

General Assembly

Amendment

January Session, 2025

LCO No. 9565



Offered by:

REP. GILCHREST, 18th Dist.

To: Subst. House Bill No. 6932

File No. 912

Cal. No. 290

"AN ACT CONCERNING THE ESTABLISHMENT OF A STATE INTERPRETING STANDARDS BOARD."

- Strike everything after the enacting clause and substitute the following in lieu thereof:
- 3 "Section 1. (NEW) (Effective July 1, 2025) (a) There is established an
- 4 Interpreting Standards Board. The board shall be comprised of nine
- 5 members, who shall be appointed not later than October 1, 2025, by the
- 6 Commissioner of Aging and Disability Services, in consultation with the
- 7 director of the Bureau of Services for Persons Who are Deaf, Deafblind
- 8 or Hard of Hearing, in accordance with subsection (b) of this section.
- 9 Said board shall be located within the bureau at the Department of
- 10 Aging and Disability Services. The board shall:
- 11 (1) Establish (A) education, training and certification requirements
- 12 for interpreters working in special settings, including community,
- 13 educational, legal and medical settings, and (B) training needed to
- 14 provide interpreting services to select populations, including protactile
- 15 language and tactile language interpreting training to provide such

services to deafblind persons and training in interpreting methods to serve non-English speaking persons;

- (2) Establish operational standards for organizations and providers supplying interpreting services in these settings and to select populations, including, but not limited to, deafblind persons;
- 21 (3) Expand, in consultation with the bureau director, interpreter 22 access to educational, training, internship, apprenticeship, mentorship 23 and credentialing opportunities and promote access to such 24 opportunities to grow the pool of interpreters in the state;
 - (4) Receive and review complaints concerning noncompliance with state interpreting standards, and, (A) if the board determines an interpreter has violated the interpreter code of professional conduct of a national or state professional interpreter certifying body, file a report with such body, (B) for substantiated complaints involving interpreters for deafblind persons, file a report with the American Association for the DeafBlind, and (C) file a report on all such substantiated complaints with the protection and advocacy organization for persons with disabilities in the state designated pursuant to section 46a-10b of the general statutes; and
 - (5) Not later than January 1, 2027, make recommendations to the Commissioner of Aging and Disability Services on new interpreter standards, regulations and legislation concerning qualifications of interpreters for persons who are deaf, deafblind or hard of hearing.
 - (b) The Commissioner of Aging and Disability Services, in consultation with the director of the Bureau of Services for Persons Who are Deaf, Deafblind or Hard of Hearing, shall appoint the membership of the board, in accordance with the provisions of this subsection. All members of the board appointed pursuant to this subsection shall have expressed a willingness to serve on the board and not less than six appointments to the board shall be reflective of the geographic and racial diversity of the state. The board shall consist of the following

47 members:

- 48 (1) The president of the Connecticut Association of the Deaf, or the president's designee;
- 50 (2) The president of the Connecticut Registry of Interpreters for the 51 Deaf, or the president's designee;
- 52 (3) The president of the DeafBlind Association of Connecticut, or the 53 president's designee;
 - (4) Two interpreter professionals, including one member representing deaf interpreter professionals and one member representing hearing interpreter professionals, each with training appropriate for providing services in a special setting different from the other, including community, educational, legal and medical settings; and
 - (5) Four consumers of interpreting services, one each representing consumers who are hearing, deaf, deafblind and hard of hearing.
 - (c) Interpreter professionals and consumers appointed to the board shall, for not less than three years, (1) have been residents of the state, and (2) have experience providing or using interpreting services, interacting with persons who are deaf, deafblind or hard of hearing and familiarity with interpreting issues and professional standards for interpreting. Priority in interpreter professional appointments shall be given to those who, for not less than three years, have been certified or registered interpreters involved in the delivery of interpreting services for deaf, deafblind or hard of hearing persons.
 - (d) The Commissioner of Aging and Disability Services shall stagger the terms of board members appointed pursuant to subdivisions (4) and (5) of subsection (b) of this section. The commissioner shall initially appoint two interpreter professionals and two consumer board members for a term of three years and the other two consumer board members for a term of two years. Following the initial terms, the

commissioner shall appoint board members appointed pursuant to subdivisions (4) and (5) of subsection (b) of this section for terms of two years on a staggered basis.

