



August 11, 2022 NHLP Committee Meeting Minutes

August 11, 2022

2:00 PM – 3:00 PM EDT

1. Opening

Mr. Brandon Palermo called the meeting to order at 2:13 PM. The meeting was recorded. No member presented an issue with being recorded.

Members Present: Mr. Brandon Palermo; Ms. Genevieve English-Charles; Mr. Horace Brown; Mr. TJ Moon

Staff Present: Mr. Eric Reed

Members of the Public: None

A quorum was established.

2. Approval of Agenda

There was no public comment on the agenda. There were no changes to the agenda. Mr. Palermo motioned to approve. Ms. English-Charles seconded and the agenda was accepted.

3. Minutes

Minutes from the July 12th Committee meeting were presented for approval. Ms. English-Charles motioned to approve. Mr. Brown seconded and the minutes were approved unanimously.

4. ACF Report

Mr. Reed provided a brief summary of the portfolio and financial status of the program. He brought attention to the increase in investment funds due to an uptick in the markets. He also highlighted the bank deposit balance has increased, which should reduce the need to transfer funds for loan funding in the near future.



5. Charge-Off recommendations – MT-MT; PC

Mr. Reed provided a summary of two loans that he recommends for charge-off and discussed any additional collection activities and opportunities for collateral repossession. Ms. English-Charles motioned to approve the recommendations. Mr. Brown seconded and the recommendations were both accepted.

6. FLAA conference highlights

Mr. Reed informed the committee about the Florida Audiologist Association conference he attended as an exhibitor and the success in sharing information about the financial loan program to numerous audiologists across the state. Through this networking, it is expected that hearing aid loan growth will continue to increase.

7. Closing

There was no public comment.

Mr. Palermo adjourned the meeting at 2:30

The next meeting will be Thursday, September 8th.



Tom Grady, *Chair*
Ben Gibson, *Vice Chair*
Members
Monesia Brown
Esther Byrd
Grazie Pozo Christie
Ryan Petty
Joe York

MEMORANDUM

DATE: August 23, 2022

TO: Whitney Doyle, Executive Director, Florida Alliance for Assistive Services & Technology

FROM: *BAMC* Brent McNeal, Director, Vocational Rehabilitation

SUBJECT: Financial Loan Program Separation Proposal

Thank you for the opportunity to review FAAST’s request for the Florida Department of Education’s (FLDOE) support in your efforts to create a separate not-for-profit organization for the purpose of gaining access to more sources of funding. For the reasons set forth below, FLDOE is unable to support this request.

First, section 413.407, Florida Statutes (2022), the statute creating FAAST, Inc. and the Assistive Technology Advisory Council (the Council), does not expressly allow the Council or FAAST, Inc. to unilaterally create or utilize a separate charitable organization to pursue new funding sources. The statute instead requires the Council to create committees which must “review” and “identify” “facilitators of and barriers to” funding sources. § 413.407(2)(b)(2), Fla. Stat. Therefore, creating a new entity is likely an improper expansion of FAAST’s statutorily-delegated authority.

Second, the creation of a new not-for-profit organization potentially conflicts with the Assistive Technology Act (ATA). That act requires a “public agency” (in this case, FLDOE) to (1) control and administer ATA funds and (2) work to ensure compliance with state and federal accounting requirements. 29 U.S.C. § 3003 (c)(1)(A). The ATA also allows an “implementing entity” to carry out a state’s obligations under the ATA, if the Governor designates the implementing entity and that entity carries out the state’s activities through a subcontract or another kind of administrative agreement with the lead agency. *See* 29 U.S.C. § 3003 (c)(1)(B). Here, the FLDOE is the lead agency and FAAST is the implementing entity. There is nothing in the ATA that allows an implementing entity to subcontract its duties to a third entity. Thus, the creation of another separate entity to carry out FAAST’s functions is likely impermissible under the ATA. And there is no indication that utilizing subsection c—which allows the Governor to redesignate the lead or implementing agency—is appropriate here. *See* 29 U.S.C. § 3003 (c)(1)(C).

Brent McNeal
Director, Division of Vocational Rehabilitation

Whitney Doyle
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Third and finally, the oversight mechanisms proposed—including requiring the new entity to operate under a memorandum of understanding with FAAST—also likely conflict with the regulations governing CDFI funding. *See* 12 C.F.R. § 1805.201(b)(6) (“A CDFI shall not be an agency or instrumentality of the United States, or any State or political subdivision thereof. An entity applying for CDFI certification must demonstrate that it meets this requirement.”).

Therefore, the Office of the General Counsel for the Florida Department of Education cannot support the creation of a separate not-for-profit entity.

As an additional consideration, because the Council is required to identify barriers to funding sources, these concerns could be identified as barriers and brought to the legislature in the future.



FAAST – ACL Grant Funding Summary

Award amount: \$640,343

Grant Purpose: Hearing aid program expansion and overall program sustainability.

Twelve-month budget: \$121,000 operations; \$519,343 overall sustainability.

Program Objectives:

1. Educate hearing loss community about the FAAST financial loan program
2. Improve the FAAST hearing aid loan product
3. Increase financial education services for consumers and professionals

Program Change Highlights:

1. Full time employee hired
2. eSignature options explored and implemented
3. ACH payments options started
4. More automated and streamlined loan processes
5. Improved financial education with new partnership with Florida Prosperity Partnership (FPP)
6. Website and marketing additions and new material
7. Educational webinars and presentations created
8. Marketing materials created for consumers and professionals
9. Participation in various audiologist conferences and associations
10. Bank partnership explored to create hearing aid option