



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2654/P1

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**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

INSERT

IN: 5/10/2019  
OUT: 5/13/2019

1 AN ACT *to repeal* 15.407 (9) and 440.032; *to amend* 440.032 (3) (b) 3. and 905.015  
2 (2) (intro.); and *to create* 15.405 (18) and chapter 471 of the statutes; **relating**  
3 **to:** regulation of sign language interpretation services, providing an exemption  
4 from emergency rule procedures, granting rule-making authority, and  
5 providing a penalty.

*examinations and licensure of sign language interpreters and making an appropriation*

***Analysis by the Legislative Reference Bureau***

This bill replaces the current licensure program for sign language interpreters licensed by the Department of Safety and Professional Services with a licensure program administered by the Sign Language Interpreters Examining Board, which is created in the bill. The board's membership consists of three deaf, hard of hearing, or deaf-blind individuals, three experienced sign language interpreters who are licensed under the bill, one representative of DSPS, and one individual who is not deaf, hard of hearing, or deaf-blind and has obtained the services of a sign language interpreter on behalf of an individual who is deaf, hard of hearing, or deaf-blind.

Under the bill, the board grants the following licenses:

1. Sign language interpreter — intermediate hearing. The board must license an individual as a sign language interpreter — intermediate hearing if, among other requirements, the individual has received at least a bachelor's degree from an accredited college or university or an equivalent degree; the individual has successfully completed an interpreter training program; and the individual has passed the basic performance examination administered by the Board for Evaluation

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of Interpreters (BEI) and is certified by BEI or has passed an examination the board determines is substantially equivalent to the BEI basic performance examination. The bill includes alternative paths to licensure as a sign language interpreter — intermediate hearing.

2. Sign language interpreter — advanced hearing. The board must license an individual as a sign language interpreter — advanced hearing if, among other requirements, the individual has received at least a bachelor's degree from an accredited college or university or an equivalent degree; the individual has successfully completed an interpreter training program; and the individual has passed the advanced or master performance examination administered by BEI and is certified by BEI, has passed the examination for and holds the national interpreter certification issued by the Registry of Interpreters for the Deaf, Inc. (RID), or has passed an exam the board determines is substantially equivalent. The bill includes alternative paths to licensure as a sign language interpreter — advanced hearing.

3. Sign language interpreter — intermediate deaf. The board must license an individual as a sign language interpreter — intermediate deaf if, among other requirements, the individual holds a high school diploma or its equivalent; the individual successfully completed at least 40 hours of a sign language interpreter training curriculum for deaf interpreters; the individual successfully completed at least 16 hours of sign language interpretation-related training approved by BEI or RID; and the individual provides to the board letters of recommendation from at least two individuals who hold a sign language interpreter — advanced deaf license, a certified deaf interpreter certification issued by RID, or an equivalent certification. Taken in the aggregate, the letters of recommendation must verify that the individual has successfully completed at least 25 hours of observing the provision of sign language interpretation services provided to clients.

4. Sign language interpreter — advanced deaf. The board must license an individual as a sign language interpreter — advanced deaf if, among other requirements, the individual holds at least an associate degree or satisfies an alternative pathway for education and the individual holds a certified deaf interpreter certification issued by RID or an equivalent certification, as determined by the board.

The bill requires the board to promulgate rules defining the scope of practice of each of the licenses described above, subject to certain restrictions set forth in the bill.

The bill also provides that an individual licensed by DPI and providing sign language interpretation services at a school or school-sponsored event is not required to be licensed by the board. The bill also includes other temporary and permanent exemptions from licensure.

Under the bill, a person who hires a sign language interpreter to provide interpretation services must, if a client who receives interpretation services from the hired interpreter notifies the person that the client considers the interpreter to be unqualified or unsatisfactory, make a different sign language interpreter available to the client.

Finally, in addition to enforcement powers and penalties that are similar to the powers provided to other examining boards and applicable penalties, the bill provides enforcement authority to the board with respect to the unauthorized practice of sign language interpretation or the unauthorized use of a title related to sign language interpretation. Under the bill, the board may conduct investigations, hold hearings, and make findings as to whether a person has engaged in a practice or used a title without a license required under the bill. If the board determines after a public hearing that a person has engaged in a practice or used a title without a required license, the board may issue a special order enjoining the person from the continuation of the practice or use of the title. Any person who violates such a special order may be required to pay a forfeiture of up to \$10,000 for each offense. The board, DSPS, the attorney general, or any district attorney may commence an action in the name of the state to recover the forfeiture.

In lieu of holding a public hearing, the board may petition the circuit court for a temporary restraining order or an injunction. Any person who violates such a temporary restraining order or injunction may be fined between \$25 and \$5,000 or imprisoned for up to one year in the county jail or both.

Similar, although not identical, enforcement authority is provided to DSPS under current law concerning the unauthorized practice or use of a title with respect to a profession regulated by DSPS or a board under DSPS.

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.

For further information see the *state* 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:*

1 **SECTION 1.** 15.405 (18) of the statutes is created to read:

2 15.405 (18) SIGN LANGUAGE INTERPRETERS EXAMINING BOARD. (a) In this  
3 subsection, "interpretation services" has the meaning given in s. 471.01 (4).

4 (b) There is created a sign language interpreters examining board in the  
5 department of safety and professional services consisting of the following members  
6 appointed for 4-year terms:

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1 1. Three public members who are deaf, hard of hearing, or deaf-blind. All of  
2 the members appointed under this subdivision shall have experience as individual  
3 clients of sign language interpreters providing interpretation services.

4 2. Two sign language interpreters — advanced hearing licensed under s. 471.05  
5 (2).

6 3. One sign language interpreter — advanced deaf licensed under s. 471.05 (4).

7 4. One public member who is not deaf, hard of hearing, or deaf-blind and who  
8 has obtained, or represents an entity that has obtained, interpretation services for  
9 the benefit of an individual who is deaf, hard of hearing, or deaf-blind.

10 5. One member who is a representative of the department of safety and  
11 professional services.

12 (c) The governor shall nominate the members under par. (b) only after  
13 consultation with the Wisconsin Association of the Deaf, Inc., or its successor, and  
14 the Wisconsin Registry of Interpreters for the Deaf, Inc., or its successor, concerning  
15 the nominations.

16 (d) No member appointed under par. (b) 1. to 4. may be an individual who is  
17 employed by or represents the department of safety and professional services.

18 **SECTION 2.** 15.407 (9) of the statutes is repealed.

19 **SECTION 3.** 440.032 of the statutes, as affected by 2019 Wisconsin Act ... (this  
20 act), is repealed.

21 **SECTION 4.** 440.032 (3) (b) 3. of the statutes is amended to read:

22 440.032 (3) (b) 3. A license granted under subd. 1. or 2. may be renewed twice  
23 3 times and is not valid upon the expiration of the ~~2nd~~ 3rd renewal period.

