
HOUSE BILL 1573

State of Washington

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By Representatives Romero, Carlson, Ogden, Rockefeller, Linville, Schual-Berke, Santos, Ruderman, Morris, Haigh, Kenney, Murray, Scott, Cody, Pennington, Fisher, Keiser, Conway, Cooper and Veloria

Read first time 01/29/1999. Referred to Committee on Children & Family Services.

1 AN ACT Relating to the licensure of interpreters for the deaf and
2 hard of hearing; adding a new chapter to Title 72 RCW; prescribing
3 penalties; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires otherwise.

7 (1) "Committee" means the Washington interpreters for the deaf and
8 hard of hearing policy committee.

9 (2) "Consumer" means a person who is deaf or hard of hearing or who
10 requires special communication techniques in order to communicate.

11 (3) "Interpreter" means a person who engages in the act of or
12 practice of interpreting for gain in the state of Washington, but does
13 not include a relay interpreter unless by rule adopted by the secretary
14 of the department of social and health services, at the request of the
15 committee, a system of certifying relay interpreters is instituted.

16 (4) "Interpreting" means the act of translating or transliterating
17 English concepts to any or all necessary specialized language used by
18 a consumer or the act of translating a consumer's specialized
19 vocabulary to English concepts.

1 (5) "Nationally recognized certification" means certification by
2 the registry of interpreters for the deaf or the national association
3 of the deaf.

4 (6) "Relay interpreter" means an intermediary interpreter with the
5 necessary specialized vocabulary to relay sign language concepts from
6 an interpreter to deaf consumers who have minimal English language and
7 sign language skills.

8 (7) "Specialized vocabulary" means manual signs and gestures
9 operating as visual or tactile ways of communicating thoughts, ideas,
10 and feelings, including but not limited to, American sign language,
11 English-based sign language, cued speech, oral interpreting, manually
12 coded English, and contact sign language.

13 NEW SECTION. **Sec. 2.** (1) Effective December 1, 2001, no person
14 may represent himself or herself as an interpreter or engage in the
15 practice of interpreting unless certified in accordance with this
16 chapter, and no person or public or private entity may knowingly employ
17 an uncertified interpreter to engage in the act of interpreting. A
18 certified interpreter must have adequate professional liability
19 insurance coverage, have passed a criminal background check, and be
20 registered with the office of deaf and hard of hearing services, or its
21 successor authority. The office of deaf and hard of hearing services,
22 or its successor authority, shall determine the adequacy of
23 professional liability insurance coverage and shall certify any person
24 as an interpreter who submits evidence of nationally recognized
25 certification, proof of adequate professional liability insurance
26 coverage, and payment of a reasonable fee, which may be used only for
27 the necessary costs of administering this chapter.

28 (2) This chapter does not apply to:

29 (a) Interpreters working at religious activities;

30 (b) Interpreters working as volunteers without compensation, except
31 for volunteers interpreting for state agency offices and programs;

32 (c) Interpreters working in an emergency. For purposes of this
33 section, "emergency" means a situation in which an adult who receives
34 the interpretation services decides that the delay necessary to obtain
35 a certified interpreter is likely to cause him or her injury or loss to
36 the consumer and signs a waiver holding all persons harmless. The
37 waiver shall clearly state that the adult who receives the

1 interpretation services knows he or she has a right to interpretation
2 by a certified interpreter and willingly waives this right;

3 (d) Family members who do not interpret for compensation;

4 (e) Interpreters employed in public schools, covered under section
5 7 of this act; or

6 (f) The activities and services of an interpreter intern or a
7 student in training who is:

8 (i) Enrolled in a program of study in interpreting at a recognized
9 program of interpreter training or who has graduated from a recognized
10 program of interpreter training within the previous two years;

11 (ii) Interpreting under the supervision of a certified interpreter
12 as part of a supervised program of study; or

13 (iii) Identified as an interpreter intern or student in training.

14 (3) A person who resides out of Washington state, who has a
15 nationally recognized certification, may interpret for up to twenty
16 days without being certified as an interpreter under this chapter.

17 NEW SECTION. **Sec. 3.** (1) The Washington interpreters for the deaf
18 and hard of hearing policy committee is created, consisting of ten
19 members as follows:

20 (a) The president of the Washington state association of the deaf
21 or the president's designee;

22 (b) The director of the office of deaf and hard of hearing services
23 or the director's designee;

24 (c) A representative from the office of the superintendent of
25 public instruction, appointed by the superintendent of public
26 instruction;

27 (d) A consumer of interpreting services appointed by the secretary
28 of the department of social and health services; and

29 (e) One representative appointed by each of the following groups:

30 (i) The Washington state association of the deaf, interpreters
31 chapter;

32 (ii) The Washington state registry of interpreters for the deaf;

33 (iii) The American sign language teachers association;

34 (iv) The Washington school for the deaf;

35 (v) The Washington deaf and blind citizens; and

36 (vi) Self-help for the hard of hearing.

37 (2) If one of these groups fails to appoint a person, the committee
38 shall select a person from that group to represent the group. Terms

1 shall be established by rule adopted by the secretary of the department
2 of social and health services.

3 (3) The members of the committee shall not receive compensation for
4 their services on the committee. All members, other than the director
5 or designee of the office of deaf and hard of hearing services, shall
6 be reimbursed for actual and necessary expenses incurred in the
7 performance of their duties.

8 NEW SECTION. **Sec. 4.** The committee shall:

9 (1) Set a reasonable fee to be charged for the issuance of
10 interpreter certification;

11 (2) Provide a biennial report to the legislature on the
12 effectiveness of this chapter; and

13 (3) Provide to the office of deaf and hard of hearing services, or
14 its successor authority, beginning on October 1st of each year, an
15 ongoing review of professional development and support systems for
16 interpreters, including a review of:

17 (a) Existing public and private education programs and training
18 resources within the state;

19 (b) The current number of certified interpreters; and

20 (c) Areas of interpreter shortage based upon geographic areas and
21 types of interpreting, such as mental health, educational, and ethnic
22 diversity.

23 NEW SECTION. **Sec. 5.** The office of deaf and hard of hearing
24 services, or its successor authority, and each regional deaf service
25 center shall retain in their files a copy of the code of professional
26 ethics and the grievance procedures for both the national association
27 of the deaf and the registry of interpreters for the deaf.

28 NEW SECTION. **Sec. 6.** An interpreter who has had her or his
29 certification suspended or revoked as a result of a grievance action
30 through either the national association of the deaf or the registry of
31 interpreters for the deaf may not work as an interpreter until that
32 certification has been reinstated.

33 NEW SECTION. **Sec. 7.** Educational interpreters who are employed in
34 the public school system must successfully complete a thirty-hour
35 training course offered through the office of the superintendent of

1 public instruction. Commencing in the year 2002, any person newly
2 employed by the public school system as an educational interpreter must
3 be certified as an interpreter and have completed the educational
4 training offered by the office of the superintendent of public
5 instruction. If an educational interpreter for a public school system
6 has been employed in that capacity for four or more years, with
7 satisfactory evaluations and without a period of more than six months
8 between employment in the public school system, the employee may be
9 retained by the school district as an educational interpreter without
10 meeting these standards. If a school district is unable to find a
11 certified interpreter, the school district may request a nonrenewable
12 one-year waiver from the office of the superintendent of public
13 instruction and must demonstrate that efforts have been made to seek an
14 appropriately qualified person. The office of deaf and hard of hearing
15 services, or its successor authority, shall annually provide to the
16 superintendent of public instruction a list of certified interpreters
17 and shall make that list available upon request. The office of the
18 superintendent of public instruction shall send a list of all certified
19 interpreters who have successfully completed the training to each
20 school district every year.

21 NEW SECTION. **Sec. 8.** The office of deaf and hard of hearing
22 services, or its successor authority, shall administer this chapter.

23 NEW SECTION. **Sec. 9.** Violation of or aiding in violation of any
24 part of section 2 of this act constitutes a class 1 civil infraction.

25 NEW SECTION. **Sec. 10.** This act takes effect December 1, 1999.

26 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
27 constitute a new chapter in Title 72 RCW.

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