- 80 (e) Board members shall elect a chairperson and such other officers 81 as the board deems advisable at the first meeting of the board, which 82 shall be held not later than November 1, 2025. The board shall meet at 83 least quarterly.
- 84 (f) Interpreters and applicants for an interpreter registration card 85 holding different certificates or credentials from recognized national 86 and state interpreter credentialing organizations may apply to the 87 Interpreting Standards Board for review of whether an approved 88 acceptable credential equivalent or substitute, or a waiver from 89 complying with state interpreting standards starting on the date that 90 such waiver may be granted, for a period of time not to exceed three 91 years, as determined by the board. Upon review of the application for a 92 equivalent, the Interpreting Standards Board may credential 93 recommend such substitute credential or waiver to the Commissioner 94 of Aging and Disability Services along with a determination as to within 95 which settings the applicant is qualified to work. The commissioner, in 96 the commissioner's discretion, may grant such substitute credential or 97 waiver.
- 98 Sec. 2. Section 17a-838 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):
- 100 (a) For the purposes of this section:
- 101 (1) "Community setting" means any setting, other than those 102 specifically identified as educational, legal or medical, including, but 103 not limited to, any setting involving everyday life activities such as 104 information sharing, employment, social services, entertainment and 105 civic and community engagements;
 - (2) "Bureau" means the Bureau of Services for Persons Who are Deaf, Deafblind or Hard of Hearing;

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[(2)] (3) "Department" means the Department of Aging and Disability Services;

- 110 [(3)] (4) "Interpreting" means the translating or transliterating of 111 English concepts to a language concept used by a person who is deaf, 112 deafblind or hard of hearing or the translating of a deaf, deafblind or 113 hard of hearing person's language to English concepts through the use 114 of American Sign Language, protactile language and tactile language for 115 persons who are deafblind, English-based sign language, non-English-116 based language for non-English speaking persons, cued speech [,] and 117 oral transliterating; [and information received tactually;]
- [(4)] (5) "Deafblind" means combined vision and hearing limpairments] loss that challenge a person's ability to communicate, interact with others, access information and move about safely;
 - [(5)] (6) "Educational setting" means any setting where interpretive services are provided concerning education-related matters, including, but not limited to, all schools, school-based programs, services and activities and other educational programs;
 - [(6)] (7) "Legal setting" means any criminal or civil action involving a court of competent jurisdiction, any investigation or action conducted by a duly authorized law enforcement agency, employment-related hearings, appointments and situations requiring the presence of an attorney;
- [(7)] (8) "Medical setting" means gatherings or gathering places where physical health, mental health, or both are addressed, including, but not limited to, hospitals, clinics, assisted living and rehabilitation facilities, mental health treatment sessions, psychological evaluations, substance abuse treatment sessions, crisis intervention and appointments or other treatment requiring the presence of a doctor, nurse, medical staff or other health care professional; and
- [(8)] (9) "Transliterating" means converting or rendering English concepts to a language concept used by a person who is deaf, deafblind

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or hard of hearing or the translating of a deaf, deafblind or hard of hearing person's language concept to English concepts.