24 **SECTION 5.** Chapter 471 of the statutes is created to read:

25 **CHAPTER 471**

**SIGN LANGUAGE INTERPRETERS****EXAMINING BOARD**

**471.01 Definitions.** In this chapter:

(1) "Board" means the sign language interpreters examining board.

(2) "Board for Evaluation of Interpreters" means the Board for Evaluation of Interpreters or its successor.

(3) "Client" means a deaf, hard of hearing, or deaf-blind individual for whom another individual provides interpretation services, and, to the extent the context requires, includes the parent or guardian of a deaf, hard of hearing, or deaf-blind individual if the individual is a minor.

(4) "Interpretation services" means any kind of sign language interpretation services provided to a client, whether provided by a hearing or deaf interpreter.

(5) "Interpreter training program" means any postsecondary educational program that prepares individuals to perform interpretation services.

(6) "Registry of Interpreters for the Deaf" means the Registry of Interpreters for the Deaf, Inc., or its successor.

(7) "Support service provider" means an individual who is trained to act as a link between an individual who is deaf-blind and that individual's environment.

**471.02 License required.** (1) No individual may, for compensation, provide interpretation services to a client unless the individual is licensed under s. 471.05 or is exempt from licensure.

(2) No individual may use the title "sign language interpreter," "interpreter for the deaf," "hearing interpreter," "deaf interpreter," "American sign language interpreter," "ASL English interpreter," or describe or imply that he or she is an individual who provides interpretation services to clients, or represent himself or

1 herself as an individual who provides interpretation services to clients unless the  
2 individual is licensed under s. 471.05 or is exempt from licensure under sub. (4) (a)  
3 or (b) or s. 471.03 or 471.04.

4 (3) If interpretation services are provided via live remote video conferencing,  
5 an individual providing interpretation services shall be licensed under this section  
6 if any of the following applies at the time the interpretation services are provided:

7 (a) The client is located in this state.

8 (b) The individual providing interpretation services is located in this state.

9 (4) No license is required under this section for any of the following:

10 (a) An individual providing interpretation services for pupils at any school or  
11 school-sponsored event if the individual is licensed by the department of public  
12 instruction as an educational interpreter.

13 (b) An individual providing interpretation services at a religious service or at  
14 a religious function, including educational or social events sponsored by a religious  
15 organization. This paragraph does not apply to an individual providing  
16 interpretation services for a religious organization at a professional function  
17 provided or sponsored by the religious organization.

18 (c) A support service provider providing interpretation services for the purpose  
19 of facilitating communication between an individual who provides interpretation  
20 services and a client of the individual.

21 (d) An individual who, in the course of the individual's employment, provides  
22 interpretation services during an emergency unless the interpretation services are  
23 provided during a period that exceeds 24 consecutive hours.

1           **471.03 Temporary exemptions.** The board may grant, on a case-by-case  
2 basis, a temporary exemption from the licensure requirement under s. 471.02 to an  
3 individual applying for a temporary exemption, subject to the following:

4           (1) An individual's application for a temporary exemption under this section  
5 shall be in writing, shall describe the reasons why the individual cannot obtain a  
6 license under s. 471.05 and describe any professional credential the individual does  
7 possess, and shall specify the dates the individual intends to provide interpretation  
8 services.

9           (2) The board shall approve or deny a temporary exemption under this section  
10 within 10 business days after receiving the application.

11           **471.04 Permanent exemptions.** The board may grant, on a case-by-case  
12 basis, a permanent exemption from the licensure requirements under s. 471.02 to an  
13 individual applying for a permanent exemption, subject to the following:

14           (1) An individual's application for a permanent exemption under this section  
15 shall describe the reasons why the individual cannot obtain a license under s. 471.05.

16           (2) If the applicant for permanent exemption will be providing interpretation  
17 services to a single client only, the individual's application shall identify that client.

18           **471.05 Licensure.** The board shall grant licenses for the provision of  
19 interpretation services under the following license categories:

20           (1) SIGN LANGUAGE INTERPRETER — INTERMEDIATE HEARING. The board shall grant  
21 a sign language interpreter — intermediate hearing license to an applicant who  
22 submits an application on a form provided by the board, pays the fee determined by  
23 the department under s. 440.05 (1) (a), and satisfies any of the following:

24           (a) The applicant satisfies all of the following:

1           1. The applicant has received at least a bachelor's degree from an accredited  
2 college or university, or an equivalent degree as determined by the board.

3           2. The applicant provides evidence satisfactory to the board that the applicant  
4 has successfully completed an interpreter training program.

5           3. The applicant has passed the basic performance examination of and is  
6 certified by the Board for Evaluation of Interpreters, or the applicant has passed a  
7 substantially equivalent examination, as determined by the board.

8           (b) The applicant satisfies all of the following:

9           1. The applicant earned an associate degree in sign language interpretation  
10 before the effective date of this subdivision .... [LRB inserts date].

11           2. The applicant has passed the basic performance examination of and is  
12 certified by the Board for Evaluation of Interpreters, or the applicant has passed a  
13 substantially equivalent examination, as determined by the board. *e*

14           (c) The applicant satisfies all of the following:

15           1. Before the effective date of this subdivision .... [LRB inserts date], the  
16 applicant passed the basic performance examination of and is certified by the Board  
17 for Evaluation of Interpreters, or before the effective date of this subdivision .... [LRB  
18 inserts date], the applicant passed a substantially equivalent examination, as  
19 determined by the board.

20           2. The board approves the applicant's licensure after review of all of the  
21 circumstances.

22           **(2) SIGN LANGUAGE INTERPRETER — ADVANCED HEARING.** The board shall grant a  
23 sign language interpreter — advanced hearing license to an applicant who submits  
24 an application on a form provided by the board, pays the fee determined by the  
25 department under s. 440.05 (1) (a), and satisfies any of the following:



1 (a) The applicant satisfies all of the following:

2 1. The applicant has received at least a bachelor's degree from an accredited  
3 college or university, or an equivalent degree as determined by the board.

4 2. The applicant provides evidence satisfactory to the board that the applicant  
5 has successfully completed an interpreter training program.

6 3. The applicant has passed the advanced or master performance examination  
7 of and is certified by the Board for Evaluation of Interpreters, the applicant has  
8 passed the examination for and holds the national interpreter certification issued by  
9 the Registry of Interpreters for the Deaf, or the applicant has passed a substantially  
10 equivalent examination, as determined by the board.

11 (b) The applicant was issued before the effective date of this paragraph .... [LRB  
12 inserts date], and maintains in good standing any of the following:

13 1. The national interpreter certification (NIC), advanced or master level  
14 national interpreter certification (NIC-Advance or NIC-Master), certificate of  
15 interpretation (CI), certificate of transliteration (CT), comprehensive skills  
16 certificate (CSC), master comprehensive skills certificate (MSCS), interpretation  
17 certificate (IC), or transliteration certificate (TC), issued by the Registry of  
18 Interpreters for the Deaf.

