



AZ HANDWIND

December 2008

Official Newsletter of the Arizona Association of the Deaf, Inc.

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Jan 1, 2008—Dec 31, 2009

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NORBERT ENOS RECEIVES COMMUNITY OUTREACH AWARD IN RECOGNITION OF HIS OUTSTANDING SERVICE TO THE DEAF COMMUNITY IN THE CITY OF SURPRISE



On January 10, 2009, the Town of Surprise hosted a Disability and Human Services Summit at the Radiant Church in Surprise. Over 100 deaf and hard of hearing residents and other people with disabilities attended this very special event. Living up to the name of the city, Dr. Nanette Bowles, the City of Surprise Disability Advocate surprised Norbert Enos with the honor. The disability office is located at 15960 N. Bullard Ave., Surprise, AZ 85374.

For past several years Norbert has fought hard and worked conscientiously for equal access to public information, movie theater captioning, and legitimate certification of sign language interpreters. He has been a reliable watchdog for the civil rights of deaf and hard of hearing residents of the City of Surprise. Presently, Norbert is promoting the better quality of captioning, preferably open captions in local movie theaters. **HEARTY CONGRATULATIONS AND KEEP THE BALL ROLLING, NORBERT!**

ASLTA Conference featured with Keynote Speaker Carol Padden on October 29th

Dr. Carol Padden, who is presently professor of communication at the University of California at San Diego, will be the keynote speaker during the Thursday evening reception at the Arizona Biltmore Resort & SPA in Phoenix. Other conference features are two plenary speakers, presenters of professional growth workshops, booth exhibits, and a Western style dance-social event.

Two preconference workshops will be provided by the DawnSign Press from 8:00 AM to 12:30 PM. and by the Sign Media from 1:30 to 5:30 PM on Thursday, October 29th.

ASLTA members and friends are encouraged to make plans to attend this fascinating and stimulating conference. If you are interested, you have better purchase an early bird combo registration for \$375 and mail a check to Judy Mohan, registration coordinator on or before February 28, 2009. You may pay online. **Hurry to save your dollars!**

Please visit www.aslta.org and click "conference."

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LINKS:

Arizona Association of the Deaf (AZAD)
www.azadinc.org

National Association of the Deaf
www.nad.org

Arizona Commission for the Deaf and Hard of Hearing
www.acdhh.gov

Phoenix Association of the Deaf
1545 W. Osborn Rd
Phoenix, AZ 85006
www.pad.org

Arizona Deaf Senior Citizens Coalition (ADSCC)
1545 W. Osborn Rd
Phoenix, AZ 85006
VP: 602-978-4977

City of Surprise Disability Advocate

For information, you may contact Dr. Bowles at 623-222-3802 (Video Phone for the Deaf) or 623-222-2266 (Voice)

Editorial...

Larry Forestal

HB2016 - Interpreters; Licensure; Exemption in the State of Arizona Legislature

A new legislative bill, HB2016 - Interpreters; Licensure; Exemption was introduced by Representative Konopnicki in the House of Representatives during the first regular session in 2009.

The ACDHH is unanimously opposed to HR2016. The AZAD is also opposed to this ridiculous bill. Why? An deaf or hard of hearing individual who requires a sign language interpreter would receive unqualified or uncertified interpreters when attending a community college.

Right now, the intent of this bill is to amend Section 36-1971, Arizona Revised Statutes; relating to Interpreters for the Deaf and the Hard of Hearing. What does HB2016 actually mean? If the bill became law, all Arizona counties with exception of Maricopa and Pima would be exempt from current state interpreter licensure requirements. For example, an interpreter for the deaf who works in a community college district located in a county of less than 500,000 people would be exempt from the state interpreter licensure requirements.

Historically speaking in October 2007, the ACDHH was authorized by the State of Arizona Legislature to oversee the statewide licensure of sign language interpreters. The ACDHH has recognized and will recognize those interpreters who hold legitimate interpreter certificates issued by the national RID and the NAD. In addition, the ACDHH is promoting the newly established National Interpreter Certification (NIC) for future licensure of experienced and/or newly trained interpreters. Legally, interpreters must be certified in all counties of Arizona.