141 (b) Except as provided in subsections (g) and (h) of this section, all 142 persons providing interpreting services shall register, annually, with the 143 Bureau of Services for Persons Who are Deaf, Deafblind or Hard of 144 Hearing within the Department of Aging and Disability Services. Such 145 registration shall be on a form prescribed or furnished by the 146 [Commissioner of Aging and Disability Services] bureau and shall 147 include the registrant's name, residential or business address, or both, 148 contact information, including, but not limited to, phone number, place 149 of employment as interpreter and interpreter certification or credentials. 150 The [department] bureau shall (1) issue interpreter identification cards 151 for those who register in accordance with this section, and (2) maintain 152 a current listing on [its] the Internet web site of the Department of Aging 153 and Disability Services of such registered interpreters, categorized by 154 interpreter settings for which they are qualified [. The department] and 155 by specialized skills such as protactile language or tactile language 156 interpreting for deafblind persons and interpreting for non-English 157 speaking persons. The bureau, in consultation with the Interpreting 158 Standards Board established pursuant to section 1 of this act, may also 159 require documentation of the registrant's training hours. The 160 [department] bureau shall annually issue interpreter identification 161 cards listing the type of settings in which the registrant is qualified to 162 interpret. The department shall establish an Internet web page 163 containing information about services for deaf, deafblind and hard of 164 hearing individuals. The department's Internet web page shall include, 165 but not be limited to, information related to such services provided by 166 the department and the Departments of Social Services, Mental Health 167 and Addiction Services and Children and Families.

(c) Except as provided in subsections (g) and (h) of this section, no person shall provide interpreting services in the state, including in a community setting, unless such person is registered with the <u>Bureau of Services</u> for Persons Who are Deaf, Deafblind or Hard of Hearing within

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the Department of Aging and Disability Services according to the provisions of this section, holds recognized national or state interpreter credentials determined by the [department] Interpreting Standards Board, established pursuant to section 1 of this act, to be acceptable for interpreting purposes where appropriate in [Connecticut] the state and, until new interpreter standards are adopted pursuant to subsection (k) of this section, has met at least one of the following qualifications and the provisions of subsections (d) and (e) of this section:

(1) (A) Has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, (B) holds a level three certification provided by the National Association of the Deaf, and (C) (i) documents the achievement of two continuing education units per year for a maximum of five years of training approved by the Commissioner of Aging and Disability Services, and (ii) on or before the fifth anniversary of having passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf performance examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination;

(2) (A) Has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, (B) is a graduate of an accredited interpreter training program and documents the achievement of two continuing education units per year for a maximum of five years of training approved by the commissioner, and (C) on or before the fifth anniversary of having passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, has passed the National Registry of Interpreters for the Deaf performance

examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination;

- 208 (3) Holds a level four or higher certification from the National 209 Association of the Deaf;
- 210 (4) Holds certification by the National Registry of Interpreters for the 211 Deaf;
- (5) For situations requiring an oral interpreter only, holds oral certification from the National Registry of Interpreters for the Deaf;
- 214 (6) For situations requiring a cued speech transliterator only, holds 215 certification from the National Training, Evaluation and Certification 216 Unit and has passed the National Registry of Interpreters for the Deaf 217 written generalist test;
- (7) Holds a reverse skills certificate or is a certified deaf interpreterunder the National Registry of Interpreters for the Deaf;
- 220 (8) Holds a National Association of the Deaf-National Registry of 221 Interpreters for the Deaf national interpreting certificate; or
- 222 (9) Holds the credential of Approved Deaf Interpreter, Approved 223 American Sign Language-English Interpreter, or Approved Sign 224 Language Transliterator by the Massachusetts Commission on the Deaf 225 and Hard of Hearing.
- 226 (d) No person shall provide interpreting services in a medical setting 227 unless such person is registered with the <u>Bureau of Services for Persons</u> 228 Who are Deaf, Deafblind or Hard of Hearing within the Department of 229 Aging and Disability Services according to the provisions of this section 230 and holds (1) a comprehensive skills certificate from the National 231 Registry of Interpreters for the Deaf, (2) a certificate of interpretation or 232 a certificate of transliteration from the National Registry of Interpreters 233 for the Deaf, (3) a level four or higher certification from the National

234 Association of the Deaf, (4) a reverse skills certificate or certification as 235 a deaf interpreter under the National Registry of Interpreters for the 236 Deaf, (5) for situations requiring an oral interpreter only, an oral 237 certification from the National Registry of Interpreters for the Deaf, (6) 238 for situations requiring a cued speech transliterator only, a certification 239 from the National Training, Evaluation and Certification Unit and has 240 passed the National Registry of Interpreters for the Deaf written 241 generalist test, (7) a National Association of the Deaf-National Registry 242 of Interpreters for the Deaf national interpreting certificate, or (8) the 243 credential of Approved Deaf Interpreter by the Massachusetts 244 Commission on the Deaf and Hard of Hearing.

