



General Assembly

January Session, 2015

Raised Bill No. 6765

LCO No. 3375



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 Section 46a-33a of the general statutes is repealed and the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, 2015*):

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 Registry of Interpreters for the Deaf (RID) and who work in legal
8 settings;

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

10 (3) "Community setting" means any setting other than those
11 specifically identified as educational, legal, or medical;

12 (4) "Community interpreter" means an individual who
13 demonstrates general knowledge of a variety of settings and the

14 vocabulary associated with those settings;

15 (5) "Interpreter" and "transliterator" mean an individual who
16 interprets or transliterates for people who are deaf or hard of hearing
17 or for persons communicating with people who are deaf or hard of
18 hearing;

19 (6) "Educational setting" means (A) a school or other educational
20 institution or business, including an elementary school, a secondary
21 school or a high school, (B) a postsecondary, vocational-technical, or
22 remediation school or program, and (C) all school-based programs,
23 services and activities available to any student and his or her family,
24 including, but not limited to, clubs, sports, parent-teacher
25 organizations, testing preparations, meetings, school assemblies,
26 concerts and theatrical productions;

27 (7) "Educational Interpreter Performance Assessment system" or
28 "EIPA", means the five-scale system developed and administered by
29 the Boys Town National Research Hospital that rates an educational
30 interpreter's skill, especially for those who interpret in prekindergarten
31 through grade twelve educational settings;

32 (8) "Educational interpreter" means an individual who demonstrates
33 (A) specialized knowledge of educational settings serving students
34 who are deaf or hard of hearing; (B) greater familiarity of language
35 used in the educational system; and (C) specialized knowledge of the
36 processes and services involved with an Individualized Educational
37 Plan (IEP) and Section 504 of the Rehabilitation Act of 1973;

38 (9) "Legal interpreter" means an individual who demonstrates
39 specialized knowledge of legal settings and greater familiarity with
40 language used in the legal system;

41 [(1)] (10) "Interpreting" means the translating [or transliterating] of
42 English concepts to [a] the language [concept] concepts used by a
43 person who is deaf or hard of hearing or [means] the translating of a

44 deaf or hard of hearing person's language [concept] concepts to
45 English concepts [. Language concepts include, but are not limited to,]
46 through the use of American Sign Language, English-based sign
47 language, cued speech, oral transliterating and information received
48 tactually;

49 (11) "Legal interpreter" means an individual who demonstrates
50 specialized knowledge of legal settings and greater familiarity with
51 language used in the legal system;

52 [(2)] (12) "Legal setting" means any criminal or civil action involving
53 a court of competent jurisdiction, any investigation or action
54 conducted by a duly authorized law enforcement agency, employment
55 related hearings, [and] appointments and situations requiring the
56 presence of an attorney;

57 [(3)] (13) "Medical setting" means [medical related situations
58 including] gatherings or gathering places where health and wellness
59 issues are addressed, including, but not limited to, hospitals, clinics,
60 assisted living and rehabilitation facilities, mental health treatment
61 sessions, psychological evaluations, substance abuse treatment
62 sessions, crisis intervention and appointments or other treatment
63 requiring the presence of a doctor, nurse, medical staff or other health
64 care professional; and

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

68 (14) "Specialist Certificate: Legal" or "SC:L" means certification by
69 the Registry of Interpreters for the Deaf that demonstrates specialized
70 knowledge of legal settings and greater familiarity with language used
71 in the legal system.

72 (b) [All] Except as provided in subsection (k) of this section, all
73 persons providing interpreting services shall register [,] annually [,]

74 with the [Department of Rehabilitation Services] department. Such
75 registration shall be on a form prescribed or furnished by the
76 [Commissioner of Rehabilitation Services] department and shall
77 include the registrant's name, residential or business address or both,
78 [phone number,] contact information, place of employment as an
79 interpreter and interpreter certification or credentials. The department
80 may also require documentation of the registrant's training hours. The
81 department shall annually issue [identification] registration cards for
82 those who register in accordance with this section. The department
83 shall provide and maintain a current listing of those interpreters who
84 have registered pursuant to this section. The listing shall be made
85 available on the department's Internet web site.

86 (c) On and after October 1, 2015, a person shall be registered and
87 certified as a qualified interpreter in order to:

88 (1) Engage in the practice of or offer to engage in the practice of
89 interpreting for a consumer;

90 (2) Use the title "interpreter", "transliterator" or a similar title in
91 connection with services provided under his or her name;

92 (3) Present or identify himself or herself as an interpreter qualified
93 to engage in interpreting in this state;

94 (4) Use the title "interpreter", "transliterator" or a similar title in
95 advertisements or communications; or

96 (5) Perform the function of or convey the impression that he or she
97 is an interpreter or transliterator.