19 2. The National Association of the Deaf III, IV, or V certification.

20 3. The advanced or master certification of the Board for Evaluation of  
21 Interpreters.

22 (3) SIGN LANGUAGE INTERPRETER — INTERMEDIATE DEAF. The board shall grant a  
23 sign language interpreter — intermediate deaf license to an applicant who submits  
24 an application on a form provided by the board, pays the fee determined by the  
25 department under s. 440.05 (1) (a), and satisfies all of the following:

1 (a) The applicant holds a high school diploma or its equivalent, as determined  
2 by the board.

3 (b) The applicant submits evidence satisfactory to the board of the applicant's  
4 successful completion of at least 40 hours of a deaf interpreter training curriculum  
5 approved by the board.

6 (c) The applicant submits evidence satisfactory to the board of the applicant's  
7 successful completion of at least 16 hours of interpretation services-related training  
8 approved for continuing education credits by the Registry of Interpreters for the Deaf  
9 or the Board for Evaluation of Interpreters.

10 (d) The applicant submits evidence satisfactory to the board of the applicant's  
11 successful completion of American sign language linguistics I and II or substantially  
12 equivalent coursework, as determined by the board.

13 (e) The applicant provides to the board letters of recommendation satisfactory  
14 to the board from at least 2 individuals who hold a sign language interpreter —  
15 advanced deaf license, a certified deaf interpreter certification issued by the Registry  
16 of Interpreters for the Deaf, or an equivalent certification as determined by the  
17 board. Taken in the aggregate, the letters of recommendation shall verify that the  
18 applicant has successfully completed at least 25 hours of observing interpretation  
19 services provided to clients.

20 (4) SIGN LANGUAGE INTERPRETER — ADVANCED DEAF. The board shall grant a sign  
21 language interpreter — advanced deaf license to an applicant who submits an  
22 application on a form provided by the board, pays the fee determined by the  
23 department under s. 440.05 (1) (a), and satisfies all of the following:

24 (a) The applicant holds at least an associate degree or satisfies an alternative  
25 pathway for education, as determined by the board.

1 (b) The applicant holds a certified deaf interpreter certification issued by the  
2 Registry of Interpreters for the Deaf or an equivalent certification, as determined by  
3 the board.

4 **471.06 Exam administration in Wisconsin.** The department of health  
5 services shall administer in this state the performance examinations of the Board for  
6 Evaluation of Interpreters, unless the board approves another administrator of the  
7 examinations.

8 **471.07 Scope of license.** The board shall promulgate rules defining the scope  
9 of practice of each license granted under s. 471.05, subject to the following:

10 (1) SIGN LANGUAGE INTERPRETER — INTERMEDIATE HEARING. (a) A sign language  
11 interpreter — intermediate hearing licensee may not provide interpretation services  
12 to clients in any medical setting, as determined by the board, unless he or she is team  
13 interpreting with a sign language interpreter — advanced hearing or sign language  
14 interpreter — advanced deaf.

15 (b) A sign language interpreter — intermediate hearing licensee may not  
16 provide interpretation services to a client in any legal or mental health setting, as  
17 determined by the board.

18 (2) INTERPRETATION IN LEGAL SETTINGS. No sign language interpreter —  
19 advanced hearing, sign language interpreter — intermediate deaf, or sign language  
20 interpreter — advanced deaf licensee may provide interpretation services to a client  
21 in any legal setting, as determined by the board, unless he or she is also authorized,  
22 including under a provisional status, by the supreme court to act as a qualified  
23 interpreter in court proceedings under s. 885.38 (2).

\*\*\*NOTE: Under s. 471.07 (2) of the draft, a person may provide interpretation services to a client in any legal setting only if the person is a licensed sign language interpreter and is authorized by the Wisconsin Supreme Court under s. 885.38.

1           **(3) INTERPRETATION IN MENTAL HEALTH SETTINGS.** (a) No sign language  
2 interpreter — intermediate deaf licensee may provide interpretation services to a  
3 client in any mental health setting, as determined by the board.

4           (b) Beginning on September 1, 2023, no sign language interpreter — advanced  
5 hearing or sign language interpreter — advanced deaf licensee may provide  
6 interpretation services to a client in any mental health setting, as determined by the  
7 board, unless the licensee satisfies requirements established by the board by rule.  
8 The rules promulgated under this paragraph shall require a licensee to do all of the  
9 following:

      \*\*\*\*NOTE: The standards listed below are based on the direction in the instructions  
      that the board should follow the standards of the Alabama Department of Mental Health.  
      If you would like modifications, please let me know.

10           1. Complete 40 hours of training on providing interpretation services to a client  
11 in mental health settings.

12           2. Complete a 40-hour practicum under the supervision of a sign language  
13 interpreter approved by the board on providing interpretation services to a client in  
14 mental health settings.

15           3. Pass a written examination determined by the board.

16           4. Be able to accurately interpret specialized vocabulary used in psychiatric  
17 settings.

18           5. Be aware of all of the following:

19           a. Psychopathologies, including knowledge of the names of major mental  
20 illnesses.

21           b. How cultural influences might impact treatment.

22           c. The difference between interpreting and communication assistance.

1           6. Demonstrate familiarity with mental health assessment methods and the  
2 impact of interpretation during an assessment.

3           7. Have exposure to all of the following:

4           a. Mental health treatment approaches.

5           b. Issues involving developmental disability and the role culture and language  
6 have in providing services to a person with a developmental disability.

7           8. Be able to identify care providers, identify mental health disciplines, and be  
8 familiar with milieus and settings.

9           9. Be able to explain the role of an interpreter as a professional consultant.

10          10. Understand professional boundaries and be able to explain confidentiality,  
11 privilege, abuse reporting requirements, and the duty to warn.

12          11. Demonstrate cross-cultural competencies.

13          **471.08 License renewal; continuing education. (1)** The renewal date for  
14 a license granted under s. 471.05 is specified in s. 440.08 (2) (a) 68c., and the renewal  
15 fee is determined by the department under s. 440.03 (9) (a).

16          **(2)** If the initial license of an applicant for license renewal required the  
17 applicant to hold a certification issued by the Board for Evaluation of Interpreters,  
18 Registry of Interpreters for the Deaf, or another organization, the applicant shall  
19 attest to the board that the applicant's certification that is required for the license  
20 has not been revoked or invalidated or otherwise expired.

21          **(3)** The board shall promulgate rules requiring each applicant for license  
22 renewal to attest to the board of the applicant's completion of at least 30 hours of  
23 continuing education during the 2-year period immediately preceding the renewal  
24 date specified under s. 440.08 (2) (a) 68c., subject to the following:

1 (a) For each renewal period, up to 5 hours of continuing education may be  
2 satisfied by community volunteering in the deaf, hard of hearing, or deaf-blind  
3 community or with a professional sign language interpretation community  
4 organization.

5 (b) For each renewal period, up to 5 hours of continuing education may be  
6 satisfied by mentoring, as determined by the board.

