

**Proposed Substitute
Bill No. 6765**

LCO No. 5630

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 Section 46a-33a of the general statutes is repealed and the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 people who are deaf or hard of hearing
14 or for persons communicating with people who are deaf or hard of
15 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, within the
101 state or through remote access, employing an interpreter who is
102 providing services in Connecticut shall ensure the interpreter is in
103 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)] with documentation of completion of an initial minimum of
172 thirty hours of medical interpreting training and subsequent ten hours

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

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

206 Training, Evaluation and Certification Unit and has passed the
207 [National] Registry of Interpreters for the Deaf written generalist test,
208 [, or (7) holds a National Association of the Deaf-National Registry of
209 Interpreters for the Deaf national interpreting certificate.]

210 (g) (2) On or after July 1, 2017, no person shall provide interpreting
211 services in an educational setting unless such person is registered with
212 the department according to the provisions of this section and (1)
213 holds certification from the Registry of Interpreters for the Deaf, (2)
214 holds a level four or higher certification from the National Association
215 of the Deaf, (3) for prekindergarten through grade twelve settings, has
216 a minimum score of 3.5 on the EIPA, (4)(A) is a graduate of an
217 accredited interpreter training program, (B) has passed the Registry of
218 Interpreters for the Deaf written generalist test or EIPA written
219 assessment and documents the achievement of two continuing
220 education units per year for a maximum of five years of department-
221 approved training, and (C) on or before the fifth anniversary of having
222 passed the Registry of Interpreters for the Deaf written generalist test
223 or EIPA written assessment, has passed the Registry of Interpreters for
224 the Deaf national interpreter certification performance examination or
225 EIPA with a minimum score of 3.5, (5) holds a level three certification
226 from the National Association of the Deaf and has passed the Registry
227 of Interpreters for the Deaf national interpreter certification
228 performance examination or EIPA with a minimum score of 3.5, and
229 (6) for situations requiring a cued speech transliterator only, holds
230 certification from the National Training, Evaluation and Certification
231 Unit and has passed the Registry of Interpreters for the Deaf written
232 generalist test.

233 (h) Except as provided in subsection (k) of this section, no person
234 shall provide interpreting services in community settings unless such
235 person is registered with the department according to the provisions of
236 this section and (1) holds certification from the Registry of Interpreters
237 for the Deaf, (2) holds a level three or higher certification from the

238 National Association of the Deaf, or (3)(A) is a graduate of an
239 accredited interpreter training program, (B) has passed the Registry of
240 Interpreters for the Deaf written generalist test and documents the
241 achievement of two continuing education units per year for a
242 maximum of five years of department-approved training, and (C) on
243 or before the fifth anniversary of having passed the Registry of
244 Interpreters for the Deaf written generalist test has passed the Registry
245 of Interpreters for the Deaf national interpreter certification
246 performance examination, or (4) for situations requiring a cued speech
247 transliterators only, holds certification from the National Training,
248 Evaluation and Certification Unit and has passed the Registry of
249 Interpreters for the Deaf written generalist test.

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

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

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

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

265 (2) An individual engaged in interpreting during an emergency
266 situation, when obtaining a registered interpreter or registered
267 transliterators could cause a delay that may lead to injury or loss to the

268 individual requiring the services, provided that such emergency
269 assistance does not waive any communication access requirements for
270 any entity pursuant to the Americans with Disabilities Act or Section
271 504 of the Rehabilitation Act of 1973, as both may be amended from
272 time to time;

273 (3) An individual engaged in interpreting as part of a supervised
274 internship or practicum at an accredited college or university or a
275 mentorship program approved by the department if (A) such
276 interpreting is not in a legal setting, a medical setting or an educational
277 setting, or (B) the individual is accompanied by an interpreter
278 registered pursuant to this section; or

279 (4) An interpreter who is certified by the Registry of Interpreters for
280 the Deaf or the National Association of the Deaf from outside the state
281 and provides interpreting services in the state for a period of time not
282 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