
SENATE BILL 5995

State of Washington

68th Legislature

2024 Regular Session

By Senators Saldaña, Valdez, Kauffman, Trudeau, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, and C. Wilson

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1 AN ACT Relating to creating a professional license for spoken
2 language interpreters and translators; amending RCW 43.24.150,
3 74.04.025, and 74.04.025; adding a new chapter to Title 18 RCW;
4 providing an effective date; and providing an expiration date.

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

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

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

19 (3) The legislature finds that businesses and government agencies
20 across Washington need access to professional language services to
21 ensure their customers and clients with limited English proficiency

1 can have meaningful access to participate in the programs,
2 activities, and services offered by businesses and government
3 agencies.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (4) Establish forms and procedures necessary to administer this
4 chapter;

5 (5) Beginning January 1, 2025, issue licenses to applicants who
6 have met the department's requirements for obtaining a license and
7 deny licenses to applicants who do not meet the requirements;

8 (6) Compile and maintain a current list of interpreters and
9 translators licensed by the department;

10 (7) Provide staffing and administrative support to the advisory
11 committee created in section 10 of this act;

12 (8) Determine which states, if any, have credentialing
13 requirements equivalent to those of this state, and issue licenses to
14 applicants credentialed in those states without examination;

15 (9) By July 1, 2025, adopt rules for licensure renewal, including
16 for approval of continuing education activities licensees must
17 complete as part of the individual's license renewal;

18 (10) Establish by rule the procedures for an appeal of an
19 examination failure;

20 (11) Establish by rule the procedures for revoking licenses
21 issued pursuant to this chapter and the procedures for an appeal of a
22 revocation decision; and

23 (12) Periodically evaluate language access within the state to
24 ensure Washingtonians are able to participate in the programs,
25 activities, and services offered by businesses and government
26 agencies.

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

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

37 (3) For languages in which the department does not offer
38 certification licensure, the department must administer examinations
39 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.

15 NEW SECTION. **Sec. 6.** Beginning January 1, 2026, it is unlawful
16 for any individual:

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

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

25 NEW SECTION. **Sec. 7.** (1) Individuals holding an active
26 certification from the certification commission for healthcare
27 interpreters or by the national board of certification for medical
28 interpreters are eligible for the relevant licensure under this
29 chapter without taking an examination.

30 (2) (a) Other than individuals included in (b) of this subsection,
31 if an individual has an active interpreter or translator credential
32 issued by the department of social and health services prior to
33 January 1, 2025, the individual is eligible for the relevant
34 licensure renewal under this chapter before the expiration date of
35 the individual's current credential without examination.

36 (b) Individuals who received a credential issued by the
37 department of social and health services based solely on having

1 submitted a passing score on a written exam administered by the
2 certification commission for healthcare interpreters or the national
3 board of certification for medical interpreters are not eligible for
4 the relevant licensure renewal under this chapter without passing the
5 department's examination.

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

12 (3) By July 1, 2024, the department of social and health services
13 must transmit to the department all materials related to interpreters
14 and translators certified and authorized by the department of social
15 and health services, as requested by the department.

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

19 (2) At a minimum, the requirements for license renewal must
20 include:

21 (a) Completion of continuing education, including on ethics; and

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

23 (3) Failure to renew the license invalidates the license and all
24 privileges granted by the license.

25 (4) The department must work cooperatively with community
26 colleges and other private or public educational institutions and
27 organizations to encourage training and continuing education
28 activities to be available in both eastern and western Washington
29 locations.

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 July 1, 2024, the department of social and health services
36 must transmit all data, materials, and technology from its language
37 testing and certification program to the department, including
38 examination materials from prior to March 1, 2020, except that any

1 materials for bilingual employee examinations in compliance with RCW
2 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 January 1,
12 2026. The committee consists of 14 members in accordance with this
13 subsection.

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

16 (i) Prior to January 1, 2025, were certified or authorized by the
17 department of social and health services; and

18 (ii) Beginning January 1, 2025, are licensed by the department
19 under this chapter.

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

22 (c) Two members who are a medical provider or represent
23 organizations who utilize state-paid interpreter services to provide
24 health care services to injured workers or medicaid enrollees.

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

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

32 (2) The director must appoint all members of the advisory
33 committee. All members must be familiar with the practice of spoken
34 language interpreter services and able to provide the department with
35 expertise and assistance in carrying out the duties of this chapter.
36 The agency members must be appointed by their respective agency
37 directors and then referred to the department for appointment to the
38 advisory committee.