98 (d) On and after October 1, 2015, any business entity, within the
99 state or through remote access, employing an interpreter who is
100 providing services in Connecticut shall ensure the interpreter is in
101 compliance with the requirements of this section.

102 [(c)] (e) No person shall provide interpreting services in a legal

103 setting unless such person is registered with the [Department of
104 Rehabilitation Services] department according to the provisions of this
105 section and holds a (1) [has passed the National] CLIP-R from the
106 Registry of Interpreters for the Deaf, [written generalist test or the
107 National Association of the Deaf-National Registry of Interpreters for
108 the Deaf certification knowledge examination, holds a level three
109 certification provided by the National Association of the Deaf,
110 documents the achievement of two continuing education units per
111 year for a maximum of five years of training approved by the
112 Commissioner of Rehabilitation Services, and on or before the fifth
113 anniversary of having passed the National Registry of Interpreters for
114 the Deaf written generalist test or the National Association of the Deaf-
115 National Registry of Interpreters for the Deaf certification knowledge
116 examination, has passed the National Registry of Interpreters for the
117 Deaf performance examination or the National Association of the
118 Deaf-National Registry of Interpreters for the Deaf national interpreter
119 certification examination, (2) has passed the National Registry of
120 Interpreters for the Deaf written generalist test or the National
121 Association of the Deaf-National Registry of Interpreters for the Deaf
122 certification knowledge examination and is a graduate of an accredited
123 interpreter training program and documents the achievement of two
124 continuing education units per year for a maximum of five years of
125 training approved by the commissioner, and on or before the fifth
126 anniversary of having passed the National Registry of Interpreters for
127 the Deaf written generalist test or the National Association of the Deaf-
128 National Registry of Interpreters for the Deaf certification knowledge
129 examination, has passed the National Registry of Interpreters for the
130 Deaf performance examination or the National Association of the
131 Deaf-National Registry of Interpreters for the Deaf national interpreter
132 certification examination, (3) holds a level four or higher certification
133 from the National Association of the Deaf, (4) holds certification by the
134 National Registry of Interpreters for the Deaf, (5) for situations
135 requiring an oral interpreter only, holds oral certification from the
136 National Registry of Interpreters for the Deaf, (6) for situations

137 requiring a cued speech transliterator only, holds certification from the
138 National Training, Evaluation and Certification Unit and has passed
139 the National Registry of Interpreters for the Deaf written generalist
140 test, (7) holds a reverse skills certificate or is a certified deaf interpreter
141 under the National Registry of Interpreters for the Deaf, or (8) holds a
142 National Association of the Deaf-National Registry of Interpreters for
143 the Deaf national interpreting certificate.] (2) SC:L from the Registry of
144 Interpreters for the Deaf, (3) certificate from the Registry of
145 Interpreters for the Deaf, for a minimum of five years, with
146 documentation of an initial minimum of thirty hours of legal
147 interpreting training and subsequent twenty hours of legal interpreter
148 training within the RID four-year Certificate Maintenance cycles, or (4)
149 level four or higher certification from the Association of the Deaf, for a
150 minimum of five years, with documentation of an initial minimum of
151 thirty hours of legal interpreting training and subsequent twenty hours
152 of legal interpreting training within the RID four-year Certificate
153 Maintenance cycles and is registered with the Registry of Interpreters
154 for the Deaf.

155 [(d)] (f) No person shall provide interpreting services in a medical
156 setting unless such person is registered with the [Department of
157 Rehabilitation Services] department according to the provisions of this
158 section and (1) holds [a comprehensive skills certificate] certification
159 from the [National] Registry of Interpreters for the Deaf with
160 documentation of completion of an initial minimum of thirty hours of
161 medical interpreting training and subsequent ten hours of medical
162 interpreting training within the RID four-year Certificate Maintenance
163 cycles, (2) [holds a certificate of interpretation or a certificate of
164 transliteration from the National] is registered with the Registry of
165 Interpreters for the Deaf [, (3)] and holds a level four or higher
166 certification from the National Association of the Deaf, [(4) holds a
167 reverse skills certificate or is a certified deaf interpreter under the
168 National Registry of Interpreters for the Deaf, (5) for situations
169 requiring an oral interpreter only, holds oral certification from the

170 National Registry of Interpreters for the Deaf, (6)] with documentation
171 of completion of an initial minimum of thirty hours of medical
172 interpreting training and subsequent ten hours of medical interpreting
173 training within the RID four-year Certificate Maintenance cycles, or (3)
174 for situations requiring a cued speech transliterator only, holds
175 certification from the National Training, Evaluation and Certification
176 Unit and has passed the [National] Registry of Interpreters for the Deaf
177 written generalist test [, or (7) holds a National Association of the Deaf-
178 National Registry of Interpreters for the Deaf national interpreting
179 certificate] and provides documentation of completion of an initial
180 minimum of thirty hours of medical interpreting training and
181 subsequent ten hours of medical interpreter training within the RID
182 four-year Certificate Maintenance cycles.

183 [(e)] (g) No person shall provide interpreting services in [a legal] an
184 educational setting unless such person is registered with the
185 [Department of Rehabilitation Services] department according to the
186 provisions of this section and (1) holds [a comprehensive skills
187 certificate] certification from the [National] Registry of Interpreters for
188 the Deaf, (2) [holds a certificate of interpretation and a certificate of
189 transliteration from the National] is registered with the Registry of
190 Interpreters for the Deaf [, (3)] and holds a level [five] four or higher
191 certification from the National Association of the Deaf, [(4) holds a
192 reverse skills certificate or is a certified deaf interpreter under] (3) is
193 registered with the [National] Registry of Interpreters for the Deaf [, (5)
194 for situations requiring an oral interpreter only, holds oral certification
195 from the National Registry of Interpreters for the Deaf, (6)] and, for
196 prekindergarten through grade twelve settings, has a minimum score
197 of 3.5 on the EIPA, (4) (A) is a graduate of an accredited interpreter
198 training program, (B) has passed the Registry of Interpreters for the
199 Deaf written generalist test and documents the achievement of two
200 continuing education units per year for a maximum of five years of
201 department-approved training, and (C) on or before the fifth
202 anniversary of having passed the Registry of Interpreters for the Deaf

203 written generalist test or EIPA written assessment, has passed the
204 Registry of Interpreters for the Deaf national interpreter certification
205 performance examination or EIPA performance assessment with a
206 minimum score of 3.5 for RID educational interpreting certification, or
207 (5) for situations requiring a cued speech transliterator only, holds
208 certification from the National Training, Evaluation and Certification
209 Unit and has passed the [National] Registry of Interpreters for the Deaf
210 written generalist test, [or (7) holds a National Association of the
211 Deaf-National Registry of Interpreters for the Deaf national
212 interpreting certificate.]

213 (h) Except as provided in subsection (k) of this section, no person
214 shall provide interpreting services in community settings unless such
215 person is registered with the department according to the provisions of
216 this section and (1) holds certification from the Registry of Interpreters
217 for the Deaf, (2) is registered with the Registry of Interpreters for the
218 Deaf and holds a level four or higher certification from the National
219 Association of the Deaf, or (3) (A) is a graduate of an accredited
220 interpreter training program, (B) has passed the Registry of
221 Interpreters for the Deaf written generalist test and documents the
222 achievement of two continuing education units per year for a
223 maximum of five years of department-approved training, and (C) on
224 or before the fifth anniversary of having passed the Registry of
225 Interpreters for the Deaf written generalist test has passed the Registry
226 of Interpreters for the Deaf national interpreter certification
227 performance examination, or (4) for situations requiring a cued speech
228 transliterator only, holds certification from the National Training,
229 Evaluation and Certification Unit and has passed the Registry of
230 Interpreters for the Deaf written generalist test.

231 [(f)] (i) The requirements of this section shall apply to persons who
232 receive compensation for the provision of interpreting services and
233 include those who provide interpreting services as part of their job
234 duties.

235 (j) Interpreters holding certificates other than those as described in
236 this section may apply to the department for a waiver of up to three
237 years in duration starting on the date that such waiver may be granted.
238 Upon review of the application, the department shall determine within
239 which settings the interpreter is deemed qualified to work, at which
240 time the interpreter may register with the department.

241 (k) The following individuals shall be exempt from the registration
242 requirements of this section:

243 (1) An individual interpreting at (A) a worship service conducted by
244 a religious entity, and (B) services for educational purposes conducted
245 by a religious entity or religiously affiliated school;

246 (2) An individual engaged in interpreting during an emergency
247 situation, when obtaining a registered interpreter or registered
248 transliterator, could cause a delay that may lead to injury or loss to the
249 individual requiring the services, provided that such emergency
250 assistance does not waive any communication access requirements for
251 any entity pursuant to the Americans with Disabilities Act or Section
252 504 of the Rehabilitation Act of 1973, as both may be amended from
253 time to time;

254 (3) An individual engaged in interpreting as part of a supervised
255 internship or practicum at an accredited college or university or a
256 mentorship program approved by the department if (A) such
257 interpreting is not in a legal setting, a medical setting or an educational
258 setting, or (B) the individual is accompanied by an interpreter
259 registered pursuant to this section; or

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

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2015	46a-33a
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Statement of Purpose:

To update and strengthen training and educational requirements for interpreters involved in communications with 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.]