7 (c) Continuing education hours earned through workshops, conferences, and  
8 college courses shall have been approved as continuing education by the Registry of  
9 Interpreters for the Deaf or the Board for Evaluation of Interpreters for purposes of  
10 certifications issued by those entities.

11 (d) An applicant for renewal who obtained his or her initial license under s.  
12 471.05 within the 12 months immediately preceding the renewal date specified  
13 under s. 440.08 (2) (a) 68c. need not satisfy the continuing education requirements  
14 under this subsection.

15 (e) On a case-by-case basis, the board may grant an extension of time to satisfy,  
16 or a waiver of, some or all of the continuing education requirements under this  
17 subsection.

18 (4) The board may not renew a sign language interpreter — intermediate  
19 hearing license under s. 471.05 (1), unless an applicant for renewal takes during the  
20 2-year period immediately preceding the renewal date at least one advanced  
21 performance examination approved by the board, whether or not the applicant  
22 passes the examination. This subsection does not apply to an applicant for renewal  
23 of a license that expires on the first renewal date after the date on which the board  
24 initially granted the license.

1           **471.09 Reciprocal licensure.** (1) Upon application and payment of the fee  
2 specified in s. 440.05 (2), the board may grant the appropriate category of license  
3 under s. 471.05 to an individual who holds a license or other credential granted by  
4 a governmental authority in a jurisdiction outside this state that qualifies the  
5 applicant to provide interpretation services to clients under that category of license  
6 granted by the board.

7           (2) The board may enter into a reciprocal agreement with the officials of a  
8 jurisdiction outside this state for licensing interpreters and may grant a license to  
9 an individual licensed in that jurisdiction according to the terms of that agreement.

10          (3) The board shall promulgate rules implementing this section.

11           **471.10 Identification cards.** The board shall promulgate rules requiring all  
12 interpreters licensed under s. 471.05 to have an identification card with them at all  
13 times while providing interpretation services to clients for compensation. The board  
14 shall issue the identification card. The identification card issued to a licensee for  
15 purposes of this section shall satisfy all of the following conditions:

16           (1) Include all of the following:

17           (a) The interpreter's full name.

18           (b) The interpreter's licensure category, whether sign language interpreter —  
19 intermediate hearing, sign language interpreter — advanced hearing, sign language  
20 interpreter — intermediate deaf, or sign language interpreter — advanced deaf.

21           (c) Any applicable licensure restriction.

22           (d) A statement whether the interpreter is certified by the supreme court to act  
23 as a qualified interpreter in court proceedings under s. 885.38 (2) and whether that  
24 certification is provisional.

25           (e) Any other information required by the board.

1           (2) Be color-coded based on the interpreter's licensure category identified  
2 under sub. (1) (b). An intermediate license shall be yellow. An advanced license shall  
3 be green.

4           **471.11 Professional conduct.** The board shall promulgate rules governing  
5 the professional conduct of individuals licensed under s. 471.05. The rules shall  
6 incorporate the rules of professional conduct adopted by the National Association of  
7 the Deaf, or its successor, and Registry of Interpreters for the Deaf.

8           **471.12 Substitution of interpreter hired for a client.** A person other than  
9 a client who hires a sign language interpreter to provide interpretation services  
10 shall, if a client who receives interpretation services from the hired interpreter  
11 notifies the person that the client considers the interpreter to be unqualified or  
12 unsatisfactory for providing interpretation services to the client, make available a  
13 different sign language interpreter to the client.

14           **471.13 Disciplinary actions and proceedings.** (1) Subject to the rules  
15 promulgated under s. 440.03 (1), the board may make investigations and conduct  
16 hearings to determine whether a violation of this chapter or any rule promulgated  
17 under this chapter has occurred.

18           (2) Subject to the rules promulgated under s. 440.03 (1), the board may  
19 reprimand an interpreter licensed under s. 471.05 or deny, limit, suspend, or revoke  
20 a license granted under s. 471.05 if the board finds that an applicant for a license or  
21 a licensee has done any of the following:

22           (a) Intentionally made a material misstatement in an application for a license  
23 or license renewal.



1 (b) Subject to ss. 111.321, 111.322, and 111.335, been arrested or convicted of  
2 an offense the circumstances of which substantially relate to the provision of  
3 interpretation services to clients.

4 (c) Subject to ss. 111.321, 111.322, and 111.34, provided interpretation services  
5 to a client while the interpreter's ability to do so was impaired by alcohol or other  
6 drugs.

7 (d) Been adjudicated mentally incompetent by a court of competent  
8 jurisdiction. A certified copy of the record of an adjudication of incompetency is  
9 conclusive evidence of incompetence under this paragraph.

10 (e) Advertised in a manner that is false or misleading.

11 (f) Obtained or attempted to obtain compensation through fraud or deceit.

12 (g) Failed to cooperate with the board in an investigation under this section.

13 (h) Aided another person in violating this chapter or any rule promulgated  
14 under this chapter.

15 (i) Violated this chapter or any rule promulgated under this chapter or violated  
16 any other law of this state, any law of another state, or any federal law that  
17 substantially relates to the provision of interpretation services to clients.

18 (3) In addition to or in lieu of a reprimand or other action under sub. (2), the  
19 board may establish by rule other penalties, including a forfeiture not to exceed  
20 \$1,000 for each violation, for a violation under sub. (2).

21 **471.14 Penalty.** A person who violates this chapter or any rule promulgated  
22 under this chapter may be fined not more than \$10,000 or imprisoned for not more  
23 than 6 months or both.

1       **471.15 Injunction.** (1) The board may conduct investigations, hold hearings,  
2 and make findings as to whether a person has engaged in a practice or used a title  
3 without a license required under s. 471.02.

4       (2) If, after holding a public hearing, the board determines that a person has  
5 engaged in a practice or used a title without a license required under s. 471.02, the  
6 board may issue a special order enjoining the person from the continuation of the  
7 practice or use of the title.

8       (3) In lieu of holding a public hearing, if the board has reason to believe that  
9 a person has engaged in a practice or used a title without a license required under  
10 s. 471.02, the board may petition the circuit court for a temporary restraining order  
11 or an injunction as provided in ch. 813.

12       (4) (a) Any person who violates a special order issued under sub. (2) may be  
13 required to forfeit not more than \$10,000 for each offense. Each day of continued  
14 violation constitutes a separate offense. The board, department, attorney general,  
15 or any district attorney may commence an action in the name of the state to recover  
16 a forfeiture under this paragraph.

17       (b) Any person who violates a temporary restraining order or an injunction  
18 issued by a court upon a petition under sub. (3) may be fined not less than \$25 nor  
19 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

20       **SECTION 6.** 905.015 (2) (intro.) of the statutes is amended to read:

21       905.015 (2) (intro.) In addition to the privilege under sub. (1), a person who is  
22 licensed as an interpreter under s. 440.032(3) 471.05 may not disclose any aspect of  
23 a confidential communication facilitated by the interpreter unless one of the  
24 following conditions applies:

25       **SECTION 7. Nonstatutory provisions.**

1 (1) DEFINITION. In subs. (2) to (7), "board" means the sign language interpreters  
2 examining board.

