



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 22

Hearing Date: January 18, 2001
Committee On: Health and Human Services

Introducers: (Suttle)
Title: Provide for licensure and regulation of interpreters for deaf and hard of hearing persons

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Senator Jensen, Byars, Suttle, Price, Cunningham, Maxwell and Erdman
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Deb Suttle
 Carla Engstrom
 Kathi Hesser
 William Olubodum
 Raymond Meester

Devin Williams
 Linsay Darnall
 Virgil Horne
 Joe Steele

Representing:

Introducer
 NE Registry of Interpreters for the Deaf
 Self
 Self
 NE Commission for the Deaf and Hard of Hearing
 Boys Town National Research Hospital
 Deaf Community
 Lincoln Public Schools
 NE Supreme Court

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes: The bill relates to the licensure of interpreters for the deaf and hard of hearing. The bill provides intent that by September 1, 2002, all interpreters working in the state be licensed by the Commission for the Deaf and Hard of Hearing (commission). Prior to that date, the commission is required to develop licensed interpreter

guidelines for distribution, develop training to implement the guidelines, adopt and promulgate rules and regulations, and develop a roster of licensed interpreters and licensed educational interpreters for use in referrals and other interpreter-related matters. The bill requires the department, by September 1, 2001, to adopt and promulgate rules and regulations to implement guidelines and requirements for licensed educational interpreters, which will apply to all such interpreters employed for the 2002-2003 school year.

Licensed educational interpreter is defined as a person who demonstrates proficiencies in interpretation or transliteration as required by the guidelines established by the State Department of Education (department). Licensed interpreter is defined as a person who demonstrates proficiencies in interpretation or transliteration as required by the guidelines established by the commission. The definition of "qualified interpreter" and all references to qualified interpreters are deleted.

The bill requires the commission to license and evaluate all licensed interpreters, with the exception that the department is required to evaluate licensed educational interpreters. The commission is required to charge reasonable licensure fees, and the bill provides for revocation of an interpreter's license by the commission for violation of rules and regulations of the commission or the department. The Interpreter Review Board established in the bill serves as the board of inquiry in matters of license revocation.

The commission is required, through the Interpreter Review Board, to investigate the use of unlicensed interpreters. The department is required to investigate the use of unlicensed educational interpreters. The commission must notify state agencies who "are determined to be employing" unlicensed interpreters and monitor such agencies to prevent future violations. The commission must notify political subdivisions who allegedly employ unlicensed interpreters, and may fine such subdivisions up to five hundred dollars per violation. The department must implement procedures to ensure compliance by school districts, educational service units and approved service agencies. The commission or department must notify in writing "such unlicensed interpreter or unlicensed educational interpreter of each violation and inform offending interpreters of the training and licensing requirements in the bill. The commission's decisions may be appealed pursuant to the Administrative Procedures Act.

The commission is required to appoint a Interpreter Review Board. Membership requirements are provided. The board is required to establish policies and procedures for evaluating and licensing interpreters. Members are not allowed to serve on the board for more than three consecutive years. Members may be removed by the commission for inefficiency, neglect of duty, or misconduct upon notice and an opportunity to be heard. Members of the board are reimbursed for actual and necessary expenses in attending meetings of the commission and in carrying out their duties.

Explanation of amendments, if any: The committee amendment (AM 256) makes various changes to the bill as introduced.

Section 29-2259 relating to the office of the probation administrator, is amended to require that the cost of interpreter services for deaf and heard of hearing persons be paid by the state with money appropriated to the commission under section 20-159, rather than the court.

The term "guidelines" in the bill as it relates to the assessment of competency and licensure qualifications for interpreters is replaced with the term "standards."

Intent language in section 20-150 relating to providing licensed educational interpreters for deaf and hard of hearing students in public school districts and educational services units is

amended to also provide interpreters for students in approved service agencies and approved cooperatives.

New language is deleted which, in the introduced version of the bill, required the department, by September 1, 2001, to adopt and promulgate – potentially new – rules and regulations to implement guidelines and requirements for licensed educational interpreters, applicable to all such interpreters employed for the 2002-2003 school year. The change allows the department to continue to use rules and regulations currently in effect for such purpose.

Licensed educational interpreter is redefined as "a person who meets the qualifications to be an educational interpreter pursuant to the standards established by the State Department of Education."

Language in section 6 of the bill requiring the department to evaluate licensed educational interpreters is deleted. New language permitting the commission to revoke an interpreter's license for violation of rules or regulations of the department is deleted. Also in section 6 of the bill, the commission is prohibited from fining any school district, educational services unit, approved service agency, or approved cooperative for a violation of rules and regulations adopted and promulgated by the department under section 20-150(3).

Section 7 of the bill is amended to require the commission to provide a licensed interpreter for a deaf or hard of hearing persons to a court or probation officer, upon request. The General Funds to pay interpreter fees and expenses are directed in the amendment to the commission rather than to the Supreme Court as currently.

Senator Jim Jensen, Chairperson