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

4 NEW SECTION. **Sec. 11.** The uniform regulation of business and
5 professions act, chapter 18.235 RCW, governs unlicensed practice, the
6 issuance and denial of licenses, and the discipline of licenses under
7 this chapter.

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

10 (1) The business and professions account is created in the state
11 treasury. All receipts from business or professional licenses,
12 registrations, certifications, renewals, examinations, or civil
13 penalties assessed and collected by the department from the following
14 chapters must be deposited into the account:

- 15 (a) Chapter 18.11 RCW, auctioneers;
- 16 (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- 17 (c) Chapter 18.145 RCW, court reporters;
- 18 (d) Chapter 18.165 RCW, private investigators;
- 19 (e) Chapter 18.170 RCW, security guards;
- 20 (f) Chapter 18.185 RCW, bail bond agents;
- 21 (g) Chapter 18.280 RCW, home inspectors;
- 22 (h) Chapter 19.16 RCW, collection agencies;
- 23 (i) Chapter 19.31 RCW, employment agencies;
- 24 (j) Chapter 19.105 RCW, camping resorts;
- 25 (k) Chapter 19.138 RCW, sellers of travel;
- 26 (l) Chapter 42.45 RCW, notaries public;
- 27 (m) Chapter 64.36 RCW, timeshares;
- 28 (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- 29 (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- 30 (p) Chapter 79A.60 RCW, whitewater river outfitters;
- 31 (q) Chapter 19.158 RCW, commercial telephone solicitation;
- 32 (~~and~~)
- 33 (r) Chapter 19.290 RCW, scrap metal businesses; and
- 34 (s) Chapter 18.--- RCW (the new chapter created in section 15 of
35 this act), interpreters and translators.

36 Moneys in the account may be spent only after appropriation.
37 Expenditures from the account may be used only for expenses incurred
38 in carrying out these business and professions licensing activities

1 of the department. Any residue in the account must be accumulated and
2 may not revert to the general fund at the end of the biennium.
3 However, during the 2013-2015 fiscal biennium the legislature may
4 transfer to the state general fund such amounts as reflect the excess
5 fund balance in the account.

6 (2) The director must biennially prepare a budget request based
7 on the anticipated costs of administering the business and
8 professions licensing activities listed in subsection (1) of this
9 section, which must include the estimated income from these business
10 and professions fees.

11 **Sec. 13.** RCW 74.04.025 and 2023 c 94 s 2 are each amended to
12 read as follows:

13 (1) The department, the authority, and the office of
14 administrative hearings shall ensure that bilingual services are
15 provided to non-English-speaking applicants and recipients. The
16 services shall be provided to the extent necessary to assure that
17 non-English-speaking persons are not denied, or unable to obtain or
18 maintain, services or benefits because of their inability to speak
19 English.

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

26 (3) Regardless of the applicant or recipient caseload of any
27 community service office, each community service office shall ensure
28 that bilingual services required to supplement the community service
29 office staff are provided through contracts with language access
30 providers, local agencies, or other community resources.

31 (4) The department shall certify, authorize, and qualify language
32 access providers as needed to maintain an adequate pool of providers
33 such that residents can access state services. The department shall
34 require the successful completion of oral and written tests in
35 accordance with established standards to ensure that all language
36 access providers are fluent in English and a primary non-English
37 language. Testing shall include evaluation of language competence,
38 interpreting performance skills, understanding of the interpreter's
39 role, and knowledge of the department's policies regarding

1 confidentiality, accuracy, impartiality, and neutrality. Except as
2 needed to certify, authorize, or qualify bilingual personnel per
3 subsection (2) of this section, the department will only offer spoken
4 language interpreter testing in the following manner:

5 (a) To individuals speaking languages for which ten percent or
6 more of the requests for interpreter services in the prior year for
7 department employees and the health care authority on behalf of
8 limited English-speaking applicants and recipients of public
9 assistance that went unfilled through the procurement process in RCW
10 39.26.300;

11 (b) To spoken language interpreters who were decertified or
12 deauthorized due to noncompliance with any continuing education
13 requirements; and

14 (c) To current department certified or authorized spoken language
15 interpreters seeking to gain additional certification or
16 authorization.

