

HEARSAY

The Official Newsletter of Hearing Loss Association of PA

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Message from Nancy

This is my first time individually writing to you as state co-director. I have enjoyed working with Diana Bender, the other co-director, who ably served as sole state director for the past 6 ½ years and has been a big help in preparing me for this position. I'm also pleased to announce that Don Groff, Tom Kalinoski, and Dawn Spero have joined our Advisory Council. We are always happy to have new people involved in serving on our Council, volunteering for our table at the Farm Show in Harrisburg, participating in our Walk4Hearing, or helping in any other capacity, so just email me if you can assist us.

HLA-PA is seeking to improve the services that the state Office of Vocational Rehabilitation provides for hard of hearing job-seekers. If you have received services from

OVR, we would like to know what your experience was like. The more people we hear from, the better prepared we'll be to advocate for what's needed, so please be sure to contact me!

Have you been to any tourist sites in Pennsylvania that didn't provide the communication access you needed? Perhaps there were uncaptioned films or videos or no assistive listening system for the tour or presentation. The Americans with Disabilities Act (ADA) requires these sites to provide effective communication, so we want to hear from you if any of them are failing to do so.

I'm looking forward to working with you all to improve services for people with hearing loss in Pennsylvania.

Nancy Kingsley
HLA-PA State Co-Director (director@hla-pa.org)

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HLA-PA Banquet and Presentation of the 2010 Marcia Finisdore Award for Advocacy

On Sunday, May 1, 2011 HLAA members and friends gathered at the Radisson Valley Forge hotel for the annual Eastern PA HLA-PA banquet. The main event was the presentation of the 2010 Marcia Finisdore Award for Advocacy to Pastor Angela Victoria Lundy of Philadelphia. Pastor Lundy lost her hearing and suffered severe medical problems in 1995 but has overcome her initial feelings of helplessness to learn to cope with her disability and to work tirelessly to help others who have a disability.

In her autobiography, *Uphill Journey*, Ms Lundy describes her inspiring path to overcome her disability. Currently Ms Lundy is working on a project called PEACE (Physically Enabled and Cognitively Empowered) which seeks to provide the communication access for people who feel isolated from and no longer attend religious services because of their hearing loss. To date 18 churches of all denominations in Philadelphia have welcomed back deaf and hard of hearing members. Active in both city and state organizations, Ms. Lundy serves on the governor's State Independent Living Council advocating for all people who have disabilities. She was awarded a national scholarship and became a fellow in the National Afro-American Women's Leadership Institute in 2006 and in 2008 became the first African-American woman to receive the City of Philadelphia's Access Achievement Award. This led to the development of "A Widow's Mite," a community service project which assists people without insurance by giving them free used rehabilitation equipment. Currently she is the Executive Director of Interfaith Specialty Services, Inc., a non-profit organization that works to empower individuals with disabilities who have become isolated by society because of their mental, sensory or physical challenges.

Ms Lundy chose Germantown Deaf Ministries as the recipient of a cash donation from HLA-PA of \$500. This organization provides communication access in Philadelphia, primarily through sign language interpreters, to people who have a hearing loss.

Submitted by Diana Bender (bender@hla-pa.org)



Marcia Finisdore (right) presents award to Pastor Lundy



(left to right) Rosalind McKelvey (Germantown Deaf Ministries), Diana Bender (HLA-PA State Co-Director), Angela Victoria Lundy (2010 Recipient), Marcia Finisdore

HLA-PA Forms a New Movie Captioning Committee

Under the Americans with Disabilities Act (ADA), persons with hearing loss are entitled to “equal access” when they attend movie theater showings. Our national organization has decided, in agreement with most other hearing loss organizations, that equal access means 100% of movie screens must be captioned for deaf and hard of hearing people. It is for that purpose that our committee has been formed. We plan to contact the four largest motion picture chains in Pennsylvania (Regal, Carmike, Cinemark, and AMC) to ask them if, and when, they plan to show captions in accordance with the law. If we do not receive a favorable response from them, we will consider action to enforce our rights. If you have an interest in participating in or becoming a member of this new and dynamic committee, please contact me as the chairperson: alan@alankutner.com or (610) 449-0111.

