</u>	<u>1.00</u>	<u>0.50</u>
Total Personnel	3.00	3.50	8.00	2.50

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/23	0.00	0.00%

Vacancies Above Turnover align="center">n/a

- The fiscal 2025 budget provides 2 new positions through a proposed deficiency and 2 new positions in the allowance for ODHH. These positions include 1 deputy director, 1 outreach and interpreter manager, 1 compliance specialist, and 1 administrative assistant to support the scope and functions outlined in the Maryland Sign Language Interpreters Act.
- Budgeted turnover for ODHH is set at 0%, reflecting historical patterns of few vacancies. However, budgeted turnover is also 0% for the 2 new positions added in fiscal 2025, which is concerning as it does not take into account the time it would take to fill these positions and does not use the typical new position turnover rate of 25%. The agency indicated that the plan is to promptly fill new positions in fiscal 2025 to ensure the timely implementation of the Maryland Sign Language Interpreters Act. **The Department of Legislative Services (DLS) recommends adjusting the budgeted turnover for these new positions to 25% in line with the recommended budgeted turnover for new positions.**

Key Observations

1. Maryland Sign Language Interpreter’s Act Implementation

The absence of statewide standards and a regulatory body overseeing American Sign Language (ASL) interpretation services in Maryland created a scenario where fraudulent or insufficiently skilled ASL interpreters could operate, posing a potential risk to the deaf and hard of hearing community by hampering access to critical and accurate information related to health, employment, education, and other essential aspects for a secure and independent life. Chapters 269 and 270 establish a regulatory framework for licensure of individuals who provide sign language interpretation services and create the State Board of Sign Language Interpreters and Sign Language Interpreters Fund within ODHH.

State Board of Sign Language Interpreters

The State Board of Sign Language Interpreters is responsible for licensing qualified individuals to provide sign language interpretation services and, set by regulation, reasonable fees for the issuance and renewal of licenses. Furthermore, the board must:

- by July 1, 2024, establish licensing criteria for sign language interpreters, including separate requirements for varied specialist areas, such as legal, medical, and behavioral health settings; language pairs other than ASL and spoken English; and conference interpreting; among others;
- develop and implement a public awareness campaign to inform the public and relevant professionals of the licensing requirements under the bill;
- establish a visiting sign language interpreter registry;
- develop and maintain a web portal to accept license applications and related documentation, complaints, and registrations of visiting sign language interpreters;
- develop and maintain a publicly searchable database of sign language interpreters;
- adopt regulations to govern sign language interpretation services provided in a video remote interpreting setting;
- adopt regulations that allow deaf and hard of hearing individuals to choose whether sign language interpretation services be provided to them in a video remote interpreting setting or through in-person interpreting;

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- promote the profession of sign language interpreting through various channels, including by providing workshops and trainings to raise public awareness and to facilitate professional development; and
- reasonably seek additional funding sources.

The board is designed to have seven members, subject to specified conditions and requirements for board membership and appointment. As of December 2023, six out of seven members had been appointed. One membership requirement is for a position to be filled by a Deafblind representative. Despite extensive outreach, ODHH had not received applications from Deafblind individuals. Some contacted individuals cited an inability to fill the position or had relocated from the State. ODHH reported that it will maintain continuous communication with one or two representatives from the Deafblind community until the board position can be filled. **DLS recommends adopting committee narrative requesting that ODHH provide a report with an update on State Board of Sign Language Interpreters operation.**

ODHH Expanded Staffing Needs and Functions

ODHH, guided by the State Board of Sign Language Interpreters, is undertaking the licensing of sign language interpreters in Maryland, encompassing those within the tri-state region and those operating virtually from other states. The office must also provide staff to the board. In accordance with Chapters 269 and 270, requiring the Governor to appropriate \$100,000 to implement provisions of the Maryland Sign Language Interpreters Act, the fiscal 2025 allowance includes an increase of \$348,115 in general funds for new positions implementing the legislation. According to ODHH, addressing licensure requirements involves the addition of 4 full-time staff members, which are provided through the fiscal 2025 budget (2 new positions in fiscal 2024 and 2 new positions in fiscal 2025). Specifically, this includes the recruitment of the following positions:

- a deputy director to collaborate with the State Board of Sign Language Interpreters in developing and publishing regulations for licensing sign language interpreters. The deputy director will supervise a team consisting of the remaining 3 positions;
- an administrative assistant to handle requests from State departments and agencies, screen licensure applicants, and provide support;
- an outreach and interpreter manager to coordinate regular workshops for ongoing interpreter training and educate various stakeholders, such as government entities, hospitals, and workplaces, about the new licensing framework; and
- a compliance officer who will be responsible for monitoring complaints, discrepancies, and transactions related to licensing, renewal, and reinstatement fees ensuring compliance with regulations and collaborating with the board.

Regarding licensing requirements, **Exhibit 3** displays the timeline outlined by the agency for State sign language licensing. ODHH indicated that its goals for the new licensing functions include improving communication, particularly within medical and legal contexts, where deaf individuals will be better informed about potentially life-altering choices. The office reported other anticipated impacts of the new licensure system such as a reduction in communication and information barriers faced by deaf individuals in Maryland.