- 245 (e) No person shall provide interpreting services in a legal setting 246 unless such person is registered with the <u>Bureau of Services for Persons</u> 247 Who are Deaf, Deafblind or Hard of Hearing within the Department of 248 Aging and Disability Services according to the provisions of this section 249 and holds (1) a comprehensive skills certificate from the National 250 Registry of Interpreters for the Deaf, (2) a certificate of interpretation 251 and a certificate of transliteration from the National Registry of 252 Interpreters for the Deaf, (3) a level five certification from the National 253 Association of the Deaf, (4) a reverse skills certificate or is a certified deaf 254 interpreter under the National Registry of Interpreters for the Deaf, (5) 255 for situations requiring an oral interpreter only, an oral certification 256 from the National Registry of Interpreters for the Deaf, (6) for situations 257 requiring a cued speech transliterator only, certification from the 258 National Training, Evaluation and Certification Unit and has passed the 259 National Registry of Interpreters for the Deaf written generalist test, (7) 260 a National Association of the Deaf-National Registry of Interpreters for 261 the Deaf national interpreting certificate, or (8) the credential of 262 Approved Deaf Interpreter by the Massachusetts Commission on the 263 Deaf and Hard of Hearing.
- 264 (f) No person who is not registered as a qualified interpreter pursuant 265 to this section shall:
- 266 (1) Engage in the practice of or offer to engage in the practice of

- 267 interpreting for another person, an agency or an entity;
- 268 (2) Use the title "interpreter", "transliterator" or a similar title in connection with services provided under his or her name;
- 270 (3) Present or identify himself or herself as an interpreter qualified to 271 engage in interpreting in this state;
- 272 (4) Use the title "interpreter", "transliterator" or a similar title in advertisements or communications; or
- 274 (5) Perform the function of or convey the impression that he or she is 275 an interpreter or transliterator.
- (g) The requirements of this section shall apply to persons who (1) receive compensation for the provision of interpreting services, and (2) provide interpreting services as part of their job duties. The requirements of this section shall not apply to nonregistered individuals such as family members and friends who voluntarily provide interpreting services at the request of a deaf, deafblind or hard of hearing person.
- (h) The following individuals shall be exempt from the registration requirements of this section:
- 285 (1) An individual interpreting at (A) a worship service conducted by 286 a religious entity, or (B) services for educational purposes conducted by 287 a religious entity or religiously affiliated school;
 - (2) An individual engaged in interpreting during an emergency situation, when obtaining a registered interpreter or registered transliterator could cause a delay that may lead to injury or loss to the individual requiring the interpreting services, provided such emergency assistance does not waive any communication access requirements for any entity pursuant to the federal Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973, as both may be amended from time to time;

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(3) An individual engaged in interpreting as part of a supervised internship or practicum in an interpreting program at an accredited college or university or an interpreting mentorship program approved by the department if (A) such interpreting is not in a legal, medical or educational setting, or (B) the individual is accompanied by an interpreter registered pursuant to this section; [or]

- (4) An interpreter who is certified by a recognized national professional certifying body such as the National Registry of Interpreters for the Deaf or the National Association of the Deaf or a recognized state professional certifying body from outside the state and provides interpreting services in the state for a period of time not exceeding fourteen days during a calendar year;
- 308 (5) An interpreter who has received an acceptable credential
 309 equivalent or a waiver from the requirements of this section from the
 310 Commissioner of Aging and Disability Services in accordance with the
 311 recommendations of the Interpreting Standards Board pursuant to
 312 section 1 of this act; or
 - (6) An interpreter who is interpreting for an individual who is deafblind, until new standards are adopted for such interpreting pursuant to subsection (k) of this section or a state or national standard is established for protactile language or tactile language interpreting.
- (i) Deaf, deafblind and hard of hearing persons may exercise their right to request or use a different registered interpreter than the interpreter provided to interpret for such persons in any interpreting setting in accordance with a nationally recognized interpreter code of professional conduct.
 - (j) Any person who is not registered in accordance with this section who represents himself or herself as an interpreter registered with the Bureau of Services for Persons Who are Deaf, Deafblind or Hard of Hearing within the Department of Aging and Disability Services, or who engages in wilful or fraudulent misrepresentation of his or her

