



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-3643/1  
TJD:amn

## 2019 ASSEMBLY BILL 621

November 20, 2019 - Introduced by Representatives THIESFELDT, SKOWRONSKI, BROSTOFF, MURSAU, ANDERSON, BOWEN, DITTRICH, EMERSON, KNODL, KRUG, MILROY, SINICKI, SPREITZER, SUBECK, TUSLER, VRUWINK and C. TAYLOR, cosponsored by Senators MARKLEIN, LARSON and L. TAYLOR. Referred to Committee on State Affairs.

1       **AN ACT to amend** 15.377 (2) (intro.), 15.377 (2) (a), 15.377 (2) (b), 15.377 (2) (f),  
2           20.255 (1) (d), 20.435 (1) (da), 20.435 (1) (hs), 20.866 (2) (zh), 46.295 (title),  
3           46.295 (1), 46.295 (4) (intro.), 46.295 (4) (a), 46.295 (4) (b), 46.295 (5), 46.297  
4           (title), 46.297 (1), 46.297 (2) (a), 46.298, 51.05 (6), 51.42 (7) (a) 6. a., 51.42 (7)  
5           (a) 6. b., 59.54 (5), 101.13 (1), 106.52 (1) (fm), 115.372 (1) (b), 115.372 (2), 115.372  
6           (3) (b), 115.372 (3) (d), 115.372 (3) (e), 115.372 (3) (f), 115.372 (5), 115.51 (2),  
7           115.52 (1m), 115.52 (2), 115.52 (3) (intro.), 115.52 (3) (a) 1., 115.52 (3) (a) 2.,  
8           115.52 (3) (a) 3., 115.52 (3) (b) 4., 115.52 (3) (b) 5., 115.52 (3) (b) 6., 115.52 (3) (b)  
9           8., 115.52 (3) (b) 11., 115.52 (3) (b) 12., 115.52 (3) (c) 1., 115.52 (3) (c) 2., 115.52  
10          (3) (c) 3., 115.53 (5), 115.54, 115.76 (5) (a) 2., 115.787 (3) (b) 4., 118.255 (1) (a),  
11          459.01 (2), 459.01 (5), 459.10 (1) (q), 459.20 (3g), 459.20 (3p), 459.34 (2) (i),  
12          632.895 (16) (a) 2., 632.895 (16) (b) 1. a., 885.37 (1), 885.37 (3) (b), 885.37 (5) (b),

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1 905.015 (title) and 905.015 (1) of the statutes; **relating to:** changing  
2 terminology for hearing loss and individuals who are deaf or hard of hearing.

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***Analysis by the Legislative Reference Bureau***

This bill substitutes the terms “hearing loss” and “deaf or hard of hearing” for the phrases “hearing impaired” and “hearing impairment” in the statutes.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 **SECTION 1.** 15.377 (2) (intro.) of the statutes is amended to read:

4 15.377 (2) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. (intro.) There is  
5 created a deaf and hard-of-hearing education council in the department of public  
6 instruction. The council shall consist of the following members, at least 3 of whom  
7 must be ~~hearing impaired~~ deaf or hard of hearing, appointed by the state  
8 superintendent of public instruction for 3-year terms:

9 **SECTION 2.** 15.377 (2) (a) of the statutes is amended to read:

10 15.377 (2) (a) Two parents of children who are ~~have~~ have hearing impaired ~~loss~~.

11 **SECTION 3.** 15.377 (2) (b) of the statutes is amended to read:

12 15.377 (2) (b) One licensed teacher of pupils who are ~~have~~ have hearing impaired  
13 loss.

14 **SECTION 4.** 15.377 (2) (f) of the statutes is amended to read:

15 15.377 (2) (f) One person who is experienced in educating ~~the~~ individuals with  
16 hearing impaired loss, or in educating teachers of ~~the~~ individuals with hearing  
17 ~~impaired~~ loss, and is affiliated with an institution of higher education.