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

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

23 (7) To the extent all written communications directed to
24 applicants or recipients are not in the primary language of the
25 applicant or recipient, the department and the office of
26 administrative hearings shall include with the written communication
27 a notice in all primary languages of applicants or recipients
28 describing the significance of the communication and specifically how
29 the applicants or recipients may receive assistance in understanding,
30 and responding to if necessary, the written communication. The
31 department shall assure that sufficient resources are available to
32 assist applicants and recipients in a timely fashion with
33 understanding, responding to, and complying with the requirements of
34 all such written communications.

35 (8) Nothing in this section prohibits the department from
36 developing and administering a program to meet the requirements and
37 standards established under chapter 94, Laws of 2023.

38 (9) No testing or certification authority may be awarded to a
39 private entity with a financial interest in the ((direct)) provision
40 of interpreter services.

1 (10) As used in this section:

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

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

12 **Sec. 14.** RCW 74.04.025 and 2023 c 94 s 2 are each amended to
13 read as follows:

14 (1) The department, the authority, and the office of
15 administrative hearings shall ensure that bilingual services are
16 provided to non-English-speaking applicants and recipients. The
17 services shall be provided to the extent necessary to assure that
18 non-English-speaking persons are not denied, or unable to obtain or
19 maintain, services or benefits because of their inability to speak
20 English.

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

27 (3) Regardless of the applicant or recipient caseload of any
28 community service office, each community service office shall ensure
29 that bilingual services required to supplement the community service
30 office staff are provided through contracts with language access
31 providers, local agencies, or other community resources.

32 ~~(4) ((The department shall certify, authorize, and qualify~~
33 ~~language access providers as needed to maintain an adequate pool of~~
34 ~~providers such that residents can access state services. The~~
35 ~~department shall require the successful completion of oral and~~
36 ~~written tests in accordance with established standards to ensure that~~
37 ~~all language access providers are fluent in English and a primary~~
38 ~~non-English language. Testing shall include evaluation of language~~
39 ~~competence, interpreting performance skills, understanding of the~~

1 interpreter's role, and knowledge of the department's policies
2 regarding confidentiality, accuracy, impartiality, and neutrality.
3 Except as needed to certify, authorize, or qualify bilingual
4 personnel per subsection (2) of this section, the department will
5 only offer spoken language interpreter testing in the following
6 manner:

7 (a) ~~To individuals speaking languages for which ten percent or~~
8 ~~more of the requests for interpreter services in the prior year for~~
9 ~~department employees and the health care authority on behalf of~~
10 ~~limited English-speaking applicants and recipients of public~~
11 ~~assistance that went unfilled through the procurement process in RCW~~
12 ~~39.26.300;~~

13 (b) ~~To spoken language interpreters who were decertified or~~
14 ~~deauthorized due to noncompliance with any continuing education~~
15 ~~requirements; and~~

16 (c) ~~To current department certified or authorized spoken language~~
17 ~~interpreters seeking to gain additional certification or~~
18 ~~authorization.~~

19 (5)) The department shall require compliance with RCW
20 41.56.113(2) through its contracts with third parties.

21 ((6)) (5) Initial client contact materials shall inform clients
22 in all primary languages of the availability of interpretation
23 services for non-English-speaking persons. Basic informational
24 pamphlets shall be translated into all primary languages.

25 ((7)) (6) To the extent all written communications directed to
26 applicants or recipients are not in the primary language of the
27 applicant or recipient, the department and the office of
28 administrative hearings shall include with the written communication
29 a notice in all primary languages of applicants or recipients
30 describing the significance of the communication and specifically how
31 the applicants or recipients may receive assistance in understanding,
32 and responding to if necessary, the written communication. The
33 department shall assure that sufficient resources are available to
34 assist applicants and recipients in a timely fashion with
35 understanding, responding to, and complying with the requirements of
36 all such written communications.

37 ((8) Nothing in this section prohibits the department from
38 developing and administering a program to meet the requirements and
39 standards established under chapter 94, Laws of 2023.

1 ~~(9))~~ (7) No testing or certification authority for bilingual
2 employees may be awarded to a private entity with a financial
3 interest in the (~~direct~~) provision of interpreter services.

4 ~~((10))~~ (8) As used in this section:

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

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

15 NEW SECTION. **Sec. 15.** Sections 1 through 11 of this act
16 constitute a new chapter in Title 18 RCW.

17 NEW SECTION. **Sec. 16.** Section 13 of this act expires December
18 31, 2024.

19 NEW SECTION. **Sec. 17.** Section 14 of this act takes effect
20 January 1, 2025.

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