Exhibit 3
State Sign Language Licensing Timeline
Fiscal 2024-2025

<u>Timeline</u>	<u>Activities</u>
January through March 2024	A draft of the regulations/requirements, based on prior versions, is expected.
April through June 2024	Polished regulations will undergo approval. In coordination with DoIT, a contractor will develop a portal on the ODHH website for application uploads, payments, links to regulations, Board information, and a public listing of licensed interpreters in Maryland, along with instructions for screening when seeking interpreters.
July 2024	Licensing requirements will be published, and information will be disseminated on the ODHH website and social media channels.
July through December 2024	Outreach activities will continue. Applications and fees from interpreters wishing to work in Maryland (both virtually and in person) will be accepted. ODHH staff will screen applicants to ensure criteria are met and issue electronic licenses.
January 1, 2025	Licensure will go into effect. ODHH will continue to screen and review late applications (late applicants cannot work until they obtain licensure). Outreach activities will persist, and workshops will commence

DoIT: Department of Information Technology

ODHH: Office of the Deaf and Hard of Hearing

Source: Office of the Deaf and Hard of Hearing

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Chapters 269 and 270 also established the Sign Language Interpreters Fund as a special, nonlapsing fund administered by the Director of ODHH. The board must set by regulation reasonable fees for the issuance and renewal of licenses and other services. Revenue generated from fees by the board contributes to the fund, while investment earnings are directed to the General Fund. The fund must be used exclusively to cover the actual documented direct and indirect costs of fulfilling the duties of the board, as specified. Expenditures from the Sign Language Interpreters Fund adhere strictly to the guidelines outlined in the State budget. The fiscal 2025 allowance includes \$12,000 in special funds from the Sign Language Interpreters Fund.

Operating Budget Recommended Actions

- | | <u>Amount</u> | |
|---|----------------------|----|
| | <u>Change</u> | |
| 1. Increase turnover expectancy for 2.0 new positions from 0% to 25% to be consistent with budgeted turnover for new positions. | -\$39,121 | GF |
| 2. Adopt the following narrative: | | |

Update on State Board of Sign Language Interpreters: Chapters 269 and 270 of 2023 (Maryland Sign Language Interpreters Act) established the State Board of Sign Language Interpreters under the Office of the Deaf and Hard of Hearing (ODHH). Throughout calendar 2023, ODHH worked with the Governor’s office to appoint board members and start defining licensing requirements for sign language interpretation in the State. The committees request that ODHH submit a report on the board’s formation and operation, discussing:

- a list of appointed board members;
- progress toward establishing State sign language licensing requirements and projected timeline for publishing the requirements;
- progress toward establishing a Maryland registry and public database of sign language interpreters;
- strategies undertaken or planned to support interpreters through the licensing process and reach unlicensed interpreters;
- year-to-date and projected fiscal 2025 revenue in the Sign Language Interpreters Fund;
- methods employed to set the fee schedule and rates, collect fees, and provide financial assistance with fees;
- methods employed to receive and process complaints of interpreter fraud;
- key performance indicators or metrics that will be used to assess the success and impact of the licensing program; and

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- community engagement activities held in fiscal 2024 and 2025 regarding sign language interpretation services and licensure in the State.

Information Request	Author	Due Date
Update on State Board of Sign Language Interpreters	ODHH	September 30, 2024
Total General Fund Net Change		-\$ 39,121

Appendix 1
2023 Joint Chairmen’s Report Responses from Agency

The 2023 *Joint Chairmen’s Report* (JCR) requested that ODHH prepare one report. Electronic copies of the full JCR responses can be found on the DLS Library website.

- ***Cost Estimates for Regulation of Interpreters:*** The committees requested that ODHH submit a report that contains information on recommended policy options in response to committee narrative in the 2020 JCR related to regulating sign language interpretation in Maryland. The committees requested information on the State agency that would lead or participate in implementation and management of any related functions; the estimated costs to the State for each policy option; and the potential challenges or drawbacks of implementing the recommended policies. As of January 28, 2024, this report had not been submitted.

Appendix 2
Object/Fund Difference Report
Office of the Deaf and Hard of Hearing

<u>Object/Fund</u>	<u>FY 23</u> <u>Actual</u>	<u>FY 24</u> <u>Working</u> <u>Appropriation</u>	<u>FY 25</u> <u>Allowance</u>	<u>FY 24 – FY 25</u> <u>Amount Change</u>	<u>Percent</u> <u>Change</u>
Positions					
01 Regular	3.00	3.00	7.00	4.00	133.3%
02 Contractual	0.00	0.50	1.00	0.50	100.0%
Total Positions	3.00	3.50	8.00	4.50	128.6%
Objects					
01 Salaries and Wages	\$ 393,764	\$ 414,922	\$ 799,647	\$ 384,725	92.7%
02 Technical and Special Fees	0	19,635	36,684	17,049	86.8%
03 Communication	709	950	950	0	0%
04 Travel	4,241	2,511	19,331	16,820	669.9%
08 Contractual Services	90,134	87,006	169,081	82,075	94.3%
09 Supplies and Materials	630	1,173	5,097	3,924	334.5%
11 Equipment – Additional	813	0	11,516	11,516	N/A
13 Fixed Charges	2,640	3,520	3,400	-120	-3.4%
Total Objects	\$ 492,931	\$ 529,717	\$ 1,045,706	\$ 515,989	97.4%
Funds					
01 General Fund	\$ 492,931	\$ 529,717	\$ 1,033,706	\$ 503,989	95.1%
03 Special Fund	0	0	12,000	12,000	N/A
Total Funds	\$ 492,931	\$ 529,717	\$ 1,045,706	\$ 515,989	97.4%

Note: The fiscal 2024 appropriation does not include deficiencies. The fiscal 2025 allowance does not include statewide salary actions budgeted within the Department of Budget and Management.