18 **SECTION 5.** 20.255 (1) (d) of the statutes is amended to read:

19 20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse  
20 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

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1 the acquisition, construction, development, enlargement or improvement of  
2 institutional facilities for individuals with hearing impairments loss under s. 115.52,  
3 individuals with visual impairments under s. 115.525, and resources for libraries  
4 and lifelong learning service facilities under s. 43.05 (11) and to make payments  
5 under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

6 **SECTION 6.** 20.435 (1) (da) of the statutes is amended to read:

7 20.435 (1) (da) *Interpreter services and telecommunication aid for the hearing*  
8 *impaired deaf and hard of hearing*. The amounts in the schedule to provide  
9 interpreter services for hearing-impaired persons who are deaf or hard of hearing  
10 under s. 46.295 (1) and assistance under the telecommunication assistance program  
11 for the hearing-impaired deaf and hard of hearing under s. 46.297.

12 **SECTION 7.** 20.435 (1) (hs) of the statutes is amended to read:

13 20.435 (1) (hs) *Interpreter services for hearing-impaired the deaf and hard of*  
14 *hearing*. The amounts in the schedule for interpreter services for hearing-impaired  
15 persons who are deaf or hard of hearing under s. 46.295 (1). All moneys received from  
16 fees charged for the interpreter services shall be credited to this appropriation.

17 **SECTION 8.** 20.866 (2) (zh) of the statutes is amended to read:

18 20.866 (2) (zh) *Public instruction; state school, state center and library*  
19 *facilities*. From the capital improvement fund, a sum sufficient for the department  
20 of public instruction to acquire, construct, develop, enlarge, or improve institutional  
21 facilities for individuals with hearing impairments loss and individuals with visual  
22 impairments and resources for libraries and lifelong learning service facilities. The  
23 state may contract public debt in an amount not to exceed \$12,350,600 for this  
24 purpose.

25 **SECTION 9.** 46.295 (title) of the statutes is amended to read:

**ASSEMBLY BILL 621****SECTION 9**

1           **46.295** (title) **Interpreters for the hearing-impaired deaf and hard of**  
2 **hearing**.

3           **SECTION 10.** 46.295 (1) of the statutes is amended to read:

4           46.295 (1) The department may, on the request of any hearing-impaired  
5 person who is deaf or hard of hearing, city, village, town, or county or private agency,  
6 provide funds from the appropriation accounts under s. 20.435 (1) (da) and (hs) to  
7 reimburse interpreters for hearing-impaired persons who are deaf or hard of  
8 hearing for the provision of interpreter services.

9           **SECTION 11.** 46.295 (4) (intro.) of the statutes is amended to read:

10          46.295 (4) (intro.) The department may use as an interpreter for  
11 hearing-impaired persons who are deaf or hard of hearing only the following:

12          **SECTION 12.** 46.295 (4) (a) of the statutes is amended to read:

13          46.295 (4) (a) An interpreter for hearing-impaired persons who are deaf or  
14 hard of hearing who is certified by the national registry of interpreters for the deaf.

15          **SECTION 13.** 46.295 (4) (b) of the statutes is amended to read:

16          46.295 (4) (b) If an interpreter under par. (a) is unavailable, an interpreter for  
17 hearing-impaired persons who are deaf or hard of hearing whose qualifications have  
18 been determined appropriate by the department.

19          **SECTION 14.** 46.295 (5) of the statutes is amended to read:

20          46.295 (5) The department may bill any public or private agency at the rates  
21 established by the department for interpreter services for hearing-impaired persons  
22 who are deaf or hard of hearing commensurate with the certification or qualification  
23 level of the interpreter providing services if the department determines that the  
24 agency is required under state or federal law to provide interpreter services to a

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1 ~~hearing-impaired~~ person who is deaf or hard of hearing or if the agency agrees to pay  
2 for the services.

3 **SECTION 15.** 46.297 (title) of the statutes is amended to read:

4 **46.297 (title) Telecommunication aid for the hearing impaired deaf or**  
5 **hard of hearing.**

6 **SECTION 16.** 46.297 (1) of the statutes is amended to read:

7 46.297 (1) ASSISTANCE. From the appropriation under s. 20.435 (1) (da), the  
8 department shall, subject to the availability of funds, provide assistance to  
9 ~~hearing-impaired~~ persons who are deaf or hard of hearing to secure  
10 telecommunication devices capable of serving their needs. Except in extraordinary  
11 circumstances, the department shall purchase or provide funds for the purchase of  
12 telecommunication devices.