Since 2007, the ACDHH has successfully fostered the improved quality of interpreter service with the continued support of the AZAD, the AZRID, various interpreter service agencies, and interpreter training centers located at Phoenix College and the University of Arizona.

Why should we allow HB2016 to undo the ACDHH's advocacy for appropriate and legal interpreter certification? Without a doubt, we do not want to go back to square one? You can express your opposition to HB2016 as soon as possible.

HB2016 does not make sense. It is not in the best interests of the Arizona Deaf Community as a whole. Obviously, deaf and hard of hearing citizens want and appreciate quality interpreter service.

HB 2016 - interpreters; Licensure; Exemption will be on House Government Committee agenda on Tuesday, January 20 at 2:00 PM. The ACDHH and community representatives will be there to oppose the bill in the House Hearing Room #4 at 1700 West Washington in Phoenix, AZ.

According to Sherri Collins, Executive Director of the ACDHH, you can do three things to defeat HR2016 as follows:

1. You can email the legislators who sit on Government Committee and tell them you are OPPOSED of House Bill 2016 as soon as possible.

Sam Crump(chair) at scrump@azleg.gov
Steve Montenegro (vice chair) at smontenegro@azleg.gov

Please see page 3...

Dr. Nancy Hlibok Amann is currently the principal of both educational programs for the Deaf and the Blind at the Arizona State School for the Deaf and the Blind at Tucson. She is making history indeed.

The AZAD supports the Arizona Deaf Senior Citizens Coalition (ADSCC).

Fight! Fight! Fight!

Deaf senior citizens can make themselves heard.

Deaf senior citizens deserve respect.

Never give up your dreams!

Never give up your hopes!

Stay united until you win victory!

The ADSCC is fighting for a retirement home on East Apache Blvd in Tempe next to the newly built light rail all the way to downtown Phoenix.

Valley deaf senior citizens have worked hard for many years to create a retirement housing facility designed for deaf, hard of hearing and deaf-blind people.

Do not let your dreams and hopes be dashed! Those who say bad economy are making unacceptable excuses. Tell them to listen to deaf senior citizens!

Long live the Light Rail!

Never give up your dreams!

Never give up your hopes!

Stay united until you win victory!

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Frank Antenori at fantenori@azleg.gov
Adam Driggs at adriggs@azleg.gov
David Gowan at dgowan@azleg.gov
Warde Nichols at wnichols@azleg.gov
Tom Chabin at tchabin@azleg.gov
Chad Campbell at chcampbell@azleg.gov

2. You can go to the Capitol on Tuesday, January 20 at 2:00 PM to oppose HB2016.

3. If you are unable to make it to the Arizona House of Representatives but you have already created a "user name" and "profile" on the kiosk outside the House of Representatives, you can still log on to www.azleg.state.az.us and click on "Request to Speak" on the upper left hand side. This will take you to a page where you can input your user name & password, and after that, you type in the bill number (2016) and say you are opposed to the bill. Please do this on the night before or the day that the bill will be heard (Monday, January 19th).

For further information, please contact: Sherri Collins, Executive Director, Arizona Commission for the Deaf and the Hard of Hearing at s.collins@acdhh.az.gov.

President Oster's Message

2008 was the Year of the Roller Coaster! Happy New Year! As usual, the year goes by too fast as it is now 2009 and counting, whether you like it or not. So fasten your seatbelts for 2009 will be another Year of the Roller Coaster!

I am sure many of us would like to forget the calamities 2008 brought us, yet we have to take the bad with the good. So let's focus on the good as a way of counting our lucky stars.

The AZAD has had another successful year as we were able to continue to host our third annual Deaf Festival celebration with exhibitions, snacks and vendors. The purpose of course was to help people be aware that we are a thriving culture with a living language solely based on our deafness and needs for communication. Our other important event was the Holiday Festivities for the homeless and anyone who wished goodwill and fellowship with the Deaf Community. We have also been able to take care of our finances, continue to send two representatives to a leadership training seminar in Texas hosted by National Association of the Deaf (NAD) last April. We have also been able to sponsor and donate to organizations and events that reflect our mission statements. Our audit reports will be forthcoming in the very foreseeable future.

