
SENATE BILL 5304

State of Washington

68th Legislature

2023 Regular Session

By Senators Saldaña, Nguyen, Nobles, Valdez, and C. Wilson

Read first time 01/12/23. Referred to Committee on Human Services.

1 AN ACT Relating to testing individuals who provide language
2 access to state services; and amending RCW 74.04.025.

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

4 **Sec. 1.** RCW 74.04.025 and 2018 c 253 s 2 are each amended to
5 read as follows:

6 (1) The department, the authority, and the office of
7 administrative hearings shall ensure that bilingual services are
8 provided to non-English-speaking applicants and recipients. The
9 services shall be provided to the extent necessary to assure that
10 non-English-speaking persons are not denied, or unable to obtain or
11 maintain, services or benefits because of their inability to speak
12 English.

13 (2) If the number of non-English-speaking applicants or
14 recipients sharing the same language served by any community service
15 office client contact job classification equals or exceeds fifty
16 percent of the average caseload of a full-time position in such
17 classification, the department shall, through attrition, employ
18 bilingual personnel to serve such applicants or recipients.

19 (3) Regardless of the applicant or recipient caseload of any
20 community service office, each community service office shall ensure
21 that bilingual services required to supplement the community service

1 office staff are provided through contracts with language access
2 providers, local agencies, or other community resources.

3 (4) The department shall certify, authorize, and qualify language
4 access providers as needed to maintain an adequate pool of providers
5 such that residents can access state services. The department shall
6 develop and administer oral and written tests in accordance with
7 established standards to ensure that all language access providers
8 are fluent in English and a primary non-English language. Testing
9 shall include evaluation of language competence, interpreting
10 performance skills, understanding of the interpreter's role, and
11 knowledge of the department's policies regarding confidentiality,
12 accuracy, impartiality, and neutrality. Except as needed to certify,
13 authorize, or qualify bilingual personnel per subsection (2) of this
14 section, the department will only offer spoken language interpreter
15 testing in the following manner:

16 (a) To individuals speaking languages for which ten percent or
17 more of the statewide requests for interpreter services in the prior
18 year (~~((for department employees and the health care authority on~~
19 ~~behalf of limited English-speaking applicants and recipients of~~
20 ~~public assistance that))~~ went unfilled through any of the procurement
21 (~~(process))~~ processes in RCW 39.26.300;

22 (b) To spoken language interpreters who were decertified or
23 deauthorized due to noncompliance with any continuing education
24 requirements; and

25 (c) To current department certified or authorized spoken language
26 interpreters seeking to gain additional certification or
27 authorization.

28 (5) The department shall require compliance with RCW 41.56.113(2)
29 through its contracts with third parties.

30 (6) Initial client contact materials shall inform clients in all
31 primary languages of the availability of interpretation services for
32 non-English-speaking persons. Basic informational pamphlets shall be
33 translated into all primary languages.

34 (7) To the extent all written communications directed to
35 applicants or recipients are not in the primary language of the
36 applicant or recipient, the department and the office of
37 administrative hearings shall include with the written communication
38 a notice in all primary languages of applicants or recipients
39 describing the significance of the communication and specifically how
40 the applicants or recipients may receive assistance in understanding,

1 and responding to if necessary, the written communication. The
2 department shall assure that sufficient resources are available to
3 assist applicants and recipients in a timely fashion with
4 understanding, responding to, and complying with the requirements of
5 all such written communications.

6 (8) As used in this section:

7 (a) "Language access provider" means any independent contractor
8 who provides spoken language interpreter services for state agencies,
9 injured worker, or crime victim appointments through the department
10 of labor and industries, or medicaid enrollee appointments, or
11 provided these services on or after January 1, 2009, and before June
12 10, 2010, whether paid by a broker, language access agency, or a
13 state agency. "Language access provider" does not mean a manager or
14 employee of a broker or a language access agency.

15 (b) "Primary languages" includes but is not limited to Spanish,
16 Vietnamese, Cambodian, Laotian, and Chinese.

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