13 **SECTION 17.** 46.297 (2) (a) of the statutes is amended to read:

14 46.297 (2) (a) The person is certified as deaf or severely having severe hearing  
15 impaired loss by a physician, an audiologist licensed under subch. II of ch. 459 or the  
16 department.

17 **SECTION 18.** 46.298 of the statutes is amended to read:

18 **46.298 Vehicle sticker for the deaf or hard of hearing impaired.** Upon  
19 the request of a person who is certified as having a hearing impaired loss by the  
20 department, by a physician, by a hearing instrument specialist licensed under subch.  
21 I of ch. 459 or by an audiologist licensed under subch. II of ch. 459, the department  
22 shall issue to the person a decal or sticker for display on a motor vehicle owned or  
23 frequently operated by the person to apprise law enforcement officers of the fact that  
24 the vehicle is owned or operated by a ~~hearing-impaired~~ person who has a hearing  
25 loss. No charge shall be made for issuance of the decal or sticker. The department

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1 shall specify the design of the decal or sticker. The department shall designate the  
2 location on the vehicle at which the decal or sticker shall be affixed by its own  
3 adhesive.

4 **SECTION 19.** 51.05 (6) of the statutes is amended to read:

5 51.05 (6) ~~HEARING-IMPAIRED~~ DEAF OR HARD-OF-HEARING INDIVIDUALS. The  
6 department shall provide mental health services appropriate for ~~hearing-impaired~~  
7 individuals who are deaf or hard of hearing and who are residents of or are  
8 committed, admitted or transferred to a mental health institute.

9 **SECTION 20.** 51.42 (7) (a) 6. a. of the statutes is amended to read:

10 51.42 (7) (a) 6. a. Mental health outpatient and follow-up services appropriate  
11 for ~~hearing-impaired~~ mentally ill individuals who are deaf or hard of hearing,  
12 including advocacy training relating to the rights of mentally ill individuals.

13 **SECTION 21.** 51.42 (7) (a) 6. b. of the statutes is amended to read:

14 51.42 (7) (a) 6. b. Technical assistance to a county department of community  
15 programs concerning provision of services to ~~hearing-impaired~~ mentally ill  
16 individuals who are deaf or hard of hearing.

17 **SECTION 22.** 59.54 (5) of the statutes is amended to read:

18 59.54 (5) ~~EMERGENCY SERVICES FOR PERSONS WITH A HEARING LOSS AND SPEECH~~  
19 ~~IMPAIRED PERSONS.~~ In any county having a population of 200,000 or more the board  
20 shall install in the sheriff's department a teletypewriter which shall be available to  
21 receive calls from ~~hearing and~~ persons who are deaf or hard of hearing and speech  
22 impaired persons seeking emergency services. In cities having a population of  
23 30,000 or more which are not contained in a county having a population of 200,000  
24 or more, the city shall install a teletypewriter for the purposes of this subsection in  
25 either the police or fire department. If 2 or more cities having a population of 30,000

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1 or more are contained in one county, the board shall install the teletypewriter in the  
2 sheriff's department and no teletypewriter shall be required in the cities.

3 **SECTION 23.** 101.13 (1) of the statutes is amended to read:

4 101.13 (1) In this section, "access" means the physical characteristics of a place  
5 which allow persons with functional limitations caused by impairments of sight,  
6 ~~hearing, coordination, or perception, persons with a hearing loss,~~ or persons with  
7 semiambulatory or nonambulatory disabilities to enter, circulate within and leave  
8 a place of employment or public building and to use the public toilet facilities and  
9 passenger elevators in the place of employment or public building without  
10 assistance.

11 **SECTION 24.** 106.52 (1) (fm) of the statutes is amended to read:

12 106.52 (1) (fm) "Service animal" means a guide dog, signal dog, or other animal  
13 that is individually trained or is being trained to do work or perform tasks for the  
14 benefit of a person with a disability, including the work or task of guiding a person  
15 with impaired vision, alerting a person ~~with impaired hearing~~ who is deaf or hard  
16 of hearing to intruders or sound, providing minimal protection or rescue work,  
17 pulling a wheelchair, or fetching dropped items.