So what is ahead of us? (I am glad you asked!) For starters, the AZAD is currently instrumental in helping the ACDHH host the upcoming Deaf Summit Event in February 2009. We will also be involved with another upcoming event of Arizona's first national conference of the American Sign Language Teachers Association (ASLTA). This much anticipated event will be held in the last part of October this year. Professional ASL teachers, linguists and researchers from across the country will be present to share, enhance and develop networking in this thriving profession. Then, there will be our biennial state conference in Phoenix in the fall. Keep checking in our website: www.azadinc.org for updated information.

Of course, with everything else going on in the world, we need to be mindful of our good fortunes and renew our commitments to help advance our cause which is to protect, preserve, and promote our linguistic and cultural rights for all Deaf citizens.

Oh, and one more thing...Please do not forget to root for the Cardinals!



**Arizona Association
of the Deaf
Established in 1936**

The mission of the Arizona Association of the Deaf is to promote, protect and preserve the rights and quality of life of deaf and hard of hearing individuals who are current citizens of the state of Arizona. Since the National Association of the Deaf is a federation of approximately 50 State Associations of the Deaf through affiliation, the AZAD is affiliated with the NAD.

WHY NOT JOIN THE AZAD NOW

ALTERNATIVELY, RENEW YOUR MEMBERSHIP AS SOON AS YOU CAN

Regular \$24.00 biennial membership dues or Senior \$20.00 biennial membership dues

Please note that the AZAD will prorate your membership dues from one biennial conference to next conference.

Please make your check or money order payable to: AZAD and mail to:

**AZAD Treasurer
2388 N. Central Ave.
PMB #277
Phoenix, AZ 85004**

BIG THANKS!

Jury Awards \$400,000 to Deaf Patient for Denial of Interpreter Services in Hudson County (New Jersey)

Mary Pat Gallagher 10/17/2008 (excerpted from Law.com)

A Hudson County jury's \$400,000 verdict for a deaf patient, Irma Gerena whose doctor refused her an interpreter may be a wake-up call for all professionals - including lawyers -- that they risk liability for disability discrimination. Her attorney, Clara Smit stated that her client, Irma Gerena claimed she repeatedly asked Jersey City rheumatologist Robert Fogari to hire an American Sign Language interpreter.

Fogari said that as a solo practitioner, he couldn't afford the estimated \$150 to \$200 per visit an interpreter would cost. Fogari treated Gerena for lupus for about 20 visits, stretched out over 20 months. He would sometimes exchange written words with her civil union partner, Lourdes Torres, who had better written English skills, and he also communicated with Gerena through the couple's 9-year-old daughter.

However, Gerena insisted that she was deprived of the opportunity to participate in and understand her medical situation and the treatment Fogari provided, including the attendant risks and alternative approaches. She continued to see Fogari because her primary care physician had referred her to him.

In the meantime Gerena was not sure of the nature of her illness and fearful about her worsening symptoms; and she could not just pick up the phone and find another doctor. She allegedly tried to get Fogari to change his mind, giving him an interpreter's business card and having the interpreter call him to explain the law to him, but to no avail. She switched doctors after Fogari told her to go to someone else because of her repeated requests according to Attorney Smit.

The new doctor took Gerena off steroid treatments, unfortunately causing her face to swell. Attorney Smit stated that Gerena had not realized the swelling was a side effect of the medicine rather than a symptom of the illness. Thus, Gerena sued Fogari under the federal laws: Americans with Disabilities Act, and the current Rehabilitation Act that applies to recipients of federal funding, including hospitals and doctors whose patients are covered by Medicare and Medicaid. Gerena also sued Fogari under New Jersey's Law Against Discrimination.

During a three-week trial before Superior Court Judge Mary Costello, Fogari argued it would have been an undue hardship to pay an interpreter when he was being reimbursed only \$49 per visit by Gerena's insurer, but his tax returns showed he earned over \$400,000 a year according to Attorney Smit. On October 9th, the jury found Fogari guilty of violating the law by failing to provide Gerena with an interpreter and by retaliating against her for requesting one. Half of the \$400,000 verdict was for punitive damages.

Attorney Smit said that the award is a new record for such a case in the nation. She added that Fogari's malpractice carrier did not defend the case and will not cover the liability because quality of care was not at issue.

HAPPY NEW YEAR!
Let 2009 treat you well!