

PARID Comments on the House Bill 1596 Proposed Amendment

Wednesday, March 5, 2008

PARID strongly supports a provisional registration for sign language interpreters and transliterators. The current lack of a provisional registration has created a black market of sign language interpreters in Pennsylvania. A provisional registration would bring novice interpreters into the open and recognize them as emerging professionals in the field. It is imperative that novice interpreters and transliterators be given the opportunity to legally gain some practical field experience while preparing for an interpreting skills exam. However, it is also, equally important that the provisional registration does not in any way cause harm to the deaf and hard of hearing citizens of the Commonwealth. With both of these ideas in mind, PARID offers the following comments and recommendations to improve the Sign Language Interpreter and Transliterator State Registration Act of 2004.

Portions of the bill that PARID supports as they are:

Page 2 Line 31-40. This amendment will permit students who are doing their internship or practicum the opportunity to gain some limited experience in both the medical and mental health settings while still protecting the integrity of the communication that is occurring. For these reasons PARID agrees with the proposed changes to these lines.

Page 2 Line 43-47. These lines detail an exception to the original law that was passed in 2004. This exception permits a physician's offices to hire anyone to provide services as a sign language interpreter. This interpreter who is possibly un-credentialed or unqualified is provided and neither the deaf or hard of hearing patient nor the medical staff has any assurance that the interpreter is conveying the information accurately. The medical setting, even in the physician's office, often presents complex linguistic features in both American Sign Language and English. There are also very serious consequences for misinterpreting an instruction, a symptom, or portions of the patient's medical history. Exception #5 of the original law passed in 2004 already provides a mechanism for a deaf or hard of hearing individual to request the interpreting services of a person who is not registered under this law. For these reasons PARID agrees that page 2 line 43-47 should be deleted from the law.

Page 3 Line 2-6. These lines detail the time limit for individuals to apply for a provisional registration. The process of interpreting is a learned skill that takes several years to fully develop and requires continued use to maintain. This 5-year time limit will help to ensure that individuals who apply for a provisional registration are current in the field. PARID supports a 5-year time limit for a recent graduate of an interpreter education program to apply for a provisional registration.

Page 3 Line 32-35. These lines detail the settings where provisionally registered interpreters are not permitted to work. The mental health and legal settings often deal with a person's life or liberty. For that reason PARID agrees that provisionally registered interpreters should not be permitted to work in the legal setting at all or in the mental health setting unless accompanied by a qualified interpreter or transliterator.

Page 3 Line 47-48. “. . . The office may approve only two consecutive renewals.” An individual diligently working toward his/her certification can earn it in 3 years. PARID supports this provisional registration renewal limit.

Changes that PARID strongly encourages the committee to make:

Page 2 Line 47-48. In this exception language there is no requirement for the provisionally registered interpreter to inform the client that they hold a provisional registration. Deaf and hard of hearing people should be fully informed that the interpreter who is providing the services for them holds a provisional registration and not a state registration. PARID recommends that “An individual who obtains a provisional registration under section 5.1.” be changed to “An individual who obtains a provisional registration under section 5.1 if the individual informs the deaf or hard of hearing client that the individual holds a provisional registration.”

Page 3 Line 36-42. These lines allow for a provisionally registered interpreter to work in the medical setting completely unsupervised. The medical setting, even in the physician’s office, often presents complex linguistic features in both American Sign Language and English. There are also very serious consequences for misinterpreting an instruction, a symptom, or portions of the patient’s medical history. Provisionally registered interpreters have not yet passed an interpreting skills exam approved by the office that tests their ability to actually interpret. They have only passed a written knowledge exam. For these reasons, PARID recommends that provisionally registered interpreters not be permitted to interpret in the medical setting unless accompanied by a qualified sign language interpreter or a qualified transliterator. PARID proposes the following 2 options to replace Page 3 line 36-42.:

Option #1. PARID recommends that the word “medical” be inserted at the beginning of page 3 line 33. The line should read “(ii) A medical or mental health setting unless accompanied by a qualified sign language interpreter or qualified transliterator.” And, that Page 3 line 36-42 should be deleted. This option provides the most protection for deaf and hard of hearing patients and medical professionals.

Option #2. PARID recommends that Page 3 line 36-42 be changed to the following:

(iii) A medical setting, unless the provisionally registered interpreter meets one of the following criteria.

- a) Is accompanied by a qualified sign language interpreter or qualified transliterator.
- b) Has renewed their provisional registration and the patient is informed that the individual engaged in interpreting or transliterating has obtained a provisional registration, is not state-registered under this act and that the patient has the right to be provided upon request a qualified sign language interpreter or qualified transliterator.

This change would require that a provisionally registered interpreter working during their first year of provisional registration would be accompanied by a qualified sign language interpreter or qualified transliterator. Then, in subsequent renewal years, the provisionally registered interpreter would be permitted to work unaccompanied if the deaf or hard of hearing patient agrees to it.