3 (2) CREDENTIALS OF INITIAL MEMBERS. Notwithstanding s. 15.405 (18) (b) 2. or  
4 3., the initial members appointed to the board under s. 15.405 (18) (b) 2. or 3. need  
5 not be licensed under s. 471.05, but shall be sign language interpreters licensed  
6 under s. 440.032, 2015 stats.

7 (3) STAGGERING OF TERMS. Notwithstanding the length of terms specified for the  
8 members of the board under s. 15.405 (18) (b) (intro.), 2 of the initial members shall  
9 be appointed for terms expiring on July 1, 2021; 2 of the initial members shall be  
10 appointed for terms expiring on July 1, 2022; 2 of the initial members shall be  
11 appointed for terms expiring on July 1, 2023; and 2 of the initial members shall be  
12 appointed for a term expiring on July 1, 2024.

13 (4) PROVISIONAL APPOINTMENTS.

14 (a) Notwithstanding the requirement of advice and consent of the senate under  
15 s. 15.08 (1), the initial members of the board nominated by the governor may be  
16 provisionally appointed by the governor, subject to later senate confirmation. Any  
17 provisional appointment shall be in full force until withdrawn by the governor or  
18 acted upon by the senate, and if confirmed by the senate shall continue for the  
19 remainder of the unexpired term of the member and until a successor is appointed  
20 and qualifies. A provisional appointee may exercise all the powers and duties of  
21 board membership to which the person is appointed during the time in which the  
22 appointee qualifies.

23 (b) A provisional appointment made under par. (a) that is withdrawn by the  
24 governor shall, upon withdrawal, lapse and create a vacancy for provisional  
25 appointment of another initial member of the board. Any provisional appointment

1 made under par. (a) that is rejected by the senate shall, upon rejection, lapse and  
2 create a vacancy for provisional appointment of another initial board member.

3 (5) TRANSITIONAL LICENSURE.

4 (a) *Sign language interpreter — intermediate hearing.* On the effective date of  
5 this paragraph, a sign language interpreter who, immediately prior to the effective  
6 date of this paragraph, held a valid 151 Restricted License issued by the department  
7 of safety and professional services, is considered to be a licensed sign language  
8 interpreter — intermediate hearing under s. 471.05 (1), and the department of safety  
9 and professional services shall issue a license to the individual under s. 471.05 (1)  
10 notwithstanding the fee and other application requirements under that section of the  
11 statutes.

12 (b) *Sign language interpreter — advanced hearing.* On the effective date of this  
13 paragraph, a sign language interpreter who, immediately prior to the effective date  
14 of this paragraph, held a valid 150 Renewable License issued by the department of  
15 safety and professional services, is considered to be a licensed sign language  
16 interpreter — advanced hearing under s. 471.05 (2), and the department of safety  
17 and professional services shall issue a license to the individual under s. 471.05 (2)  
18 notwithstanding the fee and other application requirements under that section of the  
19 statutes.

20 (c) *Sign language interpreter — intermediate deaf.* On the effective date of this  
21 paragraph, a sign language interpreter who is deaf, hard of hearing, or deaf-blind  
22 and who, immediately prior to the effective date of this paragraph, held a valid 151  
23 Restricted License issued by the department of safety and professional services, is  
24 considered to be a licensed sign language interpreter — intermediate deaf under s.  
25 471.05 (3), and the department of safety and professional services shall issue a

1 license to the individual under s. 471.05 (3) notwithstanding the fee and other  
2 application requirements under that section of the statutes.

3 (d) *Sign language interpreter — advanced deaf.* On the effective date of this  
4 paragraph, a sign language interpreter who is deaf, hard of hearing, or deaf-blind  
5 and who, immediately prior to the effective date of this paragraph, held a valid 150  
6 Renewable License issued by the department of safety and professional services, is  
7 considered to be a licensed sign language interpreter — advanced deaf under s.  
8 471.05 (4), and the department of safety and professional services shall issue a  
9 license to the individual under s. 471.05 (4) notwithstanding the fee and other  
10 application requirements under that section of the statutes.

11 (6) OTHER TRANSITIONAL PROVISIONS. e

12 (a) *Department of safety and professional services.*

13 1. 'Pending matters.' Each matter pending with the department of safety and  
14 professional services on the effective date of this subdivision that is primarily related  
15 to the regulation of sign language interpreters, as determined by the secretary of  
16 safety and professional services, is transferred to the board and all materials  
17 submitted to or actions taken by the department of safety and professional services  
18 with respect to the pending matter are considered as having been submitted to or  
19 taken by the board.

20 2. 'Rules and orders.' All rules promulgated by the department of safety and  
21 professional services that are primarily related to the regulation of sign language  
22 interpreters, as determined by the secretary of safety and professional services, and  
23 that are in effect on the effective date of this subdivision remain in effect until their  
24 specified expiration dates or until amended or repealed by the board. All orders  
25 issued by the department of safety and professional services that are primarily

1 related to the regulation of sign language interpreters, as determined by the  
2 secretary of safety and professional services, and that are in effect on the effective  
3 date of this subdivision remain in effect until their specified expiration dates or until  
4 modified or rescinded by the board.

5 (b) *Elimination of the sign language interpreter council.*

6 1. 'Assets and liabilities.' On the effective date of this subdivision, the assets  
7 and liabilities of the sign language interpreter council become the assets and  
8 liabilities of the board.

9 2. 'Tangible personal property.' On the effective date of this subdivision, all  
10 tangible personal property, including records, of the sign language interpreter  
11 council is transferred to the board.

12 3. 'Contracts.' All contracts entered into by the sign language interpreter  
13 council in effect on the effective date of this subdivision remain in effect and are  
14 transferred to the board. The board shall carry out all obligations under such a  
15 contract unless modified or rescinded by the board to the extent allowed under the  
16 contract.

17 4. 'Pending matters.' Each matter pending with the sign language interpreter  
18 council on the effective date of this subdivision is transferred to the board and all  
19 materials submitted to or actions taken by the sign language interpreter council with  
20 respect to the pending matter are considered as having been submitted to or taken  
21 by the board.

22 5. 'Rules and orders.' All rules promulgated by the sign language interpreter  
23 council that are in effect on the effective date of this subdivision remain in effect until  
24 their specified expiration dates or until amended or repealed by the board. All orders  
25 issued by the sign language interpreter council that are in effect on the effective date

1 of this subdivision remain in effect until their specified expiration dates or until  
2 modified or rescinded by the board.

