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**HOUSE BILL 2004**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Representatives Dufault and Schmick

Read first time 01/17/22. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to providing spoken language interpreters for  
2 medical appointments when the original spoken language interpreter  
3 fails to appear; and amending RCW 39.26.300.

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

5 **Sec. 1.** RCW 39.26.300 and 2019 c 266 s 24 are each amended to  
6 read as follows:

7 (1) The department of social and health services, the department  
8 of children, youth, and families, and the health care authority are  
9 each authorized to purchase interpreter services on behalf of limited  
10 English-speaking applicants and recipients of public assistance.

11 (2) The department of labor and industries is authorized to  
12 purchase interpreter services for medical and vocational providers  
13 authorized to provide services to limited English-speaking injured  
14 workers or crime victims.

15 (3) No later than September 1, 2020, the department of social and  
16 health services, the department of children, youth, and families, the  
17 health care authority, and the department of labor and industries  
18 must purchase in-person spoken language interpreter services directly  
19 from language access providers as defined in RCW 74.04.025, or  
20 through limited contracts with scheduling and coordinating delivery  
21 organizations, or both. Each state agency must have at least one

1 contract with an entity that provides interpreter services through  
2 telephonic and video remote technologies. Nothing in this section  
3 precludes the department of labor and industries from purchasing in-  
4 person spoken language interpreter services directly from language  
5 access providers or from directly reimbursing language access  
6 providers.

7 (4) Notwithstanding subsection (3) of this section, the  
8 department of labor and industries may pay a language access provider  
9 directly for the costs of interpreter services when the services are  
10 necessary for use by a medical provider for emergency or urgent care,  
11 or where the medical provider determines that advanced notice is not  
12 feasible.

13 (5) Upon the expiration of any contract in effect on June 7,  
14 2018, but no later than September 1, 2020, the department must  
15 develop and implement a model that all state agencies must use to  
16 procure spoken language interpreter services by purchasing directly  
17 from language access providers or through contracts with scheduling  
18 and coordinating entities, or both. The department must have at least  
19 one contract with an entity that provides interpreter services  
20 through telephonic and video remote technologies. If the department  
21 determines it is more cost-effective or efficient, it may jointly  
22 purchase these services with the department of social and health  
23 services, the department of children, youth, and families, the health  
24 care authority, and the department of labor and industries as  
25 provided in subsection (3) of this section. The department of social  
26 and health services, the department of children, youth, and families,  
27 the health care authority, and the department of labor and industries  
28 have the authority to procure interpreters through the department if  
29 the demand for spoken language interpreters cannot be met through  
30 their respective contracts.

31 (6) All interpreter services procured under this section must be  
32 provided by language access providers who are certified or authorized  
33 by the state, or nationally certified by the certification commission  
34 for health care interpreters or the national board for certification  
35 of medical interpreters. When a nationally certified, state-  
36 certified, or authorized language access provider is not available, a  
37 state agency is authorized to contract with a spoken language  
38 interpreter with other certifications or qualifications deemed to  
39 meet agency needs. Nothing in this subsection precludes providing

1 interpretive services through state employees or employees of medical  
2 or vocational providers.

3 (7) For medical appointments, if a spoken language interpreter  
4 assigned by a contractor procured under this section fails to appear  
5 for a scheduled appointment, the medical provider may provide its own  
6 spoken language interpreter. If a medical provider provides a spoken  
7 language interpreter under this subsection, the medical provider  
8 shall be reimbursed by the relevant state agency at the same rate as  
9 the contractor that assigned the original spoken language interpreter  
10 that failed to appear. If any part of this subsection conflicts with  
11 the provisions of chapter 41.56 RCW, this subsection shall control.

12 (8) Nothing in this section is intended to address how state  
13 agencies procure interpreters for sensory-impaired persons.

14 ~~((8))~~ (9) For purposes of this section, "state agency" means  
15 any state office or activity of the executive branch of state  
16 government, including state agencies, departments, offices,  
17 divisions, boards, commissions, and correctional and other types of  
18 institutions, but excludes institutions of higher education as  
19 defined in RCW 28B.10.016, the school for the blind, and the  
20 Washington center for deaf and hard of hearing youth.

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