OLR Bill Analysis
sHB 7230 (as amended by House "A")*

AN ACT CONCERNING INTERPRETER STANDARDS.

SUMMARY

Current law requires anyone providing interpreting services to register annually with the Department of Rehabilitation Services (DORS). This bill expands the circumstances that require interpreters to register and creates exceptions to this requirement under narrow circumstances. The bill also broadens the (1) types of credentials an individual may hold to qualify as a registered interpreter and (2) categories of medical and legal settings that require interpreters to hold additional credentials.

Additionally, the bill requires DORS to (1) maintain a current listing of registered interpreters on its website and (2) annually issue interpreter identification cards listing the types of settings where the cardholder can interpret. And it makes minor changes to the DORS-prescribed form on which interpreters must register.

The bill provides that people who are deaf, deaf-blind, or hard of hearing may exercise their right to request or use a different registered interpreter than the one provided in any setting in accordance with a nationally recognized interpreter code of professional conduct.

Lastly, the bill authorizes anyone to report a violation related to interpreter requirements to the nonprofit entity the governor designates as the state’s protection and advocacy system for people with disabilities (i.e., Disability Rights Connecticut, Inc.).

*House Amendment “A” adds a definition for “deaf-blind.”

EFFECTIVE DATE: July 1, 2019

DEFINITION OF INTERPRETING
Current law defines “interpreting” as translating or transliterating English concepts to a language concept used by a person who is deaf or hard of hearing, or translating the deaf or hard of hearing person’s language concept to English concepts. Under current law, language concepts include, but are not limited to, the use of American Sign Language, English-based sign language, cued speech, oral transliterating, and tactually received information.

The bill (1) expands the definition to explicitly include translating or transliterating for and by a person who is deaf-blind and (2) limits the language concepts to those listed above. Under the bill, “deaf-blind” means combined vision and hearing impairments that challenge a person’s ability to communicate, interact with others, access information, and move about safely.

The bill also establishes a definition for “transliterating,” which is currently incorporated in the definition of “interpreting.” Under existing law, transliterating is considered a form of interpreting, and the law generally subjects transliterators to all the same requirements as other interpreters though the term is currently undefined. Existing law also establishes credentials specifically for situations requiring a cued speech transliterator only. Under the bill, “transliterating” means converting or rendering English concepts to a language concept used by a person who is deaf, deaf-blind, or hard of hearing or translating such language concepts back to English.

**CREDENTIALS**

Under existing law, individuals qualify for interpreter certification by holding one of several allowable credentials. For example, they may hold a certification from the National Registry of Interpreters for the Deaf, or they may hold a level four or higher certification from the National Association of the Deaf.

The bill expands the list of allowable credentials to include the following credentials from the Massachusetts Commission on the Deaf and Hard of Hearing: (1) Approved Deaf Interpreter, (2) Approved American Sign Language-English Interpreter, and (3) Approved Sign
Language Transliterator.

**REGISTRATION FORM**

The bill makes minor changes to the form DORS must prescribe for interpreter registration. Under current law, the form must include the registrant’s name, address, phone number, place of employment as an interpreter, and interpreter certification or credentials. The bill specifies that the address on the form may be the registrant’s home or business address, or both, and that the form may require additional contact information.

The bill also allows DORS to require documentation of the registrant’s training hours.

**INDIVIDUALS REQUIRED TO REGISTER**

By law, anyone receiving compensation for providing interpreting services or providing the services as part of his or her job duties must register annually with DORS.

The bill additionally requires an individual to register with DORS as a qualified interpreter in order to:

1. interpret or offer to interpret for another person, agency, or entity;

2. use the title “interpreter,” “transliterator,” or a similar title in advertisements or communications or in connection with services provided under his or her name;

3. present or identify himself or herself as an interpreter qualified to interpret in the state; or

4. perform the function of, or convey the impression that, he or she is an interpreter or transliterator.

**EXEMPTIONS**

The bill exempts from the registration requirements individuals interpreting:
1. at the request of a deaf, deaf-blind, or hard of hearing person (e.g., friends or family);

2. at a worship service conducted by a religious entity;

3. at services for educational purposes conducted by a religious entity or religiously affiliated school;

4. during an emergency situation, if obtaining a registered interpreter or transliterator could cause a delay that may lead to injury or loss to the individual requiring services, provided the emergency assistance does not waive any communication access requirements under the federal Americans with Disabilities Act or the federal Rehabilitation Act of 1973;

5. in Connecticut for no more than 14 days during a calendar year, if they are certified by a recognized national professional certifying body (e.g., National Registry of Interpreters for the Deaf or National Association of the Deaf) or a recognized state professional certifying body from outside the state; and

6. as part of a supervised internship or practicum at an accredited college or university or a DORS-approved mentorship if (a) the interpreting is not in a legal, medical, or educational setting or (b) the individual is accompanied by an interpreter who is registered with DORS.

Under the bill, an “educational setting” is any setting where interpretive services are provided for education-related matters, including all schools; school-based programs, services and activities; and other educational programs.

**MEDICAL AND LEGAL SETTINGS**

Existing law establishes additional credential requirements for interpreting in medical or legal settings. The bill generally broadens when these requirements apply.

*Medical Settings*
Under current law, “medical settings” are medical-related situations, including mental health treatment; psychological evaluations; substance abuse treatment; crisis intervention; and appointments or treatment requiring a doctor, nurse, or other health care professional.

The bill instead defines medical settings as gatherings or gathering places where health and wellness issues are addressed, including hospitals, clinics, and assisted living and rehabilitation facilities, in addition to the settings listed above.

**Legal Settings**

Under current law, a “legal setting” is any (1) criminal or civil action involving a court of competent jurisdiction, (2) investigation conducted by a duly authorized law enforcement agency, (3) employment-related hearing, or (4) appointment requiring an attorney. The bill additionally includes (1) other situations, not just appointments, requiring an attorney and (2) actions, not just investigations, conducted by a duly authorized law enforcement agency.

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 19  Nay 0  (03/19/2019)