3 (7) EMERGENCY RULES. The board may promulgate emergency rules under s.  
4 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1) (c) and (2),  
5 emergency rules promulgated under this subsection remain in effect until July 1,  
6 2021, or the date on which permanent rules take effect, whichever is sooner.  
7 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide  
8 evidence that promulgating a rule under this subsection as an emergency rule is  
9 necessary for the preservation of the public peace, health, safety, or welfare and is  
10 not required to provide a finding of emergency for a rule promulgated under this  
11 subsection.

12 **SECTION 8. Initial applicability.**

13 (1) RESTRICTED LICENSE RENEWALS. The treatment of s. 440.032 (3) (b) 3. (by  
14 SECTION 4) first applies retroactively to an individual holding a valid license under  
15 s. 440.032 (3) (b) 1. or 2. on August 31, 2017.

16 **SECTION 9. Effective dates.** This act takes effect on the first day of the 7th  
17 month beginning after publication, except as follows:

18 (1) RESTRICTED LICENSE RENEWALS. The treatment of s. 440.032 (3) (b) 3. (by  
19 SECTION 4) and SECTION 8 (1) of this act take effect on the day after publication.

20 (END)

1 INS A

This bill makes all of the following changes to the laws regulating sign language interpreters:

✓ 1. Authorizes the Department of Safety and Professional Services to grant a renewable sign language interpreter license to an individual who, in addition to satisfying other requirements under current law, is certified by the Board for Evaluation of Interpreters. (BEI)

✓ 2. Provides that a restricted sign language interpreter license may be renewed indefinitely. Under current law, the restricted license may only be renewed twice. The bill makes this change retroactive to an individual holding a valid restricted license on August 31, 2017.

✓ 3. Authorizes DSPS to grant a restricted sign language interpreter license to an individual who, in addition to satisfying other requirements under current law, has at least passed the basic performance examination of the Board for Evaluation of Interpreters.

✓ 4. Requires DSPS to administer in Wisconsin the performance examinations of the Board for Evaluation of Interpreters.

✓ 5. Eliminates the Sign Language Interpreters Council and establishes the Sign Language Interpreters Review Committee, which advises DSPS and consults concerning investigations related to sign language interpreters with DSPS.

✓ 6. Requires DSPS to submit a report twice per year to the appropriate standing committees of the legislature that describes the number and nature of complaints received by DSPS related to sign language interpreters and the number and nature of investigations and disciplinary actions undertaken by DSPS related to sign language interpreters.

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

2

3 END INS A

4 INS 3-0

5 SECTION 1. 15.407 (9) of the statutes is repealed.

6 SECTION 2. 440.032 (1) (b) of the statutes is repealed.

7 SECTION 3. 440.032 (2) (c) 1. of the statutes is amended to read:

8 440.032 (2) (c) 1. The council department may grant a temporary exemption  
9 to an individual who is not a resident of this state that authorizes the individual to



1 provide interpretation services for a period not to exceed 20 days, if the individual  
2 is certified by the Registry of Interpreters for the Deaf, Inc., or its successor, or the  
3 National Association of the Deaf or its successor. The council department may not  
4 grant an individual more than 2 temporary exemptions under this subdivision per  
5 year.

History: 2009 a. 360.

6 SECTION 4. 440.032 (2) (c) 2. of the statutes is amended to read:  
7 440.032 (2) (c) 2. The council department may grant a temporary or permanent  
8 exemption to an individual who is a resident of this state that authorizes the  
9 individual to provide interpretation services for a period specified by the council  
10 department or for persons specified by the council department.

History: 2009 a. 360.

11 SECTION 5. 440.032 (3) (a) 1. a. of the statutes is amended to read:  
12 440.032 (3) (a) 1. a. Any valid certification granted by the Registry of  
13 Interpreters for the Deaf, Inc., or its successor, or the Board for Evaluation of  
14 Interpreters, or its successor.

History: 2009 a. 360.

15 SECTION 6. 440.032 (3) (b) (title) of the statutes is amended to read:  
16 440.032 (3) (b) (title) *Restricted renewable licenses.*

History: 2009 a. 360.

17 SECTION 7. 440.032 (3) (b) 1. b. of the statutes is amended to read:  
18 440.032 (3) (b) 1. b. The applicant is verified by the Wisconsin interpreting and  
19 transliterating assessment at level 2 or higher in both interpreting and  
20 transliterating or has passed at least the basic performance examination of the  
21 Board for Evaluation of Interpreters, or its successor. The department shall

1 administer in this state the performance examinations of the Board for Evaluation  
2 of Interpreters, or its successor.

History: 2009 a. 360.

3 **SECTION 8.** 440.032 (3) (b) 3. of the statutes is repealed.

4 **SECTION 9.** 440.032 (5) of the statutes is amended to read:

5 440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under  
6 sub. (3) (a) are specified in s. 440.08 (2) (a) 68c. Renewal applications shall be  
7 submitted to the department on a form provided by the department and shall include  
8 the renewal fee determined by the department under s. 440.03 (9) (a) and evidence  
9 satisfactory to the department that the person's certification or membership  
10 specified in sub. (3) that is required for the license has not been revoked or  
11 invalidated.

History: 2009 a. 360.

12 **SECTION 10.** 440.032 (6) of the statutes is repealed.

13 **SECTION 11.** 440.032 (6m) of the statutes is created to read:

14 440.032 (6m) SIGN LANGUAGE INTERPRETERS REVIEW COMMITTEE. (a) The  
15 secretary shall appoint an advisory committee under s. 440.042 that shall be called  
16 the sign language interpreters review committee. The committee shall consist of the  
17 secretary or a designee and the following 8 members:

18 1. Five deaf or hard of hearing individuals who are or have been clients of a sign  
19 language interpreter, at least one of whom is a graduate of a residential school for  
20 the deaf or hard of hearing and at least one of whom is a graduate of a private or  
21 public school that is not a residential school for the deaf or hard of hearing.

22 2. Two interpreters licensed under this section, at least one of whom holds a  
23 renewable license under sub. (3) (a).

1           3. One individual who is not deaf or hard of hearing and who has obtained, or  
2 represents an entity that has obtained, sign language interpreter services for the  
3 benefit of another who is deaf or hard of hearing.

4           (b) The sign language interpreters review committee shall do all of the  
5 following:

- 6           1. Advise the department on matters related to the department's enforcement  
7 of this section.
- 8           2. Consult with the department concerning investigations under sub. (8). ✓

      \*\*\*\*NOTE: If the Sign Language Interpreters Review Committee should have  
additional duties, please let me know.

9           (c) The sign language interpreters review committee shall submit to the  
10 secretary, upon request of the secretary not more often than annually, a report on the  
11 operation of the review committee.

12           **SECTION 12.** 440.032 (7) (b) of the statutes is amended to read:

13           440.032 (7) (b) After considering the recommendations of the council ✓  
14 language interpreters review committee, the department shall promulgate rules  
15 that establish a code of ethics that governs the professional conduct of persons  
16 licensed under sub. (3). In promulgating rules under this paragraph, the department  
17 shall consider including as part or all of the rules part or all of the code of ethics  
18 established by the Registry of Interpreters for the Deaf, Inc., or its successor. The  
19 department shall periodically review the code of ethics established by the Registry  
20 of Interpreters for the Deaf, Inc., or its successor, and, if appropriate, revise the rules  
21 promulgated under this paragraph to reflect revisions to that code of ethics.

