

**2003-04 SESSION
COMMITTEE HEARING
RECORDS**

Committee Name:

Senate Committee on
Health, Children,
Families, Aging and
Long Term Care
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR_RCP_pt01a
- 03hrAC-EdR_RCP_pt01b
- 03hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ 03hr_sb0255_pt03

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

Colleen Keating

No Date

Substitute Amendment to SB 255

Please make the following changes to the bill:

1. Provisional License – WITA Score 2:2

always per

Amend page 4, lines 15 to 18 to indicate that a person has to be verified at a level 2 or higher in both transliterating and interpreting.

2. Educational Interpreters – Extra-Curricular Activities

Still won't have to

Page 3, line 16. Clarify that educational interpreting includes all school-sponsored events.

Client Education plan or need mt. to teach client (Triggs had)

3. Court Interpreter Clarification

Page 3, lines 12 and 13. Clarify that exemption only exists in court setting.

Please make the following additions to the bill:

1. Privileged Communications

Create language that would stipulate that communications facilitated by interpreters are considered privileged. Following is an example from the RID model legislation:

B. *Privileged Communication* - Communication between individuals who are deaf and hearing is owned by those individuals and therefore must be legally protected. The professional interpreter is simply facilitating the communication and cannot be held accountable for that information. The confidential communications between an interpreter and the consumers served are on the same basis as those between attorney/client; medical professional/patient or counselor/patient. As such, all legislation regulating the profession of interpreting must recognize this right of privileged communication between an interpreter and consumer, both deaf and hearing.

2. Deaf Consumer Opt-Out

Exempt from the provisions of the bill interpreters who are providing services for individuals who are deaf and who have signed a form indicating that they are aware of the law and are waiving the requirements and any liability. Interpreters and any 3rd party paying for services would also be required to sign form.

Apply across the Board - Pastor Banniger - he is com to table.

include
2 yr window (grandfathering)
for new residents

3. Grandfather Clause for New Residents

Create another grandfather clause, allowing anyone that moves to the state with a RID or NAD certification but no education background be eligible for state licensure.

4. Deaf Interpreters

Create a separate license for deaf interpreters. A deaf interpreter is an individual who provides interpretive services and who a doctor or an audiologist has verified to be deaf or hard of hearing and has submitted an audiogram to DRL with their application. To qualify for a provisional license, the deaf interpreter would need 48 credits from a College, University, Technical College or another appropriate training program on issues related to interpreting. In addition, the deaf interpreter would need to pass the RID written exam, be an associate or student member of RID and complies with the continuing education requirements of the certification maintenance program, and have 8 hours of training on the role and function of a deaf interpreter and 8 hours of training on the RID Code of Ethics (documentation of dates, locations and duration of training would be required). A deaf interpreter is exempt from the WITA provisions. To qualify for a permanent license, in addition to the previous requirements, the deaf interpreter would also have to have RID certification.

same as others.

new

can't pass
since can't
speak

Sep. license for them.

Yes, has a cert. for deaf interpreters.

12/18
P-marked Matt
(Kedzie office)
that CK would
like a blanket
exemption for
churches.

Vote Record

Passage as amend 255

Committee on Health, Children, Families, Aging and Long Term Care

Date: _____

Moved by: Roess

Seconded by: SR

AB _____

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
- Introduction Rejection Tabling Nonconcurrence

Committee Member

Aye No Absent Not Voting

Senator Carol Roessler

Senator Ted Kanavas

Senator Ronald Brown

Senator Robert Welch

Senator Dale Schultz

Senator Judith Robson

— Senator Charles Chvala

~ Senator Robert Jauch

Senator Tim Carpenter

Totals: _____

Open

SB 255

Licensure of Interpreters
for the Deaf + Hard of
Hearing.

SB
255

LRB 0299 Amendment to SB 255

LRB 0299

This amendment is supported by the Council for the Deaf and Hard of Hearing.

LRB 0299 addresses many of the concerns expressed at the public hearing.