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credentials in an attempt to register with the [department] <u>bureau</u>, shall

- 328 be guilty of a class C misdemeanor. Failure to renew such registration
- in a timely manner shall not in and of itself constitute a violation for the
- 330 purposes of this subsection. For purposes of this subsection, "timely
- 331 manner" means registration renewal not more than thirty days after
- 332 such registration has expired.
- 333 (k) Not later than March 1, 2027, the Commissioner of Aging and
- 334 Disability Services shall implement policies and procedures in advance
- of adopting regulations pursuant to chapter 54 that incorporate new
- interpreter standards based on the recommendations of the Interpreting
- 337 Standards Board pursuant to section 1 of this act. The commissioner
- 338 shall post (1) notice of intent to adopt the regulations on the
- 339 <u>eRegulations System not later than twenty days after the date of</u>
- implementation of the policies and procedures, and (2) a prominent link
- 341 to the policies and procedures on the Internet web site of the
- 342 <u>Department of Aging and Disability Services. Policies and procedures</u>
- 343 <u>implemented pursuant to this subsection shall be valid until the time</u>
- 344 <u>final regulations are adopted. The commissioner shall submit such</u>
- 345 policies and procedures in proposed regulation form to the legislative
- 346 regulation review committee not later than twelve months following the
- 347 date of publication of the notice of intent to adopt regulations as
- 348 provided for in this subsection.
- Sec. 3. Subsection (c) of section 17a-835a of the general statutes is
- repealed and the following is substituted in lieu thereof (*Effective October*)
- 351 1, 2025):
- 352 (c) The director shall report to the commissioner. The director's duties
- 353 shall include, but need not be limited to:
- 354 (1) Assisting in overseeing department employees who provide
- 355 counseling, interpreting and other assistance to persons who are deaf,
- 356 deafblind or hard of hearing, except for federally funded vocational
- 357 rehabilitation employees;

(2) Annually updating and publishing on the department's Internet web site and the Internet web page of the bureau established pursuant to subdivision (6) of this subsection a resource guide for persons who are deaf, deafblind or hard of hearing;

- (3) [Assisting in the registration] Registration of state-registered interpreters, including maintaining and publishing on the Internet web page of the bureau and the department's Internet web site a list of such interpreters categorized by the settings in which they are qualified to interpret and by specialized skills such as protactile language or tactile language interpreting for deafblind persons and non-English interpreting for non-English speaking persons, in accordance with section 17a-838, as amended by this act;
- (4) Assisting each state agency, as defined in section 1-79, in appointing an employee of each such agency to serve as a point of contact for concerns related to persons who are deaf, deafblind or hard of hearing, pursuant to section 4-61pp, and coordinating efforts to resolve such concerns with such employees serving as a point of contact;
- (5) Coordinating efforts of the Department of Aging and Disability Services to provide information and referral services to deaf, deafblind or hard of hearing persons on resources available to such persons;
- 378 (6) Establishing a separate Internet web page on the department's 379 Internet web site for the bureau and including on such web page (A) the 380 meeting schedule, agendas, minutes and other resources of the 381 Advisory Board for Persons Who are Deaf, Deafblind or Hard of 382 Hearing established pursuant to section 17a-836, as amended by this act, 383 (B) an instructional video with audio and captions on the home page on 384 how persons who are deaf, deafblind or hard of hearing can navigate 385 the web page, resources and tools, and (C) other material pursuant to 386 this section;
- 387 (7) Coordinating responses to consumer concerns, requests for assistance and referrals to resources, including from state agencies;

