**NATIONAL FEDERATION OF THE BLIND OF ARIZONA**

**PHOENIX SEMINAR**

**Tuesday, January 16, 2018**

The National Federation of the Blind (NFB) is the oldest and largest nationwide organization of blind people. We represent the collective views of blind people throughout the state of Arizona. All of our leaders and the vast majority of our members are blind, but anyone can participate in our movement.

The NFBA’s legislative priorities are:

**Blind Parents Right to Parent**

* To enact legislation that prohibits discrimination against the blind in guardianship, adoption, custody or visitation proceedings.
* Prohibits a court, when making a disposition on guardianship, custody or visitation proceedings, from solelyconsidering the blindness of a child’s parent, guardian, or custodian;
* Prohibits local department of social services, a guardian, or a child placement agency from withholding consent to an adoption solely because a prospective adoptive parent is blind;
* Prohibits a court from denying an adoption petition solely because the petitioner is blind;
* Requires the Social Services Administration to adopt regulations prohibiting a local department from taking actions solely because a child’s parent or guardian is blind.

We are asking that the legislature adopt and pass the NFB’s model legislation, which was recently passed and signed into law in Utah.

**SB 1040: Misrepresentation of Service Animals**

* Many blind Arizonans use service animals to aid them in every-day tasks; these Service animals are often used in public places.
* The majority of service animals are well-behaved and generally don’t cause a disturbance in public places.
* Some Arizona businesses have expressed concerns that people sometimes claim their pet to be a service animal so that the owner can have their pet with them in a public place.
* Federal and state Law already allows a business to ask an individual if the service animal is required by that person to aid them. The business can ask the person what task the animal performs, but not ask that person to have the animal perform it.
* Federal and State law allows a business to exclude a service animal if that animal poses a direct safety threat, alters the nature of the public place, the animal is out of control and the handler is not making an effort to control the animal.
* The proposed legislation amends A.R.S. Section 11-1024 to impose a class 2 misdemeanor and a $250 civil penalty on anyone who fraudulently misrepresents an animal as a service animal.
* This means that in order for a person to prove their animal is a service animal, they must have the animal perform tasks to a responding officer on the scene or while in court, which violates the Americans With Disabilities Act.
* This will create a burden for blind Arizonans who legitimately need and use their service animal.

Over the years, the National Federation of the Blind of Arizona has opposed and will continue to oppose any future amendments that are in violation of federal law and requires that disabled people certify their service animals, submit to a registry, or carrying and presenting required identification validating their rights to use service animals.

**Regarding Procurement Authority for the Department of Economic Security**

* Currently, the Arizona Revised Statutes section 41-1954(G) gives the Department of Economic Security (DES) authority to establish a fee for service structure for medical services like vision exams and psychological treatment, and
* For all other purchases DES must adhere to the Arizona procurement code and procurement processes, This includes disability-related products and services purchased by the Rehabilitation Services Administration for independent living and vocational rehabilitation services, and
* the contracting process is highly regulated by DES and, has a minimal timeline of 60-90 days and can take up to 2 years to execute, and

Products and Services purchased by DES that allow people with disabilities including Assistive Technology (AT) products, change at an increasingly high rate and prices regularly decrease, and

* Highly regulated and rigid contracting often limits the individualized approach that allow people with disabilities to receive the best fit at the best cost, and
* adding and modifying contracts to insure the best and most up-to-date services and equipment is a cumbersome and lengthy process, and
* Rehabilitation training and equipment for the blind does not exist in the medical model, and belongs in vocational rehabilitation, and Independent Living service programs for the blind

The National Federation of the Blind of Arizona is seeking legislative support to amend A.R.S. section 41-1954 to add rehabilitation services allowing the Department of Economic Security to establish a fee for service structure for medical and rehabilitation related purchases

For additional information please contact:

Sami Hamed at [shamed@saavi.us](mailto:shamed@saavi.us), or Jordan Moon at [jmoon@saavi.us](mailto:jmoon@saavi.us).

The National Federation of the Blind knows that blindness is not the characteristic that defines you or your future. Every day we raise the expectations of blind people, because low expectations create obstacles between blind people and our dreams. You can live the life you want; blindness is not what holds you back.