LRB 0299 makes the following changes to the bill:

- Clarifies that the educational interpreting exemption includes all school-sponsored events.
- Clarifies that the court interpreter exemption only exists in a court setting.
- Under the provisional license provision of the bill, indicates that a person has to be verified at a level 2 or higher in both transliterating and interpreting on the W.I.T.A. assessment.
- Creates a deaf consumer opt-out provision, which allows deaf individuals the ability to waive the licensure requirements for an interpreter. This provision was established to address the concerns raised regarding religious interpreters and interpreters for various other activities such as cub scouts or swimming lessons.
- Creates another grandfather clause, allowing anyone that moves to the state with a RID or NAD certification but no education background be eligible for state licensure within two years of moving into state.

LRB
0299

- Creates a separate license for deaf interpreters (interpreters who are deaf, and who are used to facilitate conversations between deaf individuals and other interpreters).
- Creates a privileged communication provision for interpreters.

SENATE BILL 255

requirements of the RID's certification maintenance program. A person who is granted a license must notify DRL within 30 days if the person's membership in the RID is revoked or invalidated, and DRL must then revoke the license.

The second type of license must be renewed every two years by the license holder, and, unlike the first type of license, may continue to be renewed after the second renewal. DRL must grant the second type of license to a person who pays a fee and provides evidence that he or she has received an associate degree in interpretation for the deaf or hard of hearing or has received a certificate of completion of an education and training program regarding such interpretation. In addition, he or she must submit evidence that he or she has one of the following valid certifications: 1) any certification granted by the RID or its successor; 2) certification level 4 or 5 granted by the National Association of the Deaf or its successor; or 3) any certification granted by any other organization that DRL determines is substantially equivalent to one of the foregoing certifications. A person who is granted such a license must notify DRL within 30 days if the person's certification is revoked or invalidated, and DRL must then revoke the license.

Also, until approximately two years after the bill's effective date, DRL may grant the second type of license to a person who was granted one of the certifications described above before the bill's effective date, but who has not received an associate degree in interpretation for the deaf or hard of hearing or has not received a certificate of completion of an education and training program regarding such interpretation. A person who is granted such a license must renew it every two years, and may continue to renew it after the second renewal.

The bill requires DRL to promulgate rules that establish a code of ethics that governs the professional conduct of all licensees. In promulgating the rules, DRL must consider including part or all of the code of ethics established by the RID or its successor, and must periodically review that code, and, if appropriate, revise the rules to reflect any revisions to the code. In addition, DRL may take disciplinary action, including suspending or revoking a license, against a licensee who violates the bill's requirements, including the code of ethics. Any person who violates the bill's requirements, including a licensee, may be fined not more than \$200, imprisoned for not more than six months, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.032 of the statutes is created to read:

1

Exemptions shall be made in school setting.
Covered already
Interpreters in State Ct. - oral language interpreted certified by State

SENATE BILL 255

1 **440.032 Interpreting for the deaf or hard of hearing. (1) DEFINITION.** In
2 this section, "Wisconsin interpreting and transliterating assessment" means a
3 program administered by the department of health and family services to determine
4 and verify the level of competence of communication access services providers who
5 are not certified by the Registry of Interpreters for the Deaf, Inc., the National
6 Association of the Deaf, or other similar nationally recognized certification
7 organization.

8 **(2) LICENSE REQUIRED.** (a) No person may, for compensation, provide
9 interpretation services for the deaf or hard of hearing unless the person is licensed
10 by the department under sub. (3).

11 (b) This subsection does not apply to any of the following:

12 1. An interpreter certified by the supreme court to act as a qualified interpreter
13 in court proceedings under s. 885.38 (2).

14 2. A person licensed by the department of public instruction as an educational
15 interpreter for pupils who are deaf or hard of hearing, if the person's interpretation
16 services are limited to educational interpreting for pupils who are deaf or hard of
17 hearing.

18 **(3) LICENSURE REQUIREMENTS.** (a) The department shall grant a license as an
19 interpreter for the deaf or hard of hearing to a person who submits an application on
20 a form provided by the department, pays the fee specified in s. 440.05 (1), and
21 submits evidence satisfactory to the department that the person has received an
22 associate degree in interpretation for the deaf or hard of hearing or has received a
23 certificate of completion of an education and training program regarding such
24 interpretation, and the person has one of the following:

SENATE BILL 255

1 1. Any valid certification granted by the Registry of Interpreters for the Deaf,
2 Inc., or its successor.

3 2. A valid certification level 4 or 5 granted by the National Association of the
4 Deaf or its successor.

5 3. Any valid certification granted by any other organization that the
6 department determines is substantially equivalent to a certification specified in
7 subd. 1. or 2.

