
**SENATE COMMITTEE ON ENERGY, UTILITIES AND
COMMUNICATIONS**

Senator Ben Hueso, Chair

2019 - 2020 Regular

Bill No:	AB 497	Hearing Date:	6/18/2019
Author:	Santiago		
Version:	4/22/2019 As Amended		
Urgency:	Yes	Fiscal:	Yes
Consultant:	Sarah Smith		

SUBJECT: Deaf and Disabled Telecommunications Program

DIGEST: This bill extends the sunset for the Deaf and Disabled Telephone Program (DDTP) from 2020 to 2025.

ANALYSIS:

Existing law:

- 1) Requires the California Public Utilities Commission (CPUC) to administer a program providing specialized telecommunications devices to a subscriber certified as deaf or hard of hearing by a licensed physician and surgeon, audiologist, or a qualified state or federal agency, and to an organization representing individuals who are deaf or hard of hearing. Existing law allows a licensed hearing aid dispenser or physician assistant to certify an individual's eligibility to participate in the DDTP under certain conditions. (Public Utilities Code §2881(a))
- 2) Requires the CPUC to administer a program to provide specialized telecommunications equipment to subscribers who are certified as disabled. The certification must include a statement of visual or medical need and be provided by a licensed optometrist, physician and surgeon, or physician assistant. (Public Utilities Code §2881(c))
- 3) Requires the CPUC to administer a program providing an individual certified as having a speech disability with a speech-generating device. The certification must be provided by a licensed physician, licensed speech-language pathologist, or qualified state or federal agency. (Public Utilities Code §2881(d))
- 4) Authorizes the CPUC to establish a surcharge of half of one percent on certain intrastate telephone services to fund the DDTP. The surcharge will sunset on January 1, 2020. The CPUC must annually review the surcharge level and may make adjustments to the surcharge to ensure that the program is sufficiently

funded and account balances are not excessive. (Public Utilities Code §2881(g-i))

This bill extends the surcharge funding the DDTP from January 1, 2020, to January 1, 2025.

Background

History of the DDTP. The DDTP was established to provide telecommunications devices for the deaf or severely hearing-impaired population. Since its creation, the Legislature has modified and expanded the program to provide additional types of specialized telecommunications devices for individuals with hearing and other physical impairments that limit a person's ability to use traditional telecommunications devices.

Currently, the DDTP includes two different programs: the California Relay Service (CRS) and the California Telephone Access Program (CTAP). The CRS is a free service enabling individuals who are deaf, hard of hearing, and have speech limitations to communicate with other telephone users through trained communication assistance operators that relay conversations between people who are deaf, hard of hearing, have speech limitations and those whom they wish to call. CTAP provides specialized telecommunication devices and equipment that help individuals who have certain physical impairments communicate via telephone. These devices include telephones with specific capabilities, including, but not limited to, sound amplification, speech captions, and modified keypads. Existing law requires the CPUC to provide CTAP devices for no charge additional to the basic exchange rate.

The DDTP surcharge. The DDTP is funded through a surcharge on consumers' intrastate telecommunications services. This surcharge is scheduled to sunset on January 1, 2020. This bill would extend the DDTP surcharge sunset by five years and continue to require the CPUC to review the surcharge amounts to ensure effective program funding without excessive account balances. The Legislature regularly extends the DDTP surcharge sunset. This bill is the fourth piece of legislation since 2005 to extend the surcharge sunset date. In recent years, demand for the CRS has decreased while the CTAP has slowly grown. Despite the slow growth of the CTAP, the DDTP surcharge rate has remained the same for more than four years.

Prior/Related Legislation

AB 1514 (Patterson, 2019) would add nurse practitioners to the list of professionals that can certify an individual's eligibility to obtain specialized telecommunications devices and equipment through the DDTP. The bill is pending consideration in the Senate Committee on Business, Professions and Economic Development.

AB 136 (Beall, Chapter 404, Statutes of 2011) required the CPUC to expand the DDTP to include assistance to persons with speech disabilities, including assistance to purchase speech-generating devices and accessories.

SB 129 (Wright, Chapter 332, Statutes of 2013) extended the DDTP surcharge sunset date to January 1, 2020.

AB 1553 (Fuentes, Chapter 300, Statutes of 2009) extended the DDTP surcharge sunset date to January 1, 2014.

SB 210 (Bowen, Chapter 453, Statutes of 2005) extended the DDTP surcharge sunset date to January 1, 2010.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT:

Access Humboldt
Association of Regional Center Agencies
AT&T
California Communications Association
Disability Rights California
League of California Cities
Public Advocates Office (formerly Office of Ratepayer Advocates)
The Arc California
The Utility Reform Network
United Cerebral Palsy California Collaboration

OPPOSITION:

None received

ARGUMENTS IN SUPPORT: According to the author:

Today, most people take using the telephone for granted. But when an individual has difficulties hearing, seeing, speaking, moving, or remembering, something as simple as a telephone call may be difficult and the inability to make a call in an emergency can be life threatening. For 40 years, DDTP has provided critical equipment and services to such individuals in order to help them communicate with family, friends, or healthcare and safety professionals. AB 497 would continue a vital program to ensure that individuals with disabilities can continue to receive the critical equipment and services necessary to help them communicate more easily.

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