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History: 2009 a. 360.

22           **SECTION 13.** 440.032 (8m) of the statutes is created to read:

1           440.032 (8m) DEPARTMENT REPORT. Twice per year, on January 15 and July 15,  
2 the department shall submit a report to the chief clerk of each house of the legislature  
3 for distribution to the appropriate standing committees under s. 13.172 (3) that  
4 describes all of the following:

5           (a) The number and nature of complaints received by the department in the  
6 preceding 6 months regarding sign language interpreters.

7           (b) The number and nature of complaints received by the department in the  
8 preceding 6 months regarding persons who engaged in a practice without a license  
9 required under sub. (2). ✓

10           (c) The number and nature of investigations initiated and investigations  
11 completed by the department under sub. (8) ✓ in the preceding 6 months.

12           (d) The number and nature of disciplinary actions taken by the department  
13 under sub. (8) ✓ in the preceding 6 months.

      \*\*\*\*NOTE: If the draft should delay the due date of the first report after the draft  
takes effect, please let me know.

14           **SECTION 14. Nonstatutory provisions.**

15           (1) CONTRACT RELATING TO ADMINISTRATION OF EXAMINATIONS. No later than the  
16 first day of the 4th month beginning after the effective date of this subsection, the  
17 department of safety and professional services shall contract with the Board for  
18 Evaluation of Interpreters, or its successor, for the department's administration of  
19 the examinations of the Board for Evaluation of Interpreters in this state under s.  
20 440.032 (3) (b) 1. b. ✓

21           (2) FUNDING REQUEST FOR ADMINISTRATION OF EXAMINATIONS.

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22           (a) In the 2019-20 fiscal year, the department of safety and professional  
23 services may submit a request to the joint committee on finance for a specified

1 amount of additional funding to cover one-time expenses related to the department's  
2 administration of the examinations of the Board for Evaluation of Interpreters, or  
3 its successor, under s. 440.032 (3) (b) 1. b. ✓

4 (b) If the cochairpersons of the joint committee of finance do not notify the  
5 department of safety and professional services within 14 working days after the date  
6 of the submittal of the request under par. (a) that the committee has scheduled a  
7 meeting to review the request, the request is approved. If, within 14 working days  
8 after the date of the submittal of the request, the cochairpersons of the joint  
9 committee on finance notify the department of safety and professional services that  
10 the committee has scheduled a meeting to review the request, the request is  
11 approved only upon express approval of the committee, as submitted or as modified  
12 by the committee.

13 (3) ELIMINATION OF THE SIGN LANGUAGE INTERPRETER COUNCIL.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
15 liabilities of the sign language interpreter council become the assets and liabilities  
16 of the department of safety and professional services.

17 (b) *Tangible personal property.* On the effective date of this subdivision <sup>2 paragraph</sup>, all  
18 tangible personal property, including records, of the sign language interpreter  
19 council is transferred to the department of safety and professional services.

20 (c) *Contracts.* All contracts entered into by the sign language interpreter  
21 council in effect on the effective date of this subdivision <sup>2 paragraph</sup> remain in effect and are  
22 transferred to the department of safety and professional services. The department  
23 of safety and professional services shall carry out all obligations under such a  
24 contract unless modified or rescinded by the department to the extent allowed under  
25 the contract.

1 (d) *Pending matters.* Each matter pending with the sign language interpreter  
 2 council on the effective date of this <sup>2 paragraph</sup> subdivision is transferred to the department of  
 3 safety and professional services and all materials submitted to or actions taken by  
 4 the sign language interpreter council with respect to the pending matter are  
 5 considered as having been submitted to or taken by the department of safety and  
 6 professional services.

7 (e) *Rules and orders.* All rules promulgated by the sign language interpreter  
 8 council that are in effect on the effective date of this <sup>2 paragraph</sup> subdivision remain in effect until  
 9 their specified expiration dates or until amended or repealed by the department of  
 10 safety and professional services. All orders issued by the sign language interpreter  
 11 council that are in effect on the effective date of this <sup>2 paragraph</sup> subdivision remain in effect until  
 12 their specified expiration dates or until modified or rescinded by the department of  
 13 safety and professional services.

14 **SECTION 15. Fiscal changes.**

15 (1) FUNDING FOR ADMINISTRATION OF EXAMINATIONS. In the schedule under s.  
 16 20.005 (3) for the appropriation to the department of safety and professional services  
 17 under s. 20.165 (1) <sup>2e(a)</sup> (i), the dollar amount for fiscal year 2019-20 is increased by the  
 18 amount approved by the joint committee on finance under SECTION <sup>AR AR AR</sup> 14 (2) (b) of this  
 19 act for the purpose specified in SECTION <sup>AR AR AR</sup> 14 (2) <sup>a</sup> (b) of this act.

20 **SECTION 16. Initial applicability.**

21 (1) RESTRICTED LICENSE RENEWALS. <sup>The</sup> This treatment of s. 440.032 (3) (b) 3. and (5) ✓  
 22 first applies retroactively to an individual holding a valid license under s. 440.032  
 23 (3) (b) 1. or 2. on August 31, 2017, and the department of safety and professional  
 24 services shall provide any such individual whose license expired under s. 440.032 (3)

1 (b) 3., 2017 stats., on September 1, 2017, with a reasonable opportunity to renew that  
2 license. ✓

3 END INS 3-0

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## **Paczuski, Konrad**

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**From:** Gibbs, Sarah <Sarah.Gibbs@legis.wisconsin.gov>  
**Sent:** Wednesday, April 24, 2019 2:03 PM  
**To:** Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>  
**Subject:** Sign Language Interpreter bill

Hi Konrad,

I just met with the groups today and we discussed changing Sign Language Interpreter Council to the Sign Language Interpreter Examining Authority. SLIEA for short. If you could change that and get the office a draft that would be great.

Thank you,

Sarah

**Sarah Gibbs**  
Office of Representative Ken Skowronski  
Veterans & Military Affairs Committee Chairman  
82<sup>nd</sup> Assembly District  
(608) 266-8590  
[Sarah.gibbs@legis.wisconsin.gov](mailto:Sarah.gibbs@legis.wisconsin.gov)





## Additional Instructions:

- Replace the previous draft with ASA 2 to 2017 AB 589
- Eliminate the Sign Language Interpreters Council
- DSPS should grant sign language interpreting licenses and enforce the sign language interpreting statutes
- Create a new body that is not called an examining board, and the body should have the same membership as the council and be involved in investigating complaints received by DSPS related to sign language interpreting
- Require DSPS to submit to the appropriate standing committees of the legislature 2 times per year a report that describes the complaints received by DSPS and DSPS's investigations and disciplinary actions taken involving sign language interpreting
- DSPS should administer performance examinations of the BEI



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBs0383/1  
MPG:emw&kjf

**ASSEMBLY SUBSTITUTE AMENDMENT 2,  
TO ASSEMBLY BILL 589**

February 22, 2018 - Offered by Representative KLEEFISCH.

