

December 12, 2018

DEPARTMENT OF CORRECTIONS

Departmental

RULE NO.:      RULE TITLE:

33-210.201      ADA Provisions for Inmates

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 44, No. 182, (9/18/2018), issue of the Florida Administrative Register.

33-210.201 ADA Provisions for Inmates.

(1) No change.

(2) Definitions.

(a) No change.

(b) Auxiliary aids and services includes:

1. Qualified interpreters on-site or through video remote interpreting services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based ~~voice and text~~ telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered materials available to individuals with hearing impairments;

2. Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs; large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals with visual impairments.

3. Acquisition or modification of equipment or devices; and

4. Other similar services and actions.

(c) through (g) No change.

(h) Major life activities – refers to activities such as caring for one's self, ~~walking, speaking,~~ performing manual

tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, hearing, learning, seeing, breathing and working.

(i) through (j) No change.

(k) Qualified inmate with a disability – refers to an inmate with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements of the department for the department program(s), service(s), or activity/activities at issue.

(l) Reasonable modification – ~~refers to any reasonable modification to a rule, policy, practice, or the provision of auxiliary aids and services~~ that will allow a qualified inmate with a disability to participate in or make use of the programs, services, or activities of a department institution or facility.

(m) No change.

(3) Accommodation Request Procedure.

(a) No change.

(b) All department and privately operated facilities shall furnish to any inmate, upon request, a Reasonable Modification or Accommodation Request for Inmates, Form DC2-530A. ~~Form DC2-530A, Reasonable Modification or Accommodation Request~~, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. The effective date of this form is XX/XX.

(c) Inmates who are requesting an accommodation or modification shall submit a request in writing on the Reasonable Modification or Accommodation Request for Inmates, Form DC2-530A, specifying the type of accommodation requested and the purpose for the accommodation or modification.

1. Form DC2-530A ~~The Reasonable Modification or Accommodation Request, Form DC2-530A~~, shall be submitted to the Institutional ADA Coordinator. The designated Institutional ADA Coordinator shall be:

a. through c. No change.

2. No change.

(d) through (i) No change.

(4) through (9) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 8-19-01, Amended 2-8-06, 11-22-06,  
1-23-13, 9-30-13, 11-20-16,\_\_\_\_\_.