

Date: February 28, 2023

To: Children and Families Finance and Policy Committee
Rep. Dave Pinto, Chair
Rep. Heather Keeler, Vice Chair

From: Minnesota Commission of the Deaf, DeafBlind & Hard of Hearing

Concerns over proposed mechanism of Child Protective Services to enforce language access – HF612

This bill is being brought by Rep. Brian Daniels and driven by his constituent Sonny Wasilowski. The Commission has partnered with Rep. Daniels and Mr. Wasilowski on other bills, and we consider them valuable allies. With this bill, they aim to protect deaf and deafblind children from the harms of language deprivation, which occurs when a child does not have access to a fully usable language.

We enthusiastically share Rep. Daniels and Mr. Wasilowski's vision of ensuring full language access for all children regardless of hearing level. Our stakeholders, however, have reported significant concerns over the proposed use of Child Protective Services (CPS) to assess and address language acquisition in deaf and deafblind children. Those stakeholders include educators, education administrators, mental health professionals, and parents – people who are often on the front lines when CPS engages with a family.

While the creators of this bill envision CPS as a means to connect families with resources, child welfare systems historically have had difficulties properly addressing the unique issues that arise when working with families with one or more deaf or deafblind members. Those difficulties are well-known within the deaf and deafblind communities, to the extent that the National Association of the Deaf (NAD) published "[Position Statement on Improving Child Protective Services for Families with Deaf Individuals](#)." This year, the NAD is set to release a model bill on "Child Protective Services and Foster Care for Deaf, DeafBlind, DeafDisabled, Late-Deaf and Hard of Hearing Individuals." The concerns outlined by the NAD align with the anecdotal firsthand reports we have received about cases in Minnesota.

Under federal law, Minnesota already has mechanisms intended to provide families with resources on language access: the state's Early Hearing Detection and Intervention (EHDI) program, which works in conjunction with the statewide hearing loss early education intervention coordinator (statutes [144.966 subd. 3a](#) and [125A.63 subd. 5](#), respectively). The Commission is actively working with local and national partners to identify and advocate for solutions to be implemented via those existing mechanisms.

The Commission's position is that while language deprivation is real and devastating, bringing in CPS to address language access likely will have unintended consequences that could be avoided by using other

existing mechanisms to connect families with resources. We urge committee members to take these alternatives into consideration as they decide on the next step for HF612.

Signed,

A handwritten signature in black ink that reads "Alicia Lane". The signature is written in a cursive style with a long, sweeping tail on the letter "e".

Alicia Lane
Government Relations Director