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**ENGROSSED SUBSTITUTE SENATE BILL 5995**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators Saldaña, Valdez, Kauffman, Trudeau, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, and C. Wilson)

READ FIRST TIME 01/24/24.

1       AN ACT Relating to creating a professional license for spoken  
2 language interpreters and translators; amending RCW 43.24.150; and  
3 adding a new chapter to Title 18 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.**   (1) The legislature finds that the United  
6 States census reported that between 2015 and 2019, over 1.5 million  
7 Washington state residents over the age of five, approximately 20  
8 percent of the state's population, spoke a language other than  
9 English at home, and that in 2019, according to the Washington state  
10 office of the superintendent of public instruction, 12 percent of the  
11 state's total primary and secondary education student population  
12 identified as English learners.

13       (2) The legislature finds that an inadequate number of  
14 individuals available to provide interpreting services to injured  
15 workers and medicaid enrollees with limited English proficiency  
16 potentially increases the liability risks for health care providers  
17 and negative health outcomes for these patients.

18       (3) The legislature finds that businesses and government agencies  
19 across Washington need access to professional language services to  
20 ensure their customers and clients with limited English proficiency  
21 can have meaningful access to participate in the programs,

1 activities, and services offered by businesses and government  
2 agencies.

3 (4) Therefore, the legislature intends to create a professional  
4 licensing program for spoken language interpreters and translators to  
5 protect consumers and help meet the needs of all Washingtonians who  
6 require interpreting and translating services.

7 NEW SECTION. **Sec. 2.** The definitions in this section apply  
8 throughout this chapter unless the context clearly requires  
9 otherwise.

10 (1) "Advisory committee" means the advisory committee on  
11 interpreting created in section 10 of this act.

12 (2) "Department" means the department of licensing.

13 (3) "Director" means the director of the department of licensing.

14 (4) "Interpreter" means an individual who interprets spoken  
15 languages and is licensed by the department of licensing.

16 (a) "Medical interpreter" means an interpreter who is licensed by  
17 the department who has received a medical endorsement.

18 (b) "Social services interpreter" means an interpreter who is  
19 licensed by the department who has received a social services  
20 endorsement.

21 (c) "Licensed certified interpreter" means an interpreter who is  
22 licensed by the department who has passed an exam of the individual's  
23 oral transfer skills in at least two of the following modes of  
24 interpretation: Simultaneous, consecutive, or sight.

25 (d) "Licensed authorized interpreter" means an interpreter who is  
26 licensed by the department who has passed an exam of the individual's  
27 oral transfer skills that were tested in the sight and consecutive  
28 modes through back translation.

29 (5) "Licensed translator" means a translator who translates  
30 spoken languages on written documents and is licensed by the  
31 department.

32 NEW SECTION. **Sec. 3.** The department must:

33 (1) Adopt rules necessary to implement this chapter;

34 (2) Establish reasonable examination, licensing, and renewal fees  
35 for spoken language interpreters and translators licensed under this  
36 chapter;

37 (3) Develop and administer examinations for licensure under this  
38 chapter, subject to section 4 of this act;

- 1 (4) Establish forms and procedures necessary to administer this  
2 chapter;
- 3 (5) Beginning January 1, 2029, issue licenses to applicants who  
4 have met the department's requirements for obtaining a license and  
5 deny licenses to applicants who do not meet the requirements;
- 6 (6) Compile and maintain a current list of interpreters and  
7 translators licensed by the department;
- 8 (7) Provide staffing and administrative support to the advisory  
9 committee created in section 10 of this act;
- 10 (8) Determine which states, if any, have credentialing  
11 requirements equivalent to those of this state, and issue licenses to  
12 applicants credentialed in those states without examination;
- 13 (9) By July 1, 2029, adopt rules for licensure renewal, including  
14 for approval of continuing education activities licensees must  
15 complete as part of the individual's license renewal;
- 16 (10) Establish by rule the procedures for an appeal of an  
17 examination failure;
- 18 (11) Establish by rule the procedures for revoking licenses  
19 issued pursuant to this chapter and the procedures for an appeal of a  
20 revocation decision; and
- 21 (12) Periodically evaluate language access within the state to  
22 ensure Washingtonians are able to participate in the programs,  
23 activities, and services offered by businesses and government  
24 agencies.

25 NEW SECTION. **Sec. 4.** (1) Initially, the department must adopt  
26 the tests created by the language and testing certification program  
27 at the department of social and health services under RCW 74.04.025  
28 as the examinations. The department may update any examination only  
29 after consulting with the advisory committee created in section 10 of  
30 this act.