18 **SECTION 25.** 115.372 (1) (b) of the statutes is amended to read:

19 115.372 (1) (b) "~~Hearing impaired~~ Deaf or hard of hearing" has the meaning  
20 given in s. 115.51 (2).

21 **SECTION 26.** 115.372 (2) of the statutes is amended to read:

22 115.372 (2) The state superintendent shall seek the advice of and consult with  
23 the council on issues related to persons who are ~~hearing impaired~~ deaf or hard of  
24 hearing. The state superintendent and the director of the Wisconsin Educational

**ASSEMBLY BILL 621****SECTION 26**

1 Services Program for the Deaf and Hard of Hearing, or their designees, shall attend  
2 meetings of the council.

3 **SECTION 27.** 115.372 (3) (b) of the statutes is amended to read:

4 115.372 (3) (b) Advise the state superintendent on such statewide services,  
5 activities, programs, investigations, and research as in its judgment will benefit  
6 pupils who are hearing-impaired deaf or hard of hearing.

7 **SECTION 28.** 115.372 (3) (d) of the statutes is amended to read:

8 115.372 (3) (d) Review the level and quality of services available to pupils in  
9 the state who are hearing-impaired deaf or hard of hearing and make  
10 recommendations about those services.

11 **SECTION 29.** 115.372 (3) (e) of the statutes is amended to read:

12 115.372 (3) (e) Propose to the state superintendent ways to improve the  
13 preparation of teachers and other staff who provide services to pupils who are  
14 hearing-impaired deaf or hard of hearing.

15 **SECTION 30.** 115.372 (3) (f) of the statutes is amended to read:

16 115.372 (3) (f) Propose to the state superintendent ways to improve  
17 coordination between the department and other agencies in providing services to  
18 persons who are hearing-impaired deaf or hard of hearing.

19 **SECTION 31.** 115.372 (5) of the statutes is amended to read:

20 115.372 (5) The council shall have access to public files, public records, and  
21 statistics kept in the department that relate to matters concerning children who are  
22 hearing-impaired deaf or hard of hearing.

23 **SECTION 32.** 115.51 (2) of the statutes is amended to read:



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1           115.51 (2) “~~Hearing impaired~~ Deaf or hard of hearing” has the meaning given  
2           in the rules promulgated by the state superintendent to define “~~hearing impairments~~  
3           loss” under s. 115.76 (5) (a) 2.

4           **SECTION 33.** 115.52 (1m) of the statutes is amended to read:

5           115.52 (1m) PURPOSE. The purpose of the program is to serve as a statewide  
6           educational resource relating to hearing ~~impairments~~ loss to benefit all Wisconsin  
7           children who are ~~hearing impaired~~ deaf or hard of hearing.

8           **SECTION 34.** 115.52 (2) of the statutes is amended to read:

9           115.52 (2) GOVERNANCE. The state superintendent shall maintain and govern  
10          the program’s facilities. The state superintendent shall appoint an individual who  
11          has training and experience in educating pupils who are ~~hearing impaired~~ deaf or  
12          hard of hearing to serve as the director of the program.

13          **SECTION 35.** 115.52 (3) (intro.) of the statutes is amended to read:

14          115.52 (3) SERVICES. (intro.) The program shall provide services that benefit  
15          children throughout the state who are ~~hearing impaired~~ deaf or hard of hearing.

16          **SECTION 36.** 115.52 (3) (a) 1. of the statutes is amended to read:

17          115.52 (3) (a) 1. ‘Residents 3 to 20 years old.’ The program shall operate a school  
18          at which any resident of this state 3 to 20 years old who is ~~hearing impaired~~ deaf or  
19          hard of hearing, and for the duration of a school term any resident of this state who  
20          is ~~hearing impaired~~ deaf or hard of hearing and becomes 21 years old during that  
21          school term, shall be received and taught free of charge if the individualized  
22          education program for the resident under s. 115.787 and the educational placement  
23          under s. 115.79 specify the school operated by the program as the appropriate  
24          placement.

