



September 2019

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See back page to sign up and support National HLAA.

MEETING INFORMATION FOR SATURDAY, September 14, 2019

Topic and Speaker: Three HLAA-EBC Board Members attended the June National Convention in Rochester, NY; they will share their experiences and what they learned that may be useful for all of us.

Schedule:

9:00 a.m. - Set up: We always love to have you come early to help!

9:30 a.m. – Refreshments, coffee and tea will be served.

10:00 a.m. - Meeting starts: Introductions, Announcements, speaker.

NOTE: Meeting is captioned, and the room is looped. You won't miss a word! Use the hearing-loop system by turning your hearing aid(s) to the Telecoil (T-coil) setting. Thanks to Peter Townsend, Steve Ulrich and the team for setting up our room, the audiovisual, and the captioning.

11:30 a.m. - Meeting adjourns.

How to find us: Come to the Fabiola building, 3801 Howe Street, Oakland. Free parking is available across the street, in the Kaiser parking structure. From the garage, walk across Howe Street and go into the Fabiola building. Take the elevator down to the ground floor and go to Room G26. For directions to Kaiser, call 510-752-1000.

HLAA-EB will post to the California State Association webpage and our website

Check out our website: <http://www.hearinglosseb.org/>

Contact us: info@hearinglosseb.org

MEETING NOTES: *Legal Issues Involving Service Animals for Individuals with Hearing Loss*

At our June 8, 2019 meeting, our guest speaker was disability rights attorney Celia McGuinness, Esq., who is a founding law partner at the law firm of Derby, McGuinness & Goldsmith, LLP, in Oakland and Los Angeles, primarily representing persons with physical and/or mental disabilities. Ms. McGuinness focused her presentation on the major issues that often arise regarding service animals, especially as applying to individuals living with hearing loss. In particular, she talked about how service animals fit into the two legislative frameworks of the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA).



A Review of Current Laws & Terms

Initially, Ms. McGuinness explained that there are several terms often used in referring to service animals:

- *Service Animals*: Either a dog or a miniature horse which is specifically trained to perform a task for a person with a disability. Ex: Dogs that are trained to alert their owners to the phone or doorbell.
- *Emotional Support Animals*: An animal that does not need to be trained, but by its very existence and presence provides support to a person. Usually for a person whose disability is a mental health disability, these dogs are only allowed under the FHA in people's homes and on airplanes.
- *Therapy Animals*: An animal that acts in a therapeutic milieu, such as a hospital along with a therapist, but is not assigned to an individual person. Not really a valid term for service animals.
- *Comfort Animals*: Not actually a valid term, but often used for a pet providing emotional support or comfort.
- *Assistance Animals*: A broader term used by the Federal Gov't, Dept. of Housing & Urban Development, to refer to service animals and emotional support animals that may be allowed in housing.

Legal Rights of Service Dog Owners

Under the ADA, service dogs can go anywhere in public that the person with the disability goes, with very few exceptions. For example, they can go into the hospital with you, but they cannot go with you into the operating room, the burn ward or other sterile areas. If a person brings their dog into a public place and says that it is a service dog, only two questions may be asked: 1) Does this dog assist you with a disability? 2) What task is this dog trained to perform? The public accommodation cannot ask you to prove the dog is trained, ask to see vaccination records, or ask for certification. There is no obligation to make the dog perform the task on cue since it's not always possible to have the dog act on cue, and asking too many questions could be stigmatizing to people with disabilities. Service dog vests which you can buy and put on your dog have no legal import one way or another.

Resolving Legal & Practical Issues in Drawing the Line

- ✓ The presumption is inclusion, and the burden of exclusion is on the public place. If a line is being drawn, the law should be interpreted liberally to make sure that people with disabilities are included in everyday life.
- ✓ The ADA has a section that allows public accommodations to exclude animals under certain circumstances: They are not house broken; they are not clean; they misbehave; or they present a direct threat to others.
- ✓ Although not legally required, persons with disabilities might want to carry a copy of the ADA as protection in case your use of a service dog is challenged in a public place.
- ✓ Only working service dogs have the legal right to be in public. Pet owners do not have any rights. Emotional support animal owners, who only have rights in their homes and on airplanes, may need a letter from their medical provider which documents their disability and shows a nexus between the disability and the animal.
- ✓ Public accommodations should establish clearly written policies on animals and consistently enforce them.
- ✓ Predatory or fraudulent lawsuits for the misuse of service animals may be prosecuted as a crime.
- ✓ If an animal, including a trained service dog or an emotional support animal, causes damage to another person or property, then the animal's owner is responsible for the damage.
- ✓ Public accommodations and animal owners should attempt to negotiate or mediate any problems that might arise regarding animals. However, if all else fails, it may be necessary to contact the Dept. of Justice, Dept. of Fair Housing, state or local officials, or perhaps a lawyer.

For More Information: Visit www.dmglawfirm.com; Email cmcguinness@dmglawfirm.com; Call (510) 987-8778.
~ Kathy Fairbanks

MY IMPRESSIONS OF THE HLAA CONVENTION AS A FIRST TIME ATTENDEE

I attended all 4 days of the convention, June 19 - 22 and felt it was very well organized. Upon registering, everyone got a bag with a program and other information, a badge, any tickets to optional events ordered and a t-shirt. The first day I attended the HLAA State/Chapter Leadership Workshop at which Bert Meijers of the IDA Institute in the Netherlands presented about Person Centered Hearing Care which addresses how audiologists may use a caring approach developed by the IDA Institute to help patients with hearing loss. It was inspiring to hear that there is another way. Also, Ann Thomas of the Diablo Valley chapter in Walnut Creek presented about Branding your chapter and also about "Get in the Hearing Loop" (GITHL) which is promoting hearing loop installation throughout the country. Ann has done a fantastic job of instigating for hearing loops, organizing a committee to work on this issue and held several workshops throughout the convention on how to approach venues about putting in hearing loops and what is the importance of that.

