§ 559. New York State interagency coordinating council for services to persons who are deaf, deaf-blind, or hard of hearing. 1. Subject to an appropriation, the justice center shall have the central responsibility for administering the provisions of this section and otherwise coordinating the activities of the state interagency coordinating council for services to persons who are deaf, deaf-blind, or hard of hearing with respect to serving residents of the state who are deaf, deaf-blind, or hard of hearing, in consultation with the office of children and family services, the office for the aging, the public service commission, the department of health, the department of labor, the department of education, and other state agencies as appropriate. The council shall meet a minimum of three times a year.

2. The following definitions describe the functional characteristics of persons who are deaf, deaf-blind, or hard of hearing, as used in this section.

(a) Deaf. Describes persons who have a profound hearing loss and who primarily rely on visual communication, such as sign language, writing, lip reading, and gestures, which may be used exclusively or in combination. Such persons generally use a form of American sign language as their primary mode of communication. In addition, there is a group of profoundly deaf individuals who communicate orally and may use sign language to support their understanding of the spoken language. Hearing aids and other assistive technology may also be used to aid in communication.

(b) Deaf-blind. An individual with a concomitant hearing and visual impairment, the combination of which causes such severe communication and other developmental and educational problems that the individual cannot be accommodated in programs for individuals who are solely deaf or blind.

(c) Hard of hearing. A hard of hearing person is someone with a measurable hearing loss and who self-identifies as being hard of hearing, although audiologically he or she may have a profound hearing loss. Additionally, this person typically uses his or her residual hearing, speech and speech reading skills, and hearing aids to communicate; he or she may rely on assistive listening devices to augment his or her ability to hear and speak.

3. Subject to an appropriation, the justice center shall have the following powers and duties:

(a) To coordinate the activities of the state interagency coordinating council and to promote, in cooperation with the appropriate state agencies, the implementation of a comprehensive statewide program of coordinated services for persons who are deaf, deaf-blind, or hard of hearing that includes educational, medical, housing, transportation, technology supports, personal care, family supports, day program services, and other essential services that maximize existing resources and administrative mechanisms to address issues and legal obligations.

(b) To maintain data on the incidence of deafness, deaf-blindness, and other hearing loss.

(c) To serve as a clearinghouse for information on services available to persons who are deaf, deaf-blind, or hard of hearing, including, but not limited to, resources that support the development and implementation of community-based services and rehabilitation.

(d) To disseminate general information on deafness and the unique communication needs of persons who are deaf, deaf-blind, and hard of hearing, and to inform the deaf, deaf-blind, and hard of hearing communities about available services and how such services can be accessed.

(e) To receive complaints in matters affecting the deaf, deaf-blind, or hard of hearing communities and to refer such complaints to the appropriate regulatory agencies where it deems necessary or appropriate.

(f) To conduct an ongoing evaluation of the needs of the deaf, deaf-blind, and hard of hearing communities, including technology needs.

(g) To report to the governor and the legislature, on or before November first of each year, on matters which shall include, but not be limited to:

(i) the status of current efforts to achieve the purposes of this section, which will be updated in subsequent reports; and

(ii) recommendations for standards, policies, procedures, and strategies necessary to assure communication accessibility and community-based services, including needed statutory revisions.

4. (a) Subject to an appropriation, the state interagency coordinating

council for services to persons who are deaf, deaf-blind, or hard of hearing is hereby established and shall consist of the following persons to be appointed by the governor:

(i) seven agency heads or their designees, acting in an ex officio capacity: the executive director of the justice center, who shall serve as the chair of the state interagency coordinating council, the commissioner of the office of children and family services, the director of the office for aging, the chair of the public service commission, the commissioner of health, the commissioner of labor, and the commissioner of education;

(ii) six persons who are residents of New York state and who shall be persons who are deaf, deaf-blind, or hard of hearing, one of whom shall be appointed on the nomination of the temporary president of the senate, one of whom shall be appointed on the nomination of the speaker of the assembly, one of whom shall be appointed on the nomination of the minority leader of the senate, and one of whom shall be appointed on the nomination of the minority leader of the assembly; and

(iii) two persons who are residents of New York state and who are representatives of the public and have a demonstrated expertise and interest in the needs of persons who are deaf, deaf-blind, or hard of hearing.

(b) Of the eight persons appointed pursuant to subparagraphs (ii) and (iii) of paragraph (a) of this subdivision, two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years, as determined by the governor. Subsequent appointments upon the expiration of term shall be for a term of three years and shall be filled in the same manner as the original appointment.

(c) The eight members of the state interagency coordinating council described in subparagraphs (ii) and (iii) of paragraph (a) of this subdivision shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section, subject to the approval of the justice center.

5. Subject to an appropriation, the state interagency coordinating council is charged with recommending long range strategic objectives,

goals, and priorities for promoting the availability of a comprehensive statewide program of coordinated services for persons who are deaf, deaf-blind, or hard of hearing that is consistent with subdivision one of this section. It shall also provide advice on the planning, coordination, and development of needed services and technology, including the manner in which such services shall be funded or otherwise supported.