



General Assembly

Substitute Bill No. 6765

January Session, 2015



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 Section 46a-33a of the general statutes is repealed and the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) "Interpreting" means the translating [or transliterating] of
5 English concepts to [a] the language [concept] concepts used by a
6 person who is deaf or hard of hearing or [means] the translating of a
7 deaf or hard of hearing person's language [concept] concepts to
8 English concepts [. Language concepts include, but are not limited to,]
9 through the use of American Sign Language, English-based sign
10 language, cued speech, oral transliterating and information received
11 tactually;

12 (2) "Interpreter" and "transliterator" mean an individual who
13 interprets or transliterates for a person who is (A) deaf or hard of
14 hearing, or (B) communicating with another person who is deaf or
15 hard of hearing;

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

18 (4) "Community interpreter" means an individual who
19 demonstrates general knowledge of a variety of settings and the
20 vocabulary associated with those settings;

21 (5) "Conditional Legal Interpreting Permit-Relay" or "CLIP-R"
22 means a conditional permit designed for interpreters who have
23 completed a training program recognized by the Registry of
24 Interpreters for the Deaf (RID) and who work in legal settings;

25 (6) "Department" means the Department of Rehabilitation Services;

26 (7) "Educational setting" means (A) a school or other educational
27 institution or business, including an elementary school, a secondary
28 school or a high school, (B) a postsecondary, vocational-technical or
29 remediation school or program, and (C) all school-based programs,
30 services and activities available to any student and his or her family,
31 including, but not limited to, clubs, sports, parent-teacher
32 organizations, testing preparations, meetings, school assemblies,
33 concerts and theatrical productions;

34 (8) "Educational Interpreter Performance Assessment system" or
35 "EIPA", means the five-scale system developed and administered by
36 the Boys Town National Research Hospital that rates an educational
37 interpreter's skill, especially for those who interpret in prekindergarten
38 through grade twelve educational settings;

39 (9) "Educational interpreter" means an individual who demonstrates
40 (A) specialized knowledge of educational settings serving students
41 who are deaf or hard of hearing, (B) greater familiarity of language
42 used in the educational system, and (C) specialized knowledge of the
43 processes and services involved with an Individualized Educational
44 Plan (IEP) and Section 504 of the Rehabilitation Act of 1973;

45 (10) "Legal interpreter" means an individual who demonstrates
46 specialized knowledge of legal settings and greater familiarity with
47 language used in the legal system;

48 [(2)] (11) "Legal setting" means any criminal or civil action involving
49 a court of competent jurisdiction, any investigation or action
50 conducted by a duly authorized law enforcement agency, employment
51 related hearings, [and] appointments and situations requiring the
52 presence of an attorney;

53 [(3)] (12) "Medical setting" means [medical related situations
54 including] gatherings or gathering places where health and wellness
55 issues are addressed, including, but not limited to, hospitals, clinics,
56 assisted living and rehabilitation facilities, mental health treatment
57 sessions, psychological evaluations, substance abuse treatment
58 sessions, crisis intervention and appointments or other treatment
59 requiring the presence of a doctor, nurse, medical staff or other health
60 care professional; [and]

61 (13) "Medical interpreter" means an individual who demonstrates
62 specialized knowledge of medical settings and greater familiarity with
63 language used in the medical system;

64 (14) "Registry of Interpreters for the Deaf" or "RID" means the
65 national professional organization known as Registry of Interpreters
66 for the Deaf, Inc. of Alexandria, Virginia; and

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

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

74 (b) [All] Except as provided in subsection (k) of this section, all
75 persons providing interpreting services shall register [,] annually [,]
76 with the [Department of Rehabilitation Services] department. Such
77 registration shall be on a form prescribed or furnished by the
78 [Commissioner of Rehabilitation Services] department and shall

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

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

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

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

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

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

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

100 (d) On and after October 1, 2015, any business entity that employs
101 an interpreter within the state or provides interpreting services
102 through remote access from outside the state shall ensure the
103 interpreter is in compliance with the requirements of this section.

104 [(c)] (e) No person shall provide interpreting services in a legal
105 setting unless such person is registered with the [Department of
106 Rehabilitation Services] department according to the provisions of this
107 section and holds a (1) [has passed the National] CLIP-R from the

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

143 under the National Registry of Interpreters for the Deaf, or (8) holds a
144 National Association of the Deaf-National Registry of Interpreters for
145 the Deaf national interpreting certificate.] (2) SC:L from the Registry of
146 Interpreters for the Deaf, (3) certificate from the Registry of
147 Interpreters for the Deaf, for a minimum of five years, with
148 documentation of an initial minimum of thirty hours of legal
149 interpreting training and subsequent twenty hours of legal interpreter
150 training within the RID four-year Certificate Maintenance cycles, or (4)
151 level four or higher certification from the National Association of the
152 Deaf, for a minimum of five years, with documentation of an initial
153 minimum of thirty hours of legal interpreting training and subsequent
154 twenty hours of legal interpreting training within the RID four-year
155 Certificate Maintenance cycles.

