



General Assembly

February Session, 2014

Raised Bill No. 5321

LCO No. 468



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING INTERPRETER QUALIFICATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-33a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) For the purposes of this section:

4 (1) "Conditional Legal Interpreting Permit-Relay" or "CLIP-R"
5 means a conditional permit designed for deaf or hard of hearing
6 interpreters who have completed a training program recognized by the
7 National Registry of Interpreters for the Deaf and who work in legal
8 settings;

9 (2) "Department" means the Department of Rehabilitation Services;

10 (3) "Educational setting" means (A) a school or other educational
11 institution or business, including an elementary school, a secondary
12 school or a high school, (B) a post-secondary, vocational-technical, or
13 remediation school or program, and (C) all school-based programs,
14 services and activities available to any student and his or her family,

15 including, but not limited to, clubs, sports, parent-teacher
16 organizations, testing preparations, meetings, school assemblies,
17 concerts and theatrical productions;

18 (4) "Educational Interpreter Performance Assessment system" or
19 "EIPA" means the five-step system that rates an educational
20 interpreter's skill;

21 [(1)] (5) "Interpreting" means the translating [or transliterating] of
22 English concepts to [a] the language [concept] concepts used by a
23 person who is deaf or hard of hearing or [means] the translating of a
24 deaf or hard of hearing person's language [concept] concepts to
25 English concepts. Language concepts include, but are not limited to,
26 the use of American Sign Language, English-based sign language,
27 cued speech, oral transliterating and information received tactually;

28 [(2)] (6) "Legal setting" means any criminal or civil action involving
29 a court of competent jurisdiction, any investigation or action
30 conducted by a duly authorized law enforcement agency, employment
31 related hearings, [and] appointments and situations requiring the
32 presence of an attorney;

33 [(3)] (7) "Medical setting" means [medical related situations
34 including] gatherings or gathering places where health and wellness
35 issues are addressed, including, but not limited to, hospitals, clinics,
36 assisted living and rehabilitation facilities, mental health treatment
37 sessions, psychological evaluations, substance abuse treatment
38 sessions, crisis intervention and appointments or other treatment
39 requiring the presence of a doctor, nurse, medical staff or other health
40 care professional; and

41 [(4)] "Educational setting" means a school or other educational
42 institution, including elementary, high school and post-graduation
43 schools where interpretive services are provided to a student.]

44 (8) "Specialist Certificate: Legal" or "SC:L" means certification by the

45 National Registry of Interpreters for the Deaf that demonstrates
46 specialized knowledge of legal settings and greater familiarity with
47 language used in the legal system.

48 (b) All persons providing interpreting services shall register []
49 annually [] with the Department of Rehabilitation Services.
50 Companies located outside the state that provide interpreting services
51 inside the state, by electronic or other means, shall register with the
52 department and shall provide proof that employees who provide
53 interpreting services within the state are qualified pursuant to this
54 section. Such registration shall be on a form prescribed or furnished by
55 the [Commissioner of Rehabilitation Services] department and shall
56 include the registrant's name, residential address, [phone number]
57 contact information, place of employment as interpreter and
58 interpreter certification or credentials. The department may also
59 require documentation of the registrant's training hours. The
60 department shall annually issue identification cards for those who
61 register in accordance with this section. The department shall provide
62 and maintain a current listing of those interpreters who have
63 registered pursuant to this section. This listing shall be made available
64 on the department's Internet web site.

65 (c) On and after October 31, 2014, each application for registration
66 shall be accompanied by the registration fee prescribed by the
67 Interpreting Standards and Monitoring Board pursuant to section 2 of
68 this act. Registration fees shall be used to administer and manage the
69 registration and monitoring process, provide brochures and outreach
70 to educate deaf, deaf-blind, hard of hearing and hearing consumers on
71 the use of qualified interpreters, and provide additional training to
72 interpreters. Recognition of such qualifications shall be in the form of
73 an interpreter registration card issued by the Department of
74 Rehabilitation Services. A person shall be registered and certified as a
75 qualified interpreter in order to:

76 (1) Engage in the practice of, or offer to engage in the practice of,

77 interpreting for a consumer;

78 (2) Use the title "interpreter," "transliterato
79 connection with services provided under his or her name;

80 (3) Present or identify one's self as an interpreter qualified to engage
81 in interpreting in this state;

82 (4) Use the title "interpreter," "transliterato
83 advertisements or communications; or

84 (5) Perform the function of, or convey the impression that he or she
85 is, an interpreter or transliterator.