31 (2) The department must administer examinations of applicants for  
32 licensure as a licensed certified interpreter in at least the  
33 following languages: Cantonese Chinese, Mandarin Chinese, Korean,  
34 Russian, Spanish, and Vietnamese.

35 (3) For languages in which the department does not offer  
36 certification licensure, the department must administer examinations  
37 to applicants for licensure as a licensed authorized interpreter.

1 (4) At a minimum, the department's licensure for certified and  
2 authorized interpreters must provide for a medical or social services  
3 endorsement.

4 (5) For applications for licensure as a licensed translator, the  
5 department must administer examinations in at least the following  
6 languages: Cantonese Chinese, Mandarin Chinese, Korean, Russian,  
7 Spanish, and Vietnamese.

8 NEW SECTION. **Sec. 5.** Nothing in this chapter will be construed  
9 to prohibit or restrict the provision of spoken language  
10 interpretation and translation services by individuals who are  
11 providing services within their authorized scope of practice and who  
12 are licensed, certified, qualified, authorized, or registered under  
13 other laws of this state including, but not limited to, chapters 2.43  
14 and 28A.183 RCW and RCW 28A.410.271, or by individuals holding an  
15 active certification from the certification commission for healthcare  
16 interpreters or the national board of certification for medical  
17 interpreters.

18 NEW SECTION. **Sec. 6.** Beginning January 1, 2029, it is unlawful  
19 for any individual:

20 (1) To act or hold themselves out as a licensed interpreter or  
21 use the title of "licensed interpreter," unless the individual holds  
22 a valid license under this chapter, except if the individual is  
23 currently authorized under chapter 2.43 or 28A.183 RCW or working as  
24 a bilingual employee under RCW 74.04.025; or

25 (2) To act or hold themselves out as a licensed translator or use  
26 the title "licensed translator" unless the individual holds a valid  
27 license under this chapter.

28 NEW SECTION. **Sec. 7.** (1) Individuals holding an active  
29 certification from the certification commission for healthcare  
30 interpreters or by the national board of certification for medical  
31 interpreters are exempt from the licensing requirement under this  
32 chapter, but may obtain the relevant licensure under this chapter  
33 without taking an examination.

34 (2)(a) Other than individuals included in (b) of this subsection,  
35 if an individual has an active interpreter or translator credential  
36 issued by the department of social and health services prior to  
37 January 1, 2029, the individual is eligible for the relevant

1 licensure renewal under this chapter before the expiration date of  
2 the individual's current credential without examination.

3 (b) Individuals who received a credential issued by the  
4 department of social and health services based solely on having  
5 submitted a passing score on a written exam administered by the  
6 certification commission for healthcare interpreters or the national  
7 board of certification for medical interpreters are not eligible for  
8 the relevant licensure renewal under this chapter without passing the  
9 department's examination.

10 (c) Individuals who have an active certification by the  
11 department of social and health services in Cambodian or Laotian are  
12 eligible for renewal under this chapter as a licensed certified  
13 interpreter before the expiration date of the individual's credential  
14 regardless of whether the department is offering certification in  
15 Cambodian or Laotian.

16 (3) By July 1, 2028, the department of social and health services  
17 must transmit to the department all materials related to interpreters  
18 and translators certified and authorized by the department of social  
19 and health services, as requested by the department.

20 NEW SECTION. **Sec. 8.** (1) The director must establish, by rule,  
21 the requirements and fees for renewal of a license issued pursuant to  
22 this chapter.

23 (2) At a minimum, the requirements for license renewal must  
24 include:

25 (a) Completion of continuing education or training, including on  
26 ethics; and

27 (b) Renewal of the license after a four-year period.

28 (3) Failure to renew the license invalidates the license and all  
29 privileges granted by the license.

30 NEW SECTION. **Sec. 9.** (1) The department, the department of  
31 social and health services, the administrative office of the courts,  
32 the professional educator standards board, and the office of the  
33 superintendent of public instruction may collaborate and share data  
34 as necessary to carry out the licensure requirements of this chapter.

35 (2) By January 1, 2025, the department of social and health  
36 services must transmit all data, materials, and technology from its  
37 language testing and certification program to the department,  
38 including examination materials from prior to March 1, 2020, except

1 that any materials for bilingual employee examinations in compliance  
2 with RCW 74.04.025 do not need to be transmitted.

3 (3) The department must post online a resource page that includes  
4 links to information that must be maintained by the relevant state  
5 agency on the number of requests for spoken language interpreter  
6 services that went unfilled for the department of social and health  
7 services, the department of children, youth, and families, the health  
8 care authority, the department of labor and industries, and the  
9 procurement process in RCW 39.26.300.

10 NEW SECTION. **Sec. 10.** (1) A licensed interpreter and translator  
11 advisory committee is created within the department on July 1, 2025.  
12 The committee consists of members in accordance with this subsection.

13 (a) Three members who provide spoken language interpretation or  
14 translation services in Washington state and who:

15 (i) Prior to January 1, 2029, were certified or authorized by the  
16 department of social and health services; and

17 (ii) Beginning January 1, 2029, are licensed by the department  
18 under this chapter;

19 (b) One member from a community organization that provides direct  
20 services to limited English speaking consumers;

21 (c) Three members who are health care providers, including at  
22 least one member representing a community health center and one  
23 member representing a university-based public hospital, who utilize  
24 state-paid interpreter services to provide health care services to  
25 injured workers or medicaid enrollees;

26 (d) Three individuals representing an exclusive collective  
27 bargaining representative of spoken language interpreters in the  
28 state. The individuals may represent the same union;

29 (e) One member each from the Washington state office of equity  
30 established in RCW 43.06D.020, the department of social and health  
31 services, the health care authority, the department of labor and  
32 industries, and the department of enterprise services;

33 (f) Two members representing a community and technical college.  
34 One member must be from a college east of the summit of the Cascade  
35 mountains and one member must be from a college west of the summit of  
36 the Cascade mountains.

37 (2) The director must appoint all members of the advisory  
38 committee. All members must be familiar with the practice of spoken  
39 language interpreter services and able to provide the department with

1 expertise and assistance in carrying out the duties of this chapter.  
2 The agency members under subsection (1)(e) of this section must be  
3 appointed by their respective agency directors and then referred to  
4 the department for appointment to the advisory committee. The members  
5 under subsection (1)(f) of this section must be appointed by the  
6 executive director of the state board for community and technical  
7 colleges and then referred to the department for appointment to the  
8 advisory committee.

9 (3) The department must consult regularly with the advisory  
10 committee on issues related to interpreter and translator licensure  
11 and renewal.

12 NEW SECTION. **Sec. 11.** The uniform regulation of business and  
13 professions act, chapter 18.235 RCW, governs unlicensed practice, the  
14 issuance and denial of licenses, and the discipline of licenses under  
15 this chapter.

16 **Sec. 12.** RCW 43.24.150 and 2017 c 281 s 40 are each amended to  
17 read as follows:

18 (1) The business and professions account is created in the state  
19 treasury. All receipts from business or professional licenses,  
20 registrations, certifications, renewals, examinations, or civil  
21 penalties assessed and collected by the department from the following  
22 chapters must be deposited into the account:

- 23 (a) Chapter 18.11 RCW, auctioneers;
- 24 (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- 25 (c) Chapter 18.145 RCW, court reporters;
- 26 (d) Chapter 18.165 RCW, private investigators;
- 27 (e) Chapter 18.170 RCW, security guards;
- 28 (f) Chapter 18.185 RCW, bail bond agents;
- 29 (g) Chapter 18.280 RCW, home inspectors;
- 30 (h) Chapter 19.16 RCW, collection agencies;
- 31 (i) Chapter 19.31 RCW, employment agencies;
- 32 (j) Chapter 19.105 RCW, camping resorts;
- 33 (k) Chapter 19.138 RCW, sellers of travel;
- 34 (l) Chapter 42.45 RCW, notaries public;
- 35 (m) Chapter 64.36 RCW, timeshares;
- 36 (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- 37 (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- 38 (p) Chapter 79A.60 RCW, whitewater river outfitters;

1 (q) Chapter 19.158 RCW, commercial telephone solicitation;  
2 ((and))  
3 (r) Chapter 19.290 RCW, scrap metal businesses; and  
4 (s) Chapter 18.--- RCW (the new chapter created in section 13 of  
5 this act), interpreters and translators.

6 Moneys in the account may be spent only after appropriation.  
7 Expenditures from the account may be used only for expenses incurred  
8 in carrying out these business and professions licensing activities  
9 of the department. Any residue in the account must be accumulated and  
10 may not revert to the general fund at the end of the biennium.  
11 However, during the 2013-2015 fiscal biennium the legislature may  
12 transfer to the state general fund such amounts as reflect the excess  
13 fund balance in the account.

14 (2) The director must biennially prepare a budget request based  
15 on the anticipated costs of administering the business and  
16 professions licensing activities listed in subsection (1) of this  
17 section, which must include the estimated income from these business  
18 and professions fees.

19 NEW SECTION. **Sec. 13.** Sections 1 through 11 of this act  
20 constitute a new chapter in Title 18 RCW.

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