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**DHS 77 Advisory Committee**

**April 23, 2021**

**10:00 AM to 12:00 PM**

**Meeting held virtually via Zoom:**

<https://dhs.wi.zoom.us/j/88657346014>

**Meeting Minutes:**

**I. Called to order at 10:05 A.M by Amber Mullet**

**II. Welcome and Introductions by Amber Mullet**

**Advisory Committee Present:** Bambi Riehl, Steve Smart, Christopher Rawlings

**DHS Support Staff:** Amber Mullett, Bette Mentz-Powell, Monica Smith, Selma Avdic,  
Christopher Gjestson

**Members of the Public:** Jennifer Anderson, Caroline Ludka

**Interpreters:** Amy Simonsen, Carly Bieri

**CART Provider:** Peggy Christensen

**III. Public Comments:**

There were no public comments.

**IV. Review of rule revision process and statement of scope:**

Amber provided a review of the rule revision process and statement of scope. The administrative rules are to be updated and clarify DHS Ch. 77 regarding the Service Fund to update the program operations and eligibility requirements for the providers; including credentialing. Also, the group will look at making changes to the application process to reflect updates. Amber went over the agenda and plan for today's meeting.

**V. Topics for Discussion:**

**I. Review s.46.295:**

Amber presented s.46.295 to the group. Christopher Gjestson informed the Advisory Committee that s.46.295 cannot be changed during this process and is outside the scope of this work. Amber informed the committee that Governor Evers has signed an executive order to review and alter language found to be offensive, such as the term "hearing impaired" that is found in s.46.295.

The committee examined and discussed s.46.295. Many of the scenarios listed in the statute are now required by the Americans with Disabilities Act (ADA). Amber stated the Service Fund could pay for services and bill the agency/provider. This could allow the Service Fund to assist and prevent individuals from not having access to services.

The committee discussed taking the s.46.295 priority areas and expanding on what is and isn't covered in the program and policy manual to clarify the situations and best approaches to fill the current gaps. Discussion occurred regarding most of the priority situations listed in s.46.295 being denied due to the ADA requirements. Chris Gjestson answered questions regarding the creation of a program and policy manual and requiring payment from providers. Chris stated this is possible as long as the internal policies are consistent with statute.

## **II. DHS 77.04 Criteria for reimbursement of communication access services providers**

The current definition of communication access services provider was discussed. It was recommended to keep the definition as is because it allows for flexibility. Bambi stated the current definition seems like it is the Deaf person's responsibility for having a provider. Amber stated the wording could be changed to "person who provides assistance" to "person who facilitates communication between both parties." The advisory committee agrees to the suggestion.

The committee discussed when ODHH provides reimbursement. When the Service Fund/ODHH pays for the services, it says ODHH provides reimbursement. The committee discussed having a preferred provider.

The committee discussed how to provide the necessary list of interpreters that are required under s.46.295. Possible options include ODHH creating and maintaining the list, having a contract with an agency that can provide a breakdown of the number of certified interpreters in the different fields, or using a list from Department of Safety and Professional Services (DSPS) and Department of Public Instruction (DPI). Amber stated another discussion needing to take place includes what the requirements are for an agency to be a service provider. Steve stated since there are no laws for Service Support Providers (SSP), how would this overlap with state licensure laws. Amber stated in the past there has been a training for SSP's from ODHH that is required to be paid by the Service Fund. Amber stated these definitions should be focused on at the next meeting.

## **VI. Additional topics for discussion identified by advisory group members**

The committee examined the current priority and non-priority list. Currently, there is a long list of non-priority situations and a small list for priority situations. The committee had a discussion on various priority and non-priority situations including after school activities, definition of emergency, job interviews, social activities, protests, and conferences. The Service Fund needs to be equitable and allow for flexibility to meet individual needs.

Caroline Ludka stated consumers are unaware of being able to connect with the Service Fund to participate in social activities like neighborhood meetings, home owner or condo associations, etc. The priority and non-priority list has limited the community on knowing what the Service Fund can be used for.

Amber asked the committee on their thoughts if they should focus on what the Service Fund won't cover or focus on priority and non-priority situations. Bambi stated the focus should be on what isn't covered. Christopher Rawlings agrees but asked for a different approach to allow the list to be portrayed in a more positive way. Amber stated the Service Fund will cover all of these situations except for the ones listed. Steve supports the approach and asked to have the ADA included as a reminder of services that are federally mandated to provide accommodations.

Amber provided a recap of the meeting. Amber also went over next steps:

- ODHH will have a conversation with DHS about when we may want to bill entities responsible
- Determine how we will work through s.46.295 in the program and policy manual
- Wordsmith with the service provider definition but keep the language broad
- Eligibility for reimbursement
- If ODHH will maintain the list of qualified interpreters or use something from another agency
- Discuss situations Service Fund will not cover and to include language about the ADA requirement

## **VII. Adjourn:**

The meeting was adjourned at 12:04 P.M.