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(8) Coordinating education and training initiatives, including, but not limited to, working with (A) local and state public safety and public health officials and first responders on best practices for serving and communicating with deaf, deafblind or hard of hearing persons, and (B) sign language interpreters, oral interpreters and interpreters who are trained to interpret for deaf, deafblind or hard of hearing persons to maintain or enhance the skills of such interpreters in a variety of settings;

- (9) Collaborating with interpreting services providers and training organizations to increase opportunities for mentorships, internships, apprenticeships and specialized training in interpreting services for deaf, deafblind or hard of hearing persons;
- (10) Partnering with civic and community organizations serving deaf, deafblind or hard of hearing persons on workshops and information sessions regarding new laws, regulations or developments regarding services, programs or health care needs of such persons;
- 405 (11) Raising public awareness of programs and services available to 406 deaf, deafblind or hard of hearing persons;
- (12) Assisting the Public Utilities Regulatory Authority in implementing telecommunication relay service programs for deaf, deafblind or hard of hearing persons. In awarding any contract for such relay service programs, the authority shall consult with the Commissioner of Aging and Disability Services and the director of the bureau;
- 413 (13) Working with the Governor and Connecticut television stations 414 on ways to make television broadcasts more accessible to persons who 415 are deaf, deafblind or hard of hearing; and
- (14) In consultation with the Advisory Board for Persons Who are Deaf, Deafblind or Hard of Hearing established pursuant to section 17a-836, as amended by this act, identifying the needs of deaf, deafblind or hard of hearing persons and addressing policy changes that may be

- 420 necessary to better serve such persons.
- Sec. 4. Section 17a-836 of the general statutes is repealed and the
- following is substituted in lieu thereof (*Effective July 1, 2025*):
- The Advisory Board for Persons Who are Deaf, Deafblind or Hard of
- Hearing is hereby created to advocate, strengthen and advise the
- 425 Governor and the General Assembly concerning state policies affecting
- 426 persons who are deaf, deafblind or hard of hearing and their
- 427 relationship to the public, industry, health care and educational
- 428 opportunity. The board shall:
- 429 (1) Monitor services for persons who are deaf, deafblind or hard of
- 430 hearing;
- 431 (2) Establish an annual leadership roundtable meeting with the Board
- 432 of Regents for Higher Education, the Commissioners of Aging and
- 433 Disability Services, Public Health, Social Services, Mental Health and
- 434 Addiction Services, Education, Developmental Services, Children and
- 435 Families, Early Childhood, Economic and Community Development,
- 436 Emergency Services and Public Protection, Correction, Housing and
- 437 Higher Education and the Labor Commissioner, or their designees, to
- discuss best practices to serve persons who are deaf, deafblind or hard
- 439 of hearing, identify gaps in such services and make recommendations
- 440 to rectify such gaps;
- 441 (3) Refer persons with complaints concerning the qualification and
- registration of interpreters for persons who are deaf, deafblind or hard
- of hearing to the entity designated pursuant to section 46a-10b and the
- 444 Interpreting Standards Board established pursuant to section 1 of this
- 445 <u>act</u>;
- 446 (4) Make recommendations for (A) technical assistance and resources
- 447 for state agencies in order to serve persons who are deaf, deafblind or
- 448 hard of hearing; (B) public policy and legislative changes needed to
- address gaps in services, including interpreting services for persons
- 450 who are non-English speaking; and (C) the qualifications and

451 registration of interpreters pursuant to section 17a-838, as amended by 452 this act. The advisory board shall submit a report on such 453 recommendations and the activities of the Bureau of Services for 454 Persons Who are Deaf, Deafblind or Hard of Hearing, [in the previous 455 calendar year, in accordance with section 11-4a, not later than [January] 456 September 1, 2025, and annually thereafter, to the Governor and the 457 joint standing committees of the General Assembly having cognizance 458 of matters relating to appropriations, aging, commerce, education, 459 higher education, housing, human services, the judiciary, labor, public 460 health and public safety."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	New section
Sec. 2	October 1, 2025	17a-838
Sec. 3	October 1, 2025	17a-835a(c)

17a-836

July 1, 2025

Sec. 4