8 (b) 1. The department shall grant a license as an interpreter for the deaf or hard
9 of hearing to a person who submits an application on a form provided by the
10 department, pays the fee specified in s. 440.05 (1), and submits evidence satisfactory
11 to the department that the person satisfies all of the following:

12 a. The person has received an associate degree in interpretation for the deaf
13 or hard of hearing or has received a certificate of completion of an education and
14 training program regarding such interpretation.

15 b. The person is verified by the Wisconsin interpreting and transliterating
16 assessment as follows: if the person is verified as level 1 in interpreting, the person
17 is verified as level 2 or higher in transliterating; and if the person is verified as level
18 1 in transliterating, the person is verified as level 2 or higher in interpreting.

19 c. The person has passed the written examination administered by the Registry
20 of Interpreters for the Deaf, Inc.

21 d. The person is an associate or student member of the Registry of Interpreters
22 for the Deaf, Inc., and complies with the continuing education requirements of the
23 certification maintenance program of the registry.

24 2. A license granted under subd. 1. may be renewed twice and is not valid upon
25 the expiration of the 2nd renewal period.

SENATE BILL 255

1 **(4) NOTIFICATION REQUIRED.** A person who is licensed under sub. (3) shall notify
2 the department in writing within 30 days if person's certification specified in sub. (3)
3 (a) or membership specified in sub. (3) (b) 1. d. is revoked or invalidated. The
4 department shall revoke a license granted under sub. (3) if such a certification or
5 membership is revoked or invalidated.

6 **(5) LICENSE RENEWAL.** The renewal dates for licenses granted under sub. (3) are
7 specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the
8 department on a form provided by the department and shall include the renewal fee
9 specified in s. 440.08 (2) (a) and evidence satisfactory to the department that the
10 person's certification specified in sub. (3) (a) or membership specified in sub. (3) (b)
11 1. d. has not been revoked or invalidated.

12 **(6) RULE MAKING.** (a) The department may not promulgate rules that impose
13 requirements for granting a license that are in addition to the requirements specified
14 in sub. (3).

15 (b) The department shall promulgate rules that establish a code of ethics that
16 governs the professional conduct of persons licensed under sub. (3). In promulgating
17 rules under this paragraph, the department shall consider including as part or all
18 of the rules part or all of the code of ethics established by the Registry of Interpreters
19 for the Deaf, Inc., or its successor. The department shall periodically review the code
20 of ethics established by the Registry of Interpreters for the Deaf, Inc., or its successor,
21 and, if appropriate, revise the rules promulgated under this paragraph to reflect
22 revisions to that code of ethics.

23 **(7) DISCIPLINARY PROCEEDINGS AND ACTIONS.** Subject to the rules promulgated
24 under s. 440.03 (1), the department may make investigations and conduct hearings
25 to determine whether a violation of this section or any rule promulgated under this

SENATE BILL 255

1 section has occurred and may reprimand a person who is licensed under sub. (3) or
2 may deny, limit, suspend, or revoke a license granted under sub. (3) if it finds that
3 the applicant or licensee has violated this section or any rule promulgated under this
4 section.

5 (8) PENALTY. A person who violates this section or any rule promulgated under
6 this section may be fined not more than \$200 or imprisoned for not more than 6
7 months or both.

8 **SECTION 2.** 440.08 (2) (a) 38j. of the statutes is created to read:

9 440.08 (2) (a) 38j. Interpreter for the deaf or hard of hearing: September 1 of
10 each odd-numbered year; \$53.

11 **SECTION 3. Nonstatutory provisions.**

12 (1) WAIVER OF CERTAIN LICENSURE REQUIREMENTS.

13 (a) Notwithstanding section 440.032 (3) (a) of the statutes, as created by this
14 act, the department of regulation and licensing shall grant a license as an interpreter
15 for the deaf and hard of hearing to a person who, not later than the first day of the
16 24th month beginning after the effective date of this paragraph, pays the fee
17 specified in section 440.05 (1) of the statutes and submits evidence satisfactory to the
18 department that the person has any of the following:

19 1. Any valid certification that was granted by the Registry of Interpreters for
20 the Deaf, Inc., or its successor, before the effective date of this subdivision.

21 2. A valid certification level 4 or 5 granted by the National Association of the
22 Deaf or its successor before the effective date of this subdivision.