On Thursday, June 20, we heard from the keynote speaker, Rebecca Alexander, who was diagnosed with a rare genetic disorder called Usher Syndrome. She found out at age 19 that she was going blind and deaf. However, despite her disabilities, she has remained strong and had a humorous and inspiring story to tell about how she has overcome many obstacles to be able to function well to this day. She has also written a book about her experiences which was available at the convention. I enjoyed listening to her talk about her current full life and industrious speaking engagements around the world.

On Friday, I appreciated the doctor's panel about genetic markers for hearing loss. Currently, they have identified 164 genes they believe are connected to hearing loss. Although I didn't feel that it applied to me personally, it was interesting to hear about advances and how these might help us in the future to find ways to help those who may have inherited the gene(s) that affect hearing. I went to one of the afternoon workshops presented by Dr. Hela Azaiez, PhD, of the University of Iowa, who gave a very informative workshop on "From Blood to Mutation: Demystifying Genetic Testing for Hearing Loss". She presented much information about the process of finding the genes, and what individuals can do to find out if they have such genes in their DNA. Although research is very early I think some of the participants may have found answers they want to pursue.

I think the best thing about HLAA is that it gives hope to hearing loss sufferers. One workshop I attended was by Betty Hauck who is a concert violinist and violist. When she was confronted with hearing loss she had given up her music because she couldn't participate in symphony orchestras anymore. When she found HLAA, she found solutions for her hearing loss issues and it gave her hope to find other ways to express her music. She now uses her music for entertaining at senior centers and other venues. She has brought joy to many with her rediscovered music. Indeed, she played a few selections for us and I was deeply moved by her beautiful ability.

Other experiences were the Exhibit Hall where one could talk to vendors about their products, the Demo Room where you could actually try the different products on to see how they might help you and talk in more depth with the vendors. The evening events were wonderful! The Get Acquainted Party with its cute emphasis on the roaring 20's flapper era and the divas who performed. The Evening at the Museum where everyone went to the George Eastman Museum which was his home when he was alive and tour as well as enjoy delicious snacks and drinks. George Eastman is the founder of Kodak and was a huge influence in Rochester, NY. He has established some lasting venues in Rochester such as the Eastman School of Music and an art school and had endowed many places around Rochester. Unfortunately, Kodak is almost out of business so the downtown area of Rochester around the beautiful convention center was kind of depressed. Another wonderful event, the Cheers to 40 Years banquet on the last evening was a beautiful sit down dinner at the Hyatt Regency ballroom.

An advantage of attending was the ability to meet new people from around the country and find out what they are doing with their chapters and what initiatives they are taking to change their area of the country. I met some very good people who I hope to keep in touch with and continue to share information. I hope everyone can have the opportunity to attend an HLAA Convention in the future!

~ Nancy Asmundson

HEARING AID BATTERIES!

Gerry Niesar or another Costco member can get them at 17 cents apiece! Your old batteries can be recycled by putting them in a plastic ziplock bag and placing on top of your recycling waste container on your trash pick-up day. Batteries are considered hazardous waste and may not be thrown in the regular trash.

OR Join hearOclub which is a hearing aid and cochlear implant battery subscription service which delivers DieHard brand batteries on a set schedule (with free shipping!). Sign up for a hearOclub subscription and receive **\$30 worth of free batteries plus a battery tester keychain - a \$40 value**, exclusive to HLAA members! Use the coupon code **HLAAmember** online at hearoclub.com or by calling 833.LISTEN-2 (833.547.8362). If you cannot get out easily, batteries are delivered to your address!

DONATE USED HEARING AIDS and/or HEARING EQUIPMENT! To donate, place them in a ziplock baggie and give to the person at the reception desk at the next meeting. These items will benefit low income persons through the Lions Club "Ear of the Lion" program which refurbishes them. For more information, talk to Dale Davis at a meeting or ddavis94605@gmail.com. Applications for hearing aids from Ear of the Lion available at the information table.

East Bay Leadership Team

The chapter is run by a Steering Committee, Leader Dale Davis, ddavis94605@gmail.com

Advocacy: Gerald Niesar, gniesar@nvlawllp.com

Outreach: Susan Jeffries Fitzgerald, susanlj29@gmail.com

Recording Secretary: Rotation (Volunteers)

National Chapter Coordinator/Liaison: Susan Jeffries Fitzgerald, susanlj29@gmail.com

Treasurer: Len Bridges, lenbridges3993-hlaa@outlook.com

Committees

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HEARING LOSS ASSOCIATION OF AMERICA

YES! I want to join or renew membership in National HLAA, entitling me to the magazine *Hearing Loss*, and a number of discounts. Membership also means I'm supporting advocacy for people with hearing loss nationwide.

Individual \$35 Family \$45

Name: _____ Street: _____

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Send to: National HLAA, 7910 Woodmont Ave., Suite 1200, Bethesda, MD 20814

Or join online at www.hearingloss.org/content/join