1 **AN ACT to repeal** 440.032 (3) (b) 3.; and **to amend** 440.032 (3) (a) 1. a., 440.032  
2 (3) (b) (title), 440.032 (3) (b) 1. b. and 440.032 (5) of the statutes; **relating to:**  
3 examinations and licensure of sign language interpreters and making an  
4 appropriation.

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***Analysis by the Legislative Reference Bureau***

This substitute amendment makes all of the following changes to the laws regulating sign language interpreters:

1. Authorizes the Department of Safety and Professional Services to grant a renewable sign language interpreter license to an individual who, in addition to satisfying other requirements under current law, is certified by the Board for Evaluation of Interpreters.

2. Provides that a restricted sign language interpreter license may be renewed indefinitely. Under current law, the restricted license may only be renewed twice. The substitute amendment makes this change retroactive to an individual holding a valid restricted license on August 31, 2017.

3. Authorizes DSPS to grant a restricted sign language interpreter license to an individual who, in addition to satisfying other requirements under current law, has at least passed the basic performance examination of the Board for Evaluation of Interpreters.

4. Requires the Department of Health Services to administer the performance examinations of the Board for Evaluation of Interpreters in Wisconsin.

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

1           **SECTION 1.** 440.032 (3) (a) 1. a. of the statutes is amended to read:

2           440.032 (3) (a) 1. a. Any valid certification granted by the Registry of  
3           Interpreters for the Deaf, Inc., or its successor, or the Board for Evaluation of  
4           Interpreters, or its successor.

5           **SECTION 2.** 440.032 (3) (b) (title) of the statutes is amended to read:

6           440.032 (3) (b) (title) *Restricted renewable licenses.*

7           **SECTION 3.** 440.032 (3) (b) 1. b. of the statutes is amended to read:

8           440.032 (3) (b) 1. b. The applicant is verified by the Wisconsin interpreting and  
9           transliterating assessment at level 2 or higher in both interpreting and  
10          transliterating or has passed at least the basic performance examination of the  
11          Board for Evaluation of Interpreters. The department of health services shall  
12          administer in this state the performance examinations of the Board for Evaluation  
13          of Interpreters, or its successor.

14          **SECTION 4.** 440.032 (3) (b) 3. of the statutes is repealed.

15          **SECTION 5.** 440.032 (5) of the statutes is amended to read:

16          440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under  
17          sub. (3) (a) are specified in s. 440.08 (2) (a) 68c. Renewal applications shall be  
18          submitted to the department on a form provided by the department and shall include  
19          the renewal fee determined by the department under s. 440.03 (9) (a) and evidence  
20          satisfactory to the department that the person's certification or membership

1 specified in sub. (3) that is required for the license has not been revoked or  
2 invalidated.

3 **SECTION 6. Nonstatutory provisions.**

4 (1) CONTRACT RELATING TO ADMINISTRATION OF EXAMINATIONS. No later than the  
5 first day of the 4th month beginning after the effective date of this subsection, the  
6 department of health services shall contract with the Board for Evaluation of  
7 Interpreters, or its successor, for the department's administration of the  
8 examinations of the Board for Evaluation of Interpreters in this state under section  
9 440.032 (3) (b) 1. b. of the statutes.

10 (2) FUNDING REQUEST FOR ADMINISTRATION OF EXAMINATIONS.

11 (a) In the 2017-18 fiscal year, the department of health services may submit  
12 a request to the joint committee on finance for a specified amount of additional  
13 funding to cover one-time expenses related to the department's administration of the  
14 examinations of the Board for Evaluation of Interpreters, or its successor, under  
15 section 440.032 (3) (b) 1. b. of the statutes.

16 (b) If the cochairpersons of the joint committee on finance do not notify the  
17 department of health services within 14 working days after the date of the submittal  
18 of the request under paragraph (a) that the committee has scheduled a meeting to  
19 review the request, the request is approved. If, within 14 working days after the date  
20 of the submittal of the request, the cochairpersons of the joint committee on finance  
21 notify the department of health services that the committee has scheduled a meeting  
22 to review the request, the request is approved only upon express approval of the  
23 committee, as submitted or as modified by the committee.

24 **SECTION 7. Fiscal changes.**



## Paczuski, Konrad

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**From:** Gibbs, Sarah <Sarah.Gibbs@legis.wisconsin.gov>  
**Sent:** Wednesday, May 15, 2019 10:16 AM  
**To:** Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>  
**Subject:** LRB 2654 sign language interpreters

Hi Konrad,

I want to add and subtract a few things from the language of this bill.

1. I would like to remove lines 8-20 on page 5. Regarding a Department Report.
2. Any time it lists groups the states "or its successor" we would like added or any other qualified organization recognized by DSPS.
3. Change Sign Language Interpreters Review Committee to Sign Language Interpreters Advisory Committee.
4. Page 6 lines 5-20. We would like to make sure that DSPS used Program revenue to fund vs using GPR.
5. **Add that the committee advises DSPS on licensing individuals in the following areas:** This was taken from 2654/P1
  - a. Page 7 lines 1-17- DSPS may grant with advice from the committee-for both temporary and permeant exemptions.
  - b. Page 7 line 18- Page 8 line 21 please add Sign language Interpreter-Intermediate Hearing
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
  - c. Page 8 Lines 22- Page 9 line 21- Sign Language Interpreter Advanced Hearing
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
  - d. Page 9 Lines 22- Page 10 line 19 Sign Language Interpreter Intermediate Deaf
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
  - e. Page 10 line 20- Page 11 line 3 Sign language interpreter Advanced Deaf
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
  - f. Page 11 Line 8 – Page 13 line 12 Scope of License-Throughout the entire section
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
      1. Legal Setting
        - a. Must be authorized by Wisconsin Supreme Court
      2. Mental Health
        - a. Keep standards that are based on Alabama Department of Mental Health
  - g. Page 15 line 11 – page 16 line 3 Identification cards
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.
    - ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
  - h. Page 16 line 4-7 Add in the Professional Conduct
    - i. When it states "as determined by the board" please replace with as determined by DSPS with advice from the committee.

- ii. Wherever it states "the board" please have it read DSPS with advice from the committee.
- iii. Any time it lists groups the states "or its successor" we would like added or any other qualified organization recognized by DSP

I do have a question regarding the current draft on Page 6 line 21 on talking about the assets. Are there currently any assets or outstanding contracts?

I know the Brostoff office is asking for a draft and we do not want to release it to them at this time.

Any questions give me a call.

Thank you so much

Sarah

**Sarah Gibbs**

Office of Representative Ken Skowronski

Veterans & Military Affairs Committee Chairman

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