156 [(d)] ~~(f)~~ No person shall provide interpreting services in a medical
157 setting unless such person is registered with the [Department of
158 Rehabilitation Services] department according to the provisions of this
159 section and (1) holds [a comprehensive skills certificate] certification
160 from the [National] Registry of Interpreters for the Deaf with
161 documentation of completion of an initial minimum of thirty hours of
162 medical interpreting training and subsequent ten hours of medical
163 interpreting training within the RID four-year Certificate Maintenance
164 cycles, (2) holds a [certificate of interpretation or a certificate of
165 transliteration from the National Registry of Interpreters for the Deaf,
166 (3) holds a level four or higher certification from the National
167 Association of the Deaf, (4) holds a reverse skills certificate or is a
168 certified deaf interpreter under the National Registry of Interpreters
169 for the Deaf, (5) for situations requiring an oral interpreter only, holds
170 oral certification from the National Registry of Interpreters for the
171 Deaf, (6)] level four or higher certification from the National
172 Association of the Deaf with documentation of completion of an initial
173 minimum of thirty hours of medical interpreting training and
174 subsequent ten hours of medical interpreting training within the RID
175 four-year Certificate Maintenance cycles, or (3) for situations requiring
176 a cued speech transliterator only, holds certification from the National

177 Training, Evaluation and Certification Unit and has passed the
178 [National] Registry of Interpreters for the Deaf written generalist test [,
179 or (7) holds a National Association of the Deaf-National Registry of
180 Interpreters for the Deaf national interpreting certificate] and provides
181 documentation of completion of an initial minimum of thirty hours of
182 medical interpreting training and subsequent ten hours of medical
183 interpreter training within the RID four-year Certificate Maintenance
184 cycles.

185 [(e)] (g) (1) No person shall provide interpreting services in [a legal]
186 an educational setting unless such person is registered with the
187 [Department of Rehabilitation Services] department according to the
188 provisions of this section and [(1)] (A) holds [a comprehensive skills
189 certificate] certification from the [National] Registry of Interpreters for
190 the Deaf, [(2) holds a certificate of interpretation and a certificate of
191 transliteration from the National Registry of Interpreters for the Deaf,
192 (3)] (B) holds a level [five] three or higher certification from the
193 National Association of the Deaf, [(4) holds a reverse skills certificate
194 or is a certified deaf interpreter under the National Registry of
195 Interpreters for the Deaf, (5) for situations requiring an oral interpreter
196 only, holds oral certification from the National Registry of Interpreters
197 for the Deaf, (6)] (C) (i) is a graduate of an accredited interpreter
198 training program, (ii) 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 (iii) 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 (D) for situations requiring a cued speech
206 transliterator only, holds certification from the National Training,
207 Evaluation and Certification Unit and has passed the [National]
208 Registry of Interpreters for the Deaf written generalist test, [, or (7)
209 holds a National Association of the Deaf-National Registry of
210 Interpreters for the Deaf national interpreting certificate.]

211 (2) On or after July 1, 2017, no person shall provide interpreting
212 services in an educational setting unless such person is registered with
213 the department according to the provisions of this section and (A)
214 holds certification from the Registry of Interpreters for the Deaf, (B)
215 holds a level four or higher certification from the National Association
216 of the Deaf, (C) for prekindergarten through grade twelve settings, has
217 a minimum score of 3.5 on the EIPA, (D) (i) is a graduate of an
218 accredited interpreter training program, (ii) has passed the Registry of
219 Interpreters for the Deaf written generalist test or EIPA written
220 assessment and documents the achievement of two continuing
221 education units per year for a maximum of five years of department-
222 approved training, and (iii) on or before the fifth anniversary of having
223 passed the Registry of Interpreters for the Deaf written generalist test
224 or EIPA written assessment, has passed the Registry of Interpreters for
225 the Deaf national interpreter certification performance examination or
226 EIPA with a minimum score of 3.5, (E) holds a level three certification
227 from the National Association of the Deaf and has passed the Registry
228 of Interpreters for the Deaf national interpreter certification
229 performance examination or EIPA with a minimum score of 3.5, or (F)
230 for situations requiring a cued speech transliterator only, holds
231 certification from the National Training, Evaluation and Certification
232 Unit and has passed the Registry of Interpreters for the Deaf written
233 generalist test.

234 (h) Except as provided in subsection (k) of this section, no person
235 shall provide interpreting services in community settings unless such
236 person is registered with the department according to the provisions of
237 this section and (1) holds certification from the Registry of Interpreters
238 for the Deaf, (2) holds a level three or higher certification from the
239 National Association of the Deaf, (3) (A) is a graduate of an accredited
240 interpreter training program, (B) has passed the Registry of
241 Interpreters for the Deaf written generalist test and documents the
242 achievement of two continuing education units per year for a
243 maximum of five years of department-approved training, and (C) on
244 or before the fifth anniversary of having passed the Registry of

245 Interpreters for the Deaf written generalist test, has passed the Registry
246 of Interpreters for the Deaf national interpreter certification
247 performance examination, or (4) for situations requiring a cued speech
248 transliterator only, holds certification from the National Training,
249 Evaluation and Certification Unit and has passed the Registry of
250 Interpreters for the Deaf written generalist test.

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

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

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

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

266 (2) An individual engaged in interpreting during an emergency
267 situation, when obtaining a registered interpreter or registered
268 transliterator could cause a delay that may lead to injury or loss to the
269 individual requiring the services, provided that such emergency
270 assistance does not waive any communication access requirements for
271 any entity pursuant to the Americans with Disabilities Act or Section
272 504 of the Rehabilitation Act of 1973, as both may be amended from
273 time to time;

274 (3) An individual engaged in interpreting as part of a supervised
275 internship or practicum at an accredited college or university or a

276 mentorship program approved by the department if (A) such
277 interpreting is not in a legal setting, a medical setting or an educational
278 setting, or (B) the individual is accompanied by an interpreter
279 registered pursuant to this section; or

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

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

HS *Joint Favorable Subst.*

ED *Joint Favorable*