86 (d) Commencing September 1, 2014, any business entity, within the
87 state or through remote access, employing an interpreter who is
88 providing services in Connecticut shall ensure the interpreter is in
89 compliance with the requirements of this section.

90 [(c)] (e) No person shall provide interpreting services in a legal
91 setting unless such person is registered with the [Department of
92 Rehabilitation Services] department according to the provisions of this
93 section and (1) [has passed] holds a CLIP-R from the National Registry
94 of Interpreters for the Deaf, [written generalist test or the National
95 Association of the Deaf-National Registry of Interpreters for the Deaf
96 certification knowledge examination, holds a level three certification
97 provided by the National Association of the Deaf, documents the
98 achievement of two continuing education units per year for a
99 maximum of five years of training approved by the Commissioner of
100 Rehabilitation Services, and on or before the fifth anniversary of
101 having passed the National Registry of Interpreters for the Deaf
102 written generalist test or the National Association of the Deaf-National
103 Registry of Interpreters for the Deaf certification knowledge
104 examination, has passed the National Registry of Interpreters for the
105 Deaf performance examination or the National Association of the
106 Deaf-National Registry of Interpreters for the Deaf national interpreter

107 certification examination, (2) has passed the National Registry of
108 Interpreters for the Deaf written generalist test or the National
109 Association of the Deaf-National Registry of Interpreters for the Deaf
110 certification knowledge examination and is a graduate of an accredited
111 interpreter training program and documents the achievement of two
112 continuing education units per year for a maximum of five years of
113 training approved by the commissioner, and on or before the fifth
114 anniversary of having passed the National Registry of Interpreters for
115 the Deaf written generalist test or the National Association of the Deaf-
116 National Registry of Interpreters for the Deaf certification knowledge
117 examination, has passed the National Registry of Interpreters for the
118 Deaf performance examination or the National Association of the
119 Deaf-National Registry of Interpreters for the Deaf national interpreter
120 certification examination, (3) holds a level four or higher certification
121 from the National Association of the Deaf, (4) holds certification by the
122 National Registry of Interpreters for the Deaf, (5) for situations
123 requiring an oral interpreter only, holds oral certification from the
124 National Registry of Interpreters for the Deaf, (6) for situations
125 requiring a cued speech transliterator only, holds certification from the
126 National Training, Evaluation and Certification Unit and has passed
127 the National Registry of Interpreters for the Deaf written generalist
128 test, (7) holds a reverse skills certificate or is a certified deaf interpreter
129 under the National Registry of Interpreters for the Deaf, or (8) holds a
130 National Association of the Deaf-National Registry of Interpreters for
131 the Deaf national interpreting certificate.] (2) holds a SC:L from the
132 National Registry of Interpreters for the Deaf, (3) holds a certificate
133 from the National Registry of Interpreters for the Deaf, for a minimum
134 of five years, with documentation of a minimum of thirty hours of
135 legal interpreting training and thirty hours annually of interpreting in
136 legal situations, or (4) is registered with the National Registry of
137 Interpreters of the Deaf and holds level four or higher certification
138 from the National Association of the Deaf, for a minimum of five
139 years, with documentation of a minimum of thirty hours of legal
140 interpreting training and thirty hours annually of interpreting in legal

141 situations.