25          **SECTION 37.** 115.52 (3) (a) 2. of the statutes is amended to read:

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1           115.52 (3) (a) 2. 'Residents 21 years old or older.' The state superintendent may  
2 admit to the school operated by the program a resident of the state who is hearing  
3 ~~impaired~~ deaf or hard of hearing and is 21 years of age or older prior to the beginning  
4 of a school term upon the payment of fees fixed by the state superintendent and upon  
5 the recommendation of the secretary of health services, the director of the technical  
6 college system, or the director of the program.

7           **SECTION 38.** 115.52 (3) (a) 3. of the statutes is amended to read:

8           115.52 (3) (a) 3. 'Nonresidents.' A nonresident of this state, who is hearing  
9 ~~impaired~~ deaf or hard of hearing, who either is 3 to 20 years old or becomes 21 years  
10 old during a school term, whose individualized education program under 20 USC  
11 1414 (d) and educational placement specify the school operated by the program as  
12 the appropriate placement, and who is capable of receiving instruction may be  
13 received at the school upon payment in advance of the fees fixed by the state  
14 superintendent, but no nonresident may be received to the exclusion of a resident  
15 pupil.

16           **SECTION 39.** 115.52 (3) (b) 4. of the statutes is amended to read:

17           115.52 (3) (b) 4. Provide in-service and other training to teachers and other  
18 staff serving pupils who are ~~hearing-impaired~~ deaf or hard of hearing.

19           **SECTION 40.** 115.52 (3) (b) 5. of the statutes is amended to read:

20           115.52 (3) (b) 5. Provide training, technical assistance, and consultation  
21 services for parents of children who are ~~hearing-impaired~~ deaf or hard of hearing and  
22 for professionals who work with children who are ~~hearing-impaired~~ deaf or hard of  
23 hearing.

24           **SECTION 41.** 115.52 (3) (b) 6. of the statutes is amended to read:

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1           115.52 (3) (b) 6. Provide access to educational materials to children who are  
2 ~~hearing impaired~~ deaf or hard of hearing.

3           **SECTION 42.** 115.52 (3) (b) 8. of the statutes is amended to read:

4           115.52 (3) (b) 8. Serve as a clearinghouse for information about children who  
5 are ~~hearing impaired~~ deaf or hard of hearing.

6           **SECTION 43.** 115.52 (3) (b) 11. of the statutes is amended to read:

7           115.52 (3) (b) 11. Facilitate the preparation of teachers of pupils who are  
8 ~~hearing impaired~~ deaf or hard of hearing by providing assistance to teacher  
9 preparation programs.

10          **SECTION 44.** 115.52 (3) (b) 12. of the statutes is amended to read:

11          115.52 (3) (b) 12. Provide other statewide services that relate to the education  
12 of children who are ~~hearing impaired~~ deaf or hard of hearing.

13          **SECTION 45.** 115.52 (3) (c) 1. of the statutes is amended to read:

14          115.52 (3) (c) 1. 'Birth to 3 services.' The program may provide instruction or  
15 services, or both, for children who are under the age of 3 and are ~~hearing impaired~~  
16 deaf or hard of hearing and their parents. The instruction or services are subject to  
17 the approval of, and shall comply with requirements established by, the department.

18          **SECTION 46.** 115.52 (3) (c) 2. of the statutes is amended to read:

19          115.52 (3) (c) 2. 'Library.' Educational media and materials acquired by the  
20 program constitute a circulating collection for persons who are ~~hearing impaired~~  
21 deaf or hard of hearing. The collection shall be kept at the program's facility and be  
22 under the supervision of its director. All school age children of the state who are  
23 ~~hearing impaired~~ deaf or hard of hearing may use the media and materials upon  
24 compliance with criteria established by the director of the program and approved by  
25 the state superintendent.

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1           **SECTION 47.** 115.52 (3) (c) 3. of the statutes is amended to read:

2           115.52 (3) (c) 3. ‘Summer programs.’ The program shall provide summer  
3 programs each year for children who are ~~hearing impaired~~ deaf or hard of hearing.

4           **SECTION 48.** 115.53 (5) of the statutes is amended to read:

5           115.53 (5) Arrange for visits by members of the staff of either the Wisconsin  
6 Educational Services Program for the Deaf and Hard of Hearing or the Wisconsin  
7 Center for the Blind and Visually Impaired to other public schools or to families of  
8 children who are ~~hearing impaired~~ deaf or hard of hearing or children who are  
9 visually impaired, whenever it appears to the state superintendent that such visits  
10 will be of advantage to such children.

