



PA 19-170—sHB 7230

Human Services Committee

AN ACT CONCERNING INTERPRETER STANDARDS

SUMMARY: This act expands the circumstances under which interpreters for individuals who are deaf, hard of hearing, or have related conditions must annually register with the Department of Rehabilitation Services (DORS) and creates exceptions to this requirement under narrow circumstances. (PA 19-157 renames DORS the “Department of Aging and Disability Services.”) The act 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.

The act 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. It also makes minor changes to the form on which interpreters must register.

Under the act, 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 act 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.).

EFFECTIVE DATE: July 1, 2019

DEFINITION OF “INTERPRETING”

Prior law defined “interpreting” as (1) translating or transliterating English concepts to a language concept used by someone who is deaf or hard of hearing or (2) translating the deaf or hard of hearing person’s language concept to English concepts. The “language concepts” included, but were not limited to, American Sign Language, English-based sign language, cued speech, oral transliterating, and tactually received information.

The act expands the definition to explicitly include translating or transliterating for and by someone who is deaf-blind, and it limits the language concepts to those listed above. Under the act, “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.

As under existing law, transliterating is a form of interpreting. The act specifies that “transliterating” means converting or rendering English concepts to a language concept used by someone who is deaf, deaf-blind, or hard of hearing

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or translating such language concepts back to English. Existing law (1) generally subjects transliterators to the same requirements as other interpreters and (2) establishes credentials specifically for situations requiring only a cued speech transliterator.

INTERPRETER CREDENTIALS

Under existing law, individuals qualify to become a registered interpreter with DORS 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 act 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 act makes minor changes to the form DORS prescribes for interpreter registration. By law, the form must include the registrant's name, address, phone number, place of employment as an interpreter, and interpreter certification or credentials. The act 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 act 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 be registered with DORS.

The act additionally requires someone 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 FROM REGISTRATION REQUIREMENTS

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The act 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 (a) national professional certifying body (e.g., National Registry of Interpreters for the Deaf or National Association of the Deaf) or (b) state professional certifying body from another 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 a DORS-registered interpreter.

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

CREDENTIALS FOR MEDICAL AND LEGAL SETTINGS

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

Medical Settings

Existing law defines “medical settings” as 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 act adds gatherings or gathering places where health and wellness issues are addressed, including hospitals, clinics, and assisted living and rehabilitation facilities.

Legal Settings

Under existing 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 act 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.