142 [(d)] (f) No person shall provide interpreting services in a medical
143 setting unless such person is registered with the [Department of
144 Rehabilitation Services] department according to the provisions of this
145 section and (1) holds [a comprehensive skills certificate] certification
146 from the National Registry of Interpreters for the Deaf with
147 documentation of completion of a minimum of thirty hours of medical
148 interpreting training, (2) [holds a certificate of interpretation or a
149 certificate of transliteration from] is registered with the National
150 Registry of Interpreters for the Deaf [, (3)] and holds a level four or
151 higher certification from the National Association of the Deaf [, (4)
152 holds a reverse skills certificate or is a certified deaf interpreter under
153 the National Registry of Interpreters for the Deaf, (5) for situations
154 requiring an oral interpreter only, holds oral certification from the
155 National Registry of Interpreters for the Deaf, (6)] with documentation
156 of completion of a minimum of thirty hours of medical interpreting
157 training, or (3) for situations requiring a cued speech transliterator
158 only, holds certification from the National Training, Evaluation and
159 Certification Unit and has passed the National Registry of Interpreters
160 for the Deaf written generalist test [, or (7) holds a National
161 Association of the Deaf-National Registry of Interpreters for the Deaf
162 national interpreting certificate] and provides documentation of
163 completion of a minimum of thirty hours of medical interpreting
164 training.

165 [(e)] (g) No person shall provide interpreting services in [a legal] an
166 educational setting unless such person is registered with the
167 [Department of Rehabilitation Services] department according to the
168 provisions of this section and (1) holds [a comprehensive skills
169 certificate] certification from the National Registry of Interpreters for
170 the Deaf, (2) [holds a certificate of interpretation and a certificate of
171 transliteration from] is registered with the National Registry of
172 Interpreters for the Deaf [, (3)] and holds a level [five] four or higher
173 certification from the National Association of the Deaf, [(4) holds a

174 reverse skills certificate or is a certified deaf interpreter under] (3) is
175 registered with the National Registry of Interpreters for the Deaf [, (5)
176 for situations requiring an oral interpreter only, holds oral certification
177 from the National Registry of Interpreters for the Deaf, (6)] and,
178 effective July 1, 2015, has a minimum score of 3.5 on the EIPA, (4) (A)
179 is a graduate of an accredited interpreter training program, (B) has
180 passed the National Registry of Interpreters for the Deaf written
181 generalist test and documents the achievement of two continuing
182 education units per year for a maximum of five years of department-
183 approved training, and (C) on or before the fifth anniversary of having
184 passed the National Registry of Interpreters for the Deaf written
185 generalist test, has passed the National Registry of Interpreters for the
186 Deaf national interpreter certification performance examination, or (5)
187 for situations requiring a cued speech transliterator only, holds
188 certification from the National Training, Evaluation and Certification
189 Unit and has passed the National Registry of Interpreters for the Deaf
190 written generalist test. [, or (7) holds a National Association of the
191 Deaf-National Registry of Interpreters for the Deaf national
192 interpreting certificate.]

193 (h) Except as provided in subsection (j) of this section, no person
194 shall provide interpreting services in settings other than legal, medical
195 and educational unless such person is registered with the department
196 according to the provisions of this section and (1) holds certification
197 from the National Registry of Interpreters for the Deaf, (2) is registered
198 with the National Registry of Interpreters for the Deaf and holds a
199 level four or higher certification from the National Association of the
200 Deaf, or (3) for situations requiring a cued speech transliterator only,
201 holds certification from the National Training, Evaluation and
202 Certification Unit and has passed the National Registry of Interpreters
203 for the Deaf written generalist test.

204 [(f)] (i) The requirements of this section shall apply to persons who
205 receive compensation for the provision of interpreting services and
206 include those who provide interpreting services as part of their job

207 duties.

208 (j) The following individuals shall be exempt from the registration
209 requirements of this section:

210 (1) An individual interpreting at (A) a worship service conducted by
211 a religious entity, and (B) services for educational purposes conducted
212 by a religious entity or religiously-affiliated school;

213 (2) An individual engaged in interpreting during an emergency,
214 when obtaining a registered interpreter or registered transliterator
215 could cause a delay that may lead to injury or loss to the individual
216 requiring the services;

217 (3) An individual engaged in interpreting as part of a supervised
218 internship or practicum at an accredited college or university if such
219 college or university is not in (A) a legal setting, (B) a medical setting,
220 or (C) an educational setting unless accompanied by an interpreter
221 registered pursuant to this section; or

222 (4) An interpreter who is certified by the Registry of Interpreters for
223 the Deaf or the National Association of the Deaf from outside the state
224 and provides interpreting services in the state for a period not
225 exceeding fourteen days during a calendar year.

226 (k) Commencing July 1, 2018, no person shall provide interpreting
227 services in an educational setting unless such person is registered with
228 the department according to the provisions of this section and (1)
229 holds certification from the National Registry of Interpreters for the
230 Deaf, (2) is registered with the National Registry of Interpreters for the
231 Deaf and holds a level four or higher certification from the National
232 Association of the Deaf, (3) is registered with the National Registry of
233 Interpreters for the Deaf and has a minimum score of 4.0 on the EIPA,
234 (4) (A) is a graduate of an accredited interpreter training program, (B)
235 has passed the National Registry of Interpreters for the Deaf written
236 generalist test and documents the achievement of two continuing

237 education units per year for a maximum of three years of department-
238 approved training, and (C) on or before the third anniversary of
239 having passed the National Registry of Interpreters for the Deaf
240 written generalist test, has passed the National Registry of Interpreters
241 for the Deaf national interpreter certification performance examination,
242 or (5) for situations requiring a cued speech transliterator only, holds
243 certification from the National Training, Evaluation and Certification
244 Unit and has passed the National Registry of Interpreters for the Deaf
245 written generalist test.

246 Sec. 2. (NEW) (*Effective July 1, 2014*) (a) Not later than October 1,
247 2014, the Commissioner of Rehabilitation Services shall appoint a
248 seven-member Interpreting Standards and Monitoring Board from
249 each of the following constituencies: (1) Deaf consumers, (2) hard of
250 hearing consumers, (3) deaf-blind consumers, (4) hearing consumers,
251 (5) interpreting professionals, (6) deaf professionals, and (7) interpreter
252 trainers. Members shall serve at the pleasure of the commissioner.

253 (b) The Interpreting Standards and Monitoring Board shall: (1)
254 Oversee and monitor interpreters working in Connecticut, (2) ensure
255 compliance with regulations, (3) set annual registration fees, (4) issue
256 annual registration cards, and (5) review all complaints concerning the
257 conduct and performance of interpreters and alleged violations of
258 section 46a-33a of the general statutes, as amended by this act. The
259 board may impose sanctions, including, but not limited to, suspension
260 or termination of registration and may recommend fines of not more
261 than five hundred dollars per violation. If the board determines an
262 interpreter has violated the interpreter code of professional conduct of
263 the National Registry of Interpreters for the Deaf, the board may file a
264 report with said registry.

265 (c) The Interpreting Standards and Monitoring Board shall provide
266 written notice detailing the grounds for sanctions, including proposed
267 fines, not less than thirty days prior to the imposition of such sanctions
268 and shall afford persons or entities subject to such sanctions an

269 opportunity for a hearing before the board in accordance with the
270 provisions of chapter 54 of the general statutes.

271 (d) The Department of Rehabilitation Services may assess a fine
272 recommended by the Interpreting Standards and Monitoring Board
273 against a referral agency, school, local education authority, court,
274 hospital, other entity or person who falsifies credentials or provides an
275 interpreter who does not comply with the registration requirements or
276 possess the qualifications set forth in this section. The department shall
277 use moneys collected through the imposition of fines to (1) administer
278 and manage the registration and monitoring process, (2) provide
279 informational materials which educate deaf, deaf-blind, hard of
280 hearing and hearing consumers on the use of qualified interpreters,
281 and (3) provide additional training to interpreters.

282 (e) The Department of Rehabilitation Services shall adopt
283 regulations in accordance with chapter 54 of the general statutes to
284 implement the provisions of this section and section 46a-33a of the
285 general statutes, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	46a-33a
Sec. 2	<i>July 1, 2014</i>	New section

Statement of Purpose:

To strengthen and standardize the qualifications of interpreters serving deaf and hard of hearing persons.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]