



Substitute House Bill No. 7230

Public Act No. 19-170

AN ACT CONCERNING INTERPRETER STANDARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 46a-33a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(a) For the purposes of this section:

(1) "Department" means the Department of Rehabilitation Services;

~~[(1)]~~ (2) "Interpreting" means the translating or transliterating of English concepts to a language concept used by a person who is deaf, deaf-blind or hard of hearing or [means] the translating of a [language concept of a person who is] deaf, deaf-blind or hard of hearing person's language to English concepts [. Language concepts include, but are not limited to,] through the use of American Sign Language, English-based sign language, cued speech, oral transliterating and information received tactually;

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

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(3) "Medical setting" means medical related situations including mental health treatment, psychological evaluations, substance abuse treatment, crisis intervention and appointments or treatment requiring the presence of a doctor, nurse or other health care professional; and

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

(3) "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;

(4) "Educational setting" means any setting where interpretive services are provided concerning education-related matters, including, but not limited to, all schools, school-based programs, services and activities and other educational programs;

(5) "Legal setting" means any criminal or civil action involving a court of competent jurisdiction, any investigation or action conducted by a duly authorized law enforcement agency, employment-related hearings, appointments and situations requiring the presence of an attorney;

(6) "Medical setting" means gatherings or gathering places where health and wellness issues are addressed, including, but not limited to, hospitals, clinics, assisted living and rehabilitation facilities, mental health treatment sessions, psychological evaluations, substance abuse treatment sessions, crisis intervention and appointments or other treatment requiring the presence of a doctor, nurse, medical staff or other health care professional; and

(7) "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 the translating of a deaf, deaf-blind or hard

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of hearing person's language concept to English concepts.

(b) [All] Except as provided in subsections (g) and (h) of this section, all persons providing interpreting services shall register, annually, with the Department of Rehabilitation Services. Such registration shall be on a form prescribed or furnished by the Commissioner of Rehabilitation Services and shall include the registrant's name, residential or business address, or both, contact information, including, but not limited to, phone number, place of employment as interpreter and interpreter certification or credentials. The department shall issue identification cards for those who register in accordance with this section and maintain a current listing on its Internet web site of such registered interpreters. The department may also require documentation of the registrant's training hours. The department shall annually issue interpreter identification cards listing the type of settings in which the registrant is qualified to interpret.

(c) No person shall provide interpreting services unless such person is registered with the Department of Rehabilitation Services according to the provisions of this section, [and] holds recognized national or state interpreter credentials determined by the department to be acceptable for interpreting purposes where appropriate in Connecticut and has met at least one of the following qualifications:

(1) [has] (A) Has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, (B) holds a level three certification provided by the National Association of the Deaf, and (C) (i) documents the achievement of two continuing education units per year for a maximum of five years of training approved by the Commissioner of Rehabilitation Services, and (ii) on or before the fifth anniversary of having passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National

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Registry of Interpreters for the Deaf certification knowledge examination, has passed the National Registry of Interpreters for the Deaf performance examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination; [.]

(2) [has] (A) Has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, [and] (B) is a graduate of an accredited interpreter training program and documents the achievement of two continuing education units per year for a maximum of five years of training approved by the commissioner, and (C) on or before the fifth anniversary of having passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, has passed the National Registry of Interpreters for the Deaf performance examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination; [.]

(3) [holds] Holds a level four or higher certification from the National Association of the Deaf; [.]

(4) [holds] Holds certification by the National Registry of Interpreters for the Deaf; [.]

(5) [for] For situations requiring an oral interpreter only, holds oral certification from the National Registry of Interpreters for the Deaf; [.]

(6) [for] For situations requiring a cued speech transliterator only, holds certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist test; [.]

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(7) [holds] Holds a reverse skills certificate or is a certified deaf interpreter under the National Registry of Interpreters for the Deaf; [or]

(8) [holds] Holds a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate; [or

(9) Holds the credential of Approved Deaf Interpreter, Approved American Sign Language-English Interpreter, or Approved Sign Language Transliterater by the Massachusetts Commission on the Deaf and Hard of Hearing.

(d) No person shall provide interpreting services in a medical setting unless such person is registered with the Department of Rehabilitation Services according to the provisions of this section and holds (1) [holds] a comprehensive skills certificate from the National Registry of Interpreters for the Deaf, (2) [holds] a certificate of interpretation or a certificate of transliteration from the National Registry of Interpreters for the Deaf, (3) [holds] a level four or higher certification from the National Association of the Deaf, (4) [holds] a reverse skills certificate or [is a certified] certification as a deaf interpreter under the National Registry of Interpreters for the Deaf, (5) for situations requiring an oral interpreter only, [holds] an oral certification from the National Registry of Interpreters for the Deaf, (6) for situations requiring a cued speech transliterater only, [holds] a certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist test, or (7) [holds] a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate.

(e) No person shall provide interpreting services in a legal setting unless such person is registered with the Department of Rehabilitation

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Services according to the provisions of this section and holds (1) [holds] a comprehensive skills certificate from the National Registry of Interpreters for the Deaf, (2) [holds] a certificate of interpretation and a certificate of transliteration from the National Registry of Interpreters for the Deaf, (3) [holds] a level five certification from the National Association of the Deaf, (4) [holds] a reverse skills certificate or is a certified deaf interpreter under the National Registry of Interpreters for the Deaf, (5) for situations requiring an oral interpreter only, [holds] an oral certification from the National Registry of Interpreters for the Deaf, (6) for situations requiring a cued speech transliterator only, [holds] certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist test, or (7) [holds] a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate.

(f) [The requirements of this section shall apply to persons who receive compensation for the provision of interpreting services and include those who provide interpreting services as part of their job duties.] No person who is not registered as a qualified interpreter pursuant to this section shall:

(1) Engage in the practice of or offer to engage in the practice of interpreting for another person, an agency or an entity;

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

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

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

(5) Perform the function of or convey the impression that he or she

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is an interpreter or transliterator.

(g) The requirements of this section shall apply to persons who (1) receive compensation for the provision of interpreting services, and (2) provide interpreting services as part of their job duties. The requirements of this section shall not apply to nonregistered individuals such as family members and friends who voluntarily provide interpreting services at the request of a deaf, deaf-blind or hard of hearing person.

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

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

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

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

(4) An interpreter who is certified by a recognized national professional certifying body such as the National Registry of

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Interpreters for the Deaf or the National Association of the Deaf or a recognized state professional certifying body from outside the state and provides interpreting services in the state for a period of time not exceeding fourteen days during a calendar year.

(i) Deaf, deaf-blind and hard of hearing persons may exercise their right to request or use a different registered interpreter than the interpreter provided to interpret for such persons in any interpreting setting in accordance with a nationally recognized interpreter code of professional conduct.

(j) Any person may report a violation of the provisions of this section to the nonprofit entity designated by the Governor in accordance with section 46a-10b to serve as the state's protection and advocacy system for persons with disabilities.