11           **SECTION 49.** 115.54 of the statutes is amended to read:

12           **115.54 Compulsory education.** If it appears, by affidavit, to any circuit  
13 judge that any child who is either ~~hearing impaired~~ deaf or hard of hearing or  
14 visually impaired and who is between the ages of 6 and 21 is deprived of a suitable  
15 education by the failure of the person having the care and custody of the child to  
16 provide a suitable education, the judge shall order the person to bring the child before  
17 the judge. If the material allegations of the affidavit are denied, the judge shall  
18 subpoena witnesses and hear testimony. If the allegations are admitted or  
19 established, the judge may order the child sent to the school operated by the  
20 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the  
21 school operated by the Wisconsin Center for the Blind and Visually Impaired or to  
22 some class or other school for instruction, but the order may not make a direct charge  
23 for the class or school against any county.

24           **SECTION 50.** 115.76 (5) (a) 2. of the statutes is amended to read:

25           115.76 (5) (a) 2. Hearing ~~impairments~~ loss.

**ASSEMBLY BILL 621****SECTION 51**

1           **SECTION 51.** 115.787 (3) (b) 4. of the statutes is amended to read:

2           115.787 (3) (b) 4. Consider the communication needs of the child, and, in the  
3 case of a child who is ~~hearing impaired~~ deaf or hard of hearing, consider the child's  
4 language and communication needs, opportunities for direct communications with  
5 peers and professional personnel in the child's language and communication mode,  
6 academic level and full range of needs, including opportunities for direct instruction  
7 in the child's language and communication mode.

8           **SECTION 52.** 118.255 (1) (a) of the statutes is amended to read:

9           118.255 (1) (a) Under this section "physical or mental health treatment  
10 services" means treatment for physical or orthopedic disability, developmental  
11 disability, emotional disturbance, hearing ~~impairment~~ loss, visual disability, speech  
12 or language disability; and includes itinerant services such as evaluative and  
13 diagnostic services.

14           **SECTION 53.** 459.01 (2) of the statutes is amended to read:

15           459.01 (2) "Hearing aid" means any wearable instrument or device designed  
16 for or offered for the purpose of aiding or compensating for ~~impaired~~ human hearing  
17 loss and any parts, attachments or accessories of such an instrument or device,  
18 except batteries and cords.

19           **SECTION 54.** 459.01 (5) of the statutes is amended to read:

20           459.01 (5) "Practice of fitting and dealing in hearing aids" means the  
21 measurement of human hearing by means of an audiometer or by any other means  
22 accepted by the examining board solely for the purpose of making selections,  
23 adaptations or sales of hearing aids intended to compensate for ~~impaired~~ hearing  
24 loss. This term also includes making impressions for ear molds.

25           **SECTION 55.** 459.10 (1) (q) of the statutes is amended to read:

**ASSEMBLY BILL 621****SECTION 55**

1           459.10 (1) (q) Intentionally or negligently misrepresented the cause of a  
2 hearing impairment loss or the cure of a hearing impairment loss by the use of a  
3 hearing aid.

4           **SECTION 56.** 459.20 (3g) of the statutes is amended to read:

5           459.20 (3g) “Hearing aid” means any wearable or implantable instrument or  
6 device designed for or offered for the purpose of aiding or compensating for impaired  
7 human hearing loss and any parts, attachments or accessories of such an instrument  
8 or device, except batteries and cords.

9           **SECTION 57.** 459.20 (3p) of the statutes is amended to read:

10          459.20 (3p) “Practice of fitting and dealing in hearing aids” means the  
11 measurement of human hearing by means of an audiometer or by any other means  
12 accepted by the examining board for the purpose of making selections, adaptations  
13 or sales of hearing aids intended to compensate for impaired hearing loss, and  
14 includes making impressions for ear molds.

15          **SECTION 58.** 459.34 (2) (i) of the statutes is amended to read:

16          459.34 (2) (i) Intentionally or negligently misrepresented the cause of a  
17 hearing impairment loss or the cure of a hearing impairment loss by the use of a  
18 hearing aid.

19          **SECTION 59.** 632.895 (16) (a) 2. of the statutes is amended to read:

20          632.895 (16) (a) 2. “Hearing aid” means any externally wearable instrument  
21 or device designed for or offered for the purpose of aiding or compensating for  
22 ~~impaired~~ human hearing loss and any parts, attachments, or accessories of such an  
23 instrument or device, except batteries and cords.

24          **SECTION 60.** 632.895 (16) (b) 1. a. of the statutes is amended to read:

**ASSEMBLY BILL 621****SECTION 60**

1           632.895 (16) (b) 1. a. Coverage of the cost of hearing aids and cochlear implants  
2           that are prescribed by a physician, or by an audiologist licensed under subch. II of  
3           ch. 459, in accordance with accepted professional medical or audiological standards,  
4           for a child covered under the policy or plan who is under 18 years of age and who is  
5           certified as deaf or ~~hearing impaired~~ hard of hearing by a physician or by an  
6           audiologist licensed under subch. II of ch. 459.

7           **SECTION 61.** 885.37 (1) of the statutes is amended to read:

8           885.37 (1) If a municipal court has notice that a person who is a juvenile or  
9           parent subject to ch. 938, or who is a witness in a proceeding under ch. 938, has a  
10          language difficulty because of the inability to speak or understand English, has a  
11          hearing ~~impairment~~ loss, is unable to speak or has a speech defect, the court shall  
12          make a factual determination of whether the language difficulty ~~or~~, the hearing loss,  
13          or the speaking impairment is sufficient to prevent the individual from  
14          communicating with his or her attorney, reasonably understanding the English  
15          testimony or reasonably being understood in English. If the court determines that  
16          an interpreter is necessary, the court shall advise the person that he or she has a right  
17          to a qualified interpreter and that, if the person cannot afford one, an interpreter will  
18          be provided for him or her at the public's expense. Any waiver of the right to an  
19          interpreter is effective only if made voluntarily in person, in open court and on the  
20          record.

21          **SECTION 62.** 885.37 (3) (b) of the statutes is amended to read:

22          885.37 (3) (b) In any administrative contested case proceeding before a state,  
23          county or municipal agency, if the agency conducting the proceeding has notice that  
24          a party to the proceeding has a language difficulty because of the inability to speak  
25          or understand English, has a hearing ~~impairment~~ loss, is unable to speak or has a

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1 speech defect, the agency shall make a factual determination of whether the  
2 language difficulty ~~or~~, hearing loss, or speaking impairment is sufficient to prevent  
3 the party from communicating with others, reasonably understanding the English  
4 testimony or reasonably being understood in English. If the agency determines that  
5 an interpreter is necessary, the agency shall advise the party that he or she has a  
6 right to a qualified interpreter. After considering the party's ability to pay and the  
7 other needs of the party, the agency may provide for an interpreter for the party at  
8 the public's expense. Any waiver of the right to an interpreter is effective only if made  
9 at the administrative contested case proceeding.

10 **SECTION 63.** 885.37 (5) (b) of the statutes is amended to read:

11 885.37 (5) (b) The department of health services shall maintain a list of  
12 qualified interpreters for use with persons who have hearing impairments are deaf  
13 or hard of hearing. The department shall distribute the list, upon request and  
14 without cost, to courts and agencies who must appoint interpreters. If an interpreter  
15 needs to be appointed for a person who ~~has a hearing impairment~~ is deaf or hard of  
16 hearing, the court or agency shall appoint a qualified interpreter from the list. If no  
17 listed interpreter is available or able to interpret, the court or agency shall appoint  
18 as interpreter another person who is able to accurately communicate with and  
19 convey information to and receive information from the ~~hearing-impaired~~ person  
20 who is deaf or hard of hearing.

21 **SECTION 64.** 905.015 (title) of the statutes is amended to read:

22 **905.015 (title) Interpreters for persons with language difficulties,**  
23 **limited English proficiency, ~~or~~ hearing loss, or speaking impairments.**

24 **SECTION 65.** 905.015 (1) of the statutes is amended to read:



