

Summary

Status of State Licensure of American Sign Language (ASL) Interpreters



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Introduction

The Disability and Communication Access Board (DCAB) in the Department of Health contracted with the Pacific Basin Rehabilitation Research and Training Center (PBRRTC) to develop a summary of the status of American Sign Language (ASL) Interpreter licensing in each U.S. state. PBRRTC was charged with reviewing all pertinent materials and produce the following items:

1. Definitions of key terms;
2. A table of states that currently license sign language interpreters;
3. A no tables/no graphics version of the information included in the table; and
4. A written summary of the information in the table.

DCAB requested details on states that currently license sign language interpreters. This entailed identifying the different agencies/governing entities that oversee the licensing process; licensure boards and their composition; categories, cost, and requirements of licenses; length of licensure; and penalty and grievance procedures.

The research process took approximately six weeks. This resulting summary of states that license sign language interpreters is based squarely on information readily available online.

Online resources used to develop the summary include:

- 1) The Council on Licensure, Enforcement & Regulation (CLEAR) website <http://www.clearhq.org/>
- 2) The Registry of Interpreters for the Deaf, Inc. (RID) website <http://www.rid.org/advocacy-overview/state-information-and-advocacy/>
- 3) Project BurnSat – A website for the study of interpreter satisfaction and burnout <http://www.360translations.com/burnsat/stateregs.htm>
- 4) Library Services for the Deaf and Hard of Hearing – Offers an interactive map with state-by-state interpreter licensure information with links to various state, government, and consumer group websites <https://tndeaflibrary.nashville.gov/directory/licensure-by-state/map>

This final version of the summary of the status of sign language interpreter licensing in each state has been reviewed and endorsed by the PBRRTC project team.

Summary of State Licensure of American Sign Language (ASL) Interpreters

- I. **Definition of Terms** (*from the Council on Licensure, Enforcement and Regulation – CLEAR, unless otherwise noted*)
- a. **Accreditation** – A formal process by which an authorized body assesses and recognizes an organization, a program, a group, or an individual as complying with requirements, such as standards or criteria.
 - b. **Certification** – A voluntary process by which a nongovernmental agency grants a time-limited recognition to an individual after verifying that he or she has met predetermined and standardized criteria. Certification exists for the purpose of providing the public information on those individuals who have successfully completed the certification process.
 - c. **Credentialing** – The voluntary or required process of assessing and validating the qualifications of a practitioner to provide services. It equally applies to programs, facilities, or products that have met Established standards. Also, the administrative process of issuing specified credentials for purposes of authorizing practice of a profession.
 - d. **Educational Interpreter** – Educational interpreters facilitate communication between deaf students and others, including teachers, service providers, and peers within the educational environment. The educational team may be composed of school personnel and parents and may be more structured in some school districts than others. The educational interpreter is a member of the educational team and should be afforded every opportunity to attend meetings where educational guidelines are discussed concerning students who are provided services by that interpreter.
(*From the Registry of Interpreters for the Deaf, Inc. – RID*)
 - e. **Licensure** – A process by which a governmental agency grants time-limited permission to an individual to engage in a given occupation after verifying that he or she has met predetermined and standardized criteria. This process generally takes into account education, experience, and examination. States define, by statute, the tasks/function/scope of practice and provide that these tasks may be legally performed by only those who are licensed. Licensure prohibits anyone from practicing the profession who is not licensed, regardless of whether or not the individual has been certified by a private organization.

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- f. **Permit** – A license or other document given by an authorized public official or agency (e.g. building inspector, department of motor vehicles) to allow a person or business to perform certain acts.
The purpose of permits is supposedly to guarantee that laws and regulations have been obeyed, but they also are a source of public revenue.

- g. **Registration** – According to CLEAR, “registration” and “licensure” may be used interchangeably. However, the Missouri Division of Professional Registration states that registration exists to “serve and protect the public from incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty by providing an accessible, responsible and accountable regulatory system that licenses only qualified professionals by examination and evaluation of minimum competency and enforces standards by implementing legislation and administrative rules.”

II. States that currently license Sign Language Interpreters

The Pacific Basin Rehabilitation Research and Training Center (PBRRTC) conducted a study of the fifty (50) states and their policies regarding sign language interpreters. In total, sixteen (16) states currently require licensure and/or registration of sign language interpreters:

1. Alabama
2. Arizona
3. Arkansas
4. Illinois
5. Indiana
6. Iowa
7. Kentucky
8. Maine
9. Michigan
10. Missouri
11. Nebraska
12. New Hampshire
13. New Mexico
14. North Carolina
15. Rhode Island
16. Wisconsin

Of the sixteen (16) states listed above, ten (10) identified an agency or governing entity responsible for overseeing the licensing board, while six (6) did not. Based on the information available, types of agencies/governing entities include:

- State Commission/Office for the Deaf and Hard of Hearing (three states)
- State Department of Civil Rights
- State Department of Health
- State Department of Safety and Professional Services
- State Division of Disability, Aging, and Rehabilitative Services
- State Office of Licensing and Registration
- State Regulation and Licensing Department
- State Division of Professional Registration

III. States that only have Educational Interpreter Licensure

A total of five (5) states only have Educational Interpreter licensure.
They are:

1. Colorado
2. Georgia
3. Montana
4. New Jersey (required certification fees – no licensure)
5. Ohio

Each of the five (5) states listed above identified an agency or governing entity responsible for overseeing the licensing board.

Types of agencies/governing entities include:

- State Department of Education (three states)
- State Professional Standards Commission

IV. States that Require Registration

Currently, there are thirteen (13) states that have required registration. They are:

1. Kansas
2. Massachusetts
3. Minnesota
4. Mississippi
5. Nevada
6. North Dakota
7. Oregon
8. Pennsylvania
9. South Dakota
10. Texas
11. Virginia
12. West Virginia
13. Wyoming

Of the thirteen (13) states listed above, eleven (11) identified an agency or governing entity responsible for overseeing the registration of sign language interpreters. Based on available information, types of agencies/governing entities include:

- State Commission for the Deaf and Hard of Hearing (five states)
- State Office on the Deaf and Hard of Hearing (three states)
- State Department of Health and Human Services
- State Department of Human Services
- State Division of Vocational Rehabilitation

V. States that do not currently license Sign Language Interpreters

There are nine (9) states that do not license sign language interpreters.

They are:

1. California
2. Delaware
3. Hawaii
4. Louisiana
5. Maryland
6. Oklahoma
7. Utah
8. Vermont
9. Washington

VI. New Legislation Signed into Law

In one (1) state, legislation establishing state licensure was recently signed into law.

That state is:

1. Connecticut

VII. Waiting for Legislation to Establish State Licensure – Pending

Currently, there are five (5) states with pending legislation to establish state licensure.

They are:

1. Florida – Senate Bill 1304
2. Idaho – House Bill 152 (vetoed by the Governor on 04/21/15)
3. New York – Bill S5712-2013
4. South Carolina – S 0293 General Bill
5. Tennessee – Senate Bill 2480

VIII. Unknown

Currently, there is one (1) state where the status of licensure is unknown.

It is:

1. Alaska

IX. Licensing Board of Sign Language Interpreters

Each of the sixteen (16) states that license sign language interpreters identified an organizational structure such as a board, advisory board, commission, committee, or council that oversees licensing, quality assurance, and topics related to the deaf and hard-of-hearing community.

For ease of reading, all organizational structures are referred to from now on as "boards."

- Of the sixteen (16) states that license interpreters, fourteen (14) boards are appointed by the Governor or a director/commissioner of a state agency. Appointment authority in the remaining two (2) states is unknown.
- Five (5) states require nominations to be submitted to the Governor or director of a state agency.
 - Three (3) of these states specify that nominations be submitted by the state's affiliate chapter of the National Association of the Deaf (NAD) for deaf and/or hard of hearing representatives, and state's affiliate chapter of the Registry of Interpreters for the Deaf (RID) for sign language interpreter representatives.
 - Two (2) of these states require nominations from state consumer and professional groups related to the interpreting profession and the deaf and hard of hearing community.
- Three (3) of the sixteen (16) boards serve only in an advisory capacity.
- Fourteen (14) boards address only licensure and quality assurance of sign language interpreters. The remaining two (2) of the sixteen (16) boards address many issues within the state's deaf and hard of hearing community, not just the licensure of sign language interpreters and quality assurance.

X. Board Composition

The table below shows a breakdown of types of board members by states that license:

State	Board Members	D/HH	Deaf	HH	Interpreter	Other
1. Alabama	9	3	-	-	4	2
2. Arizona	14		4	4	1	5
3. Arkansas	7	2	-	-	4	1
4. Illinois	7	3	-	-	4	-
5. Indiana	7	3+	-	-	-	-
6. Iowa	7	-	3	-	4	-
7. Kentucky	7	1			5	1
8. Maine	n/a	n/a	n/a	n/a	n/a	n/a
9. Michigan	13	7+	-	-	-	-
10. Missouri	7	1+	-	-	5	-
11. Nebraska	8	2	-	-	2	4
12. New Hampshire	9	-	3	-	4	2
13. New Mexico	7	2	-	-	4 (include 1 D/HH)	1
14. North Carolina	9	-	1	-	4	4
15. Rhode Island	5	3	-	-	2	-
16. Wisconsin	8	5	-	-	2	1

The number of board members ranged from five (5) to 14 members.

The number of board members for one (1) state was unknown.

The average number of board members of the fifteen (15) other states is eight (8) members.

Seven (7) states have boards with seven (7) members.

Three (3) states have boards with nine (9) members.

In terms of board composition, one (1) state's requirements were unknown.

Every state with known composition required at least one representative who is deaf or hard of hearing.

Thirteen (13) states required at least one (1) representative who is an interpreter. Two (2) states do not require interpreters to be members of their boards.

More than half the states (9) included a variety of other types of board members, such as:

- a) Individuals with an interest in, and are experienced in, dealing with issues that affect the deaf, hard of hearing, and interpreting communities
- b) Parent of a deaf or hard of hearing child
- c) Licensed hearing aid dispenser
- d) Clinical audiologist
- e) Otolaryngologist
- f) Representative from a state agency
- g) Representative from a state-funded early intervention (0-3) program
- h) Representative from a state's school for the deaf
- i) Superintendent of the state's school for the deaf
- j) Deaf interpreter (or Certified Deaf Interpreter)
- k) Director of a state agency or his/her designee
- l) Director of the State's Commission for the Deaf and Hard of Hearing or his/her designee
- m) Members representing local government
- n) Representative from the state's association of the deaf
- o) Representative