23 3. Any valid certification that was granted by another organization before the
24 effective date of this subdivision, if the department determines that the other

SENATE BILL 255

1 certification is substantially similar to a certification specified in subdivision 1. or
2 2.

3 (b) A license granted under paragraph (a) is considered to be granted under
4 section 440.032 (3) (a) of the statutes, as created by this act.

5 **SECTION 4. Effective date.**

6 (1) This act takes effect on the first day of the 7th month beginning after
7 publication.

8 (END)

Stamp: E.D.C.

Mason Springs
Paragale WI

CISA # 5 CST

Dy. finding decision

Round over.

Show Some of

concerns

sketch circular

co curricular -

Small neighborhood

Pross because of

Problem for swimming

lessons - no costs

pay for.

Members of the swimming

Alton has grand concerns will look into it

get information, for look into it

give me information look into it

DE 4 times no opinion the

Wagner

and office

10/11

understand for us

changes

Paralyzed - DOC

Frankie for - unit

Parish Development and DOE

* Church EXEMPT IT

Church's members

Parish Church's

members

SB

Good intentions but
just giving more
service I need,

Other provisions

adjustments

Other X

NSA

Oliver
support

Robert of Day

"Husband" can hear but

It's NOT a INTERPRETER,
can interpret for her

1- fishing - working
to get a job, as

2- when response -

BA / N BA

Just as
4 day lunches

leave

1 2 3 4 5

Alice Day's H or Hearing

Transitioned L Sec

Brown

A Bave BS. In Day

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as of yet

Alice Day's Hand of

Hearing

Minneapolis - BY their

contingent process - as

200 changed (temp) now

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15 min. earlier to 4:45

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skipping up gradic skip
by skip minimization

curved by ~~cost~~ in
A GM - set aside

don't for interpretation
to down - $\frac{1}{2}$ twice

function on lines
Distance edges

Deep distortion
disorder bits interpretation
prints distortion
that cost models
construction in graph
for edges values by
SCF was

Parents \rightarrow adult JAMES
MARSHALL was
was at the day
Support this to do
in overall in text

Good in Studies

NOT 12AD

Change not to put

has much into evidence

too quick:

Daughter - multiple -
handicapped not prepared
to represent her - this day
wiring down the line
down to get the line
cannot with rely on them
of them some examples
from the new book

Top 100 Suppliers

Students in

Consumer's



Bridged / Modern

Students

Minimum

Sign Lang = making

Armed nations

Chandler

INTERPRETES

Suppliers, Support

Examp more effective

marks per day in

so - get our an educated

① get our an educated

deaf projects used

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

deaf projects demand

North = different

2011 = 1310 calls =

↳ Northwolders Contingent

↳ m. medium

↳ m. med.

↳ = more

Costly to holding

education used in time

convinced to take

Spoke to SA.

10 interviews

800 18 calls

Edna S. X. Graham

DET Sp. over. in white

opp. experience

called: called

over - Eastwood Training

Ch

Keep - in touch w/

WRD

Linda Russell @ SBC

agreed in ct.

Leadership

Having no test prep

3 weeks prep no

PHENOM

K-12 = more?

Massachusetts - Qian

e.g. 1st last 90

no no in the past

looked for independent

Complex

HI - LIFE GRAPHIC
Saving Hints?

Kidney - Lyle - 5 day

hope close - we can't

opt. situation can we

have

class taken during term

Needs remained level over

70% of Parents of

don't kids never learn

computer sign language,

DEPI - teachers

MAST - Proficiency,

SA - Protection -

read test, -

Spelling - to

no matter

Pass
as correctly
correction of

Problem w/ State

test - Assessment

Violence

Encourage to ? skills =
open!
Unusual, ~~at all~~ -
Disarm Walter Smith
wink!

James Bachmager

• Domestic support
- RASS -
Medical intervention for
Anger, Medical, physical
line who we not work good.
3 states of CODE on
- Evidence broken already,
Skills not up to par. -
Support FBI and regulate P. with
for medical or any emergency
of working.

CODE of ETHICS

RIDING Next

Code of Ethics

Points
Mentioning to members
Searched, compiled,

MINNEAPOLIS does have
a license So how'd up funding

Costa Shapiro / Prison
Prison / Prison
Prison / Prison