Submitted by Alan Kutner

NATIONWIDE CLASS ACTION LAWSUIT FILED AGAINST NETFLIX

The prominent San Diego-based Weston Firm has filed a class action lawsuit in San Jose federal court against Los Gatos, California-based Netflix, Inc., alleging the ubiquitous provider of on-demand streaming video programming failed to adequately caption its streaming library in violation of the Americans with Disabilities Act and California law. The suit also alleges Netflix misled deaf and hard of hearing customers about the amount of subtitled content available and the rate at which it was adding subtitled content to its online database. The lawsuit’s lead plaintiff, Donald Cullen, is deaf, and relied on Netflix’s promises that it was working to subtitle its streaming video library.

The lawsuit alleges that after almost two years of promising its deaf and hard of hearing members more subtitles, today only about six percent of Netflix’s streaming programming is captioned, and that Netflix’s captioning rate is “anemic.”

Despite its failure to provide adequate closed captioning, Netflix announced last November a low-priced, streaming-only subscription option, while at the same time raising prices on all other DVD-by-mail plans. The suit charges that for the deaf and hard of hearing—for whom the streaming-only plan is effectively useless—this amounts to unfair “deaf tax.”

Gregory S. Weston, managing partner of the Weston Firm says, “We are asking the court to certify a nationwide class and enter an injunction to bring a stop to Netflix’s wrongful conduct. I urge any other consumer that has been victimized by these tactics to contact my office.”

The case, which is styled Cullen v. Netflix, Inc., Case No. CV 11-1199 (N.D. Cal.), was filed on March 11, 2011. A copy of the Complaint is available at <http://www.westonfirm.com/Netflix-Complaint.pdf>. More information is available at the firm’s website, www.westonfirm.com



STATE HAPPENINGS

Sunshine and warm breezes! Thoughts of vacation! However, there are no “lazy” days of summer for members of HLA-PA. As you read below, you can see how much has been “happening” throughout the state. You, too, can be part of what is “happening” by contacting committee members on the back of Hearsay!

March 10: Philadelphia Area Chapter Leaders (PACL) Meeting

The Delaware County chapter of HLA-PA hosted a meeting of leaders of the seven Philadelphia area chapters to review successes, problems and other issues of common interest among them. Chapters invited included Philadelphia, Montgomery, Delaware, Gen X, Bucks, Chester and Lancaster. Those in attendance included Marianne Lock, Debra Cannon, Bill Pfeifer, Alan Kutner, Donna Schumacher, Pat Cortez, Carolyn Meyer and Joe Meyer. Topics such as membership retention, programs, local speakers, marketing and outreach were among the list of subjects discussed. It was decided that they would name their group PACL (Philadelphia Area Chapter Leaders) and they would meet once a year to review these and other matters. In the meantime, an email list was created for the leaders/representatives so that they could keep in contact with each other to discuss issues that arose during the year. It was unanimously felt that this was an excellent way for chapter leaders to communicate with each other and explore ways to better direct their chapters during the year.

March 26: Advisory Council Meeting.

Three new members were welcomed to the HLA-PA Advisory Council: Dawn Spero (Capital Region), Don Groff (Montgomery County), and Tom Kalinoski (Chester County). It was decided that Advisory Council members would serve a term of 2 years, but could continue beyond that interval if they wished.

At this meeting, Sharon Behun, Director of the PA office of ODHH (Office for the Deaf and Hard of Hearing), informed the Advisory Council about the proposed state budget cuts for newborn screening and urged us all to write letters to our state representatives and senators. If you have not done so, there is a sample letter to guide you with this on our state website, www.hla-pa.org. This requires immediate attention if we are to get our protest across responsibly. Sharon also reminded us that cuts were proposed for the services provided by PIAT, including the lending library. Make your voice heard! The time is now! As of now, ODHH's budget remains stable but there is still not enough funding to hire a hard of hearing staff person. Council members were disappointed to hear this.

March 31: Health Fair at the Hill at Whitemarsh in Lafayette Hill, PA.

Donna Penman and Alice Dungan exhibited for HLA-PA to residents who attended. Information and “tip sheets” were distributed. We anticipate that Marcia Finisdore will be conducting a workshop there sometime this summer or fall.

April 28: Outreach: Staff Enrichment Development Program at Journey's Way, an Adult Center in Roxborough, PA.

Diana Bender, Carolyn Meyer, and Alice Dungan, were the presenters. The audience was very receptive to our PowerPoint program and posed many questions. Always a good sign! Staff members were very enthusiastic and indicated that they would like us to return to do a “Coping with Hearing Loss” program for clients. This was one of the most productive outreach sessions we have presented.

May 10: Outreach: Coping with Hearing Loss

Diana Bender conducted a program on hearing loss for Women's Religious, a group of retired women from a variety of religious

communities, hosted by the Missionary Servants of the Most Blessed Trinity in Northeast Philadelphia.

May 3: HLA-PA awards a Scholarship to the HLAA Convention, June 16-19.

After careful consideration of many qualified applicants, the Scholarship Committee has announced that Patrick McGeever will be the recipient of the HLA-PA 2011 Scholarship to the HLAA Convention. It entitles him to full registration for the convention and a check for \$500.00 to use toward his lodging, food and other expenses of travel. He is a playwright with bilateral hearing loss and has been elected to the Board of the Philadelphia Dramatist's Center. When elected to the Board, he promised that he would address the problems of hearing-challenged members. He has organized a Committee called, "Hear! Hear! Write! Write!" to try to identify and correct problems that members may have in developing their craft when they do not hear well. He has done and, is continuing to do; extensive research which he feels can be shared with all playwright organizations, and generalized to theatres everywhere. He is working with HLA-PA, Art Reach and The Amaryllis Theatre, under the direction of Mimi Smith, to complete his objectives for his project. We admire him for his tireless efforts in an area that has not been well-researched for those with hearing loss. We all look forward to seeing him at the HLAA Convention.

Submitted by Carolyn Meyer (meyer@hla-pa.org)

Loop America Presentation at HLA-Delaware County Chapter

On Sunday, May 15th HLA-Delaware County Chapter hosted a program presented by Terry Krutz of Loop America. Terry described and demystified this technology which has been around for over 30 years and is so underutilized in our country – though widely used throughout Europe. He compared this system to the currently used FM and infrared system and did point out some flaws that the looping system needs to work out. A few of these things: your telecoil cannot be automatic as in some of the newer hearing aid models and there are some issues with the sound frequencies directly from your TV as opposed to a DVD/video, stereo, or your computer. So much information that cannot be contained in a small article in this newsletter.

If any one would like a copy of his presentation, please contact me and I will try to get it to you.

Submitted by Donna Schumacher, (Schumacher@hla-pa.org)

(left, seated)
Pat Cortez
(right, standing)
Terry Krutz of
Loop America

Pat is trying out a chair pad loop system.



HLA-PA Donors

A special thanks to those who help make it possible.

Earl Smith
Kay Erb

Karen Fennelly
Robert King

Missionary Servants of the Most Blessed Trinity
Carolyn & Joe Meyer (In Memory of Thomas Turner)



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Enclosed is my tax-deductible, contribution of \$_____ to support HearSay.

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VOLUNTEERS NEEDED!!

Assist the HLA-PA State Director by serving on the Advisory Council or one of its committees. The Council meets periodically in Manheim, PA (1 hour from King of Prussia) but committees conduct most of their business by e-mail and occasionally meet in various parts of the state. If you think you would like to serve on the council or any of its committees, please contact one of the state leaders listed here:

State Co-Directors:

- Diana Bender (bender@hla-pa.org)
- Nancy Kingsley (kingsley@hla-pa.org)

Communication:

- Linda Rusinko (rusinko@hla-pa.org)
- Pam Reiher, Editor of Hearsay (reiher@hla-pa.org)
- Donna Schumacher (schumacher@hla-pa.org)
- Don Groff, HLA-PA web site (groff@hla-pa.org)

Advocacy:

- Nancy Kingsley, Chair (kingsley@hla-pa.org)

Government Affairs:

- Steve Schultz, Chair (schultz@hla-pa.org)
- Diana Bender (bender@hla-pa.org)

Outreach:

- Carolyn Meyer, Chair (meyer@hla-pa.org)
- Diana Bender (bender@hla-pa.org)

Chapter Coordinators:

- Debra Cannon, Eastern PA (cannon@hla-pa.org)
- Dale Long, Central PA (long@hla-pa.org)
- Teresa Nellans, Western PA (nellans@hla-pa.org)

**2011 PA Walk 4 Hearing
Sunday, September 25th**

**WHERE: Ridley Creek State Park
Pavilion B
Newtown Square**

**REGISTER: 9 a.m.
START: 10 a.m.**

**Kickoff Party
Sunday, July 31st, 10 a.m.
Maggiano's Restaurant
205 Mall Boulevard
King of Prussia**

**For more information, contact
Ronnie Adler, Walk Chair
Radler@hearingloss.org**

**Philadelphia's Visitor Center's
Concierge Desk in Independence Mall
now looped! We are thrilled that
Marianne Locke has pursued this
project for us. Please take advantage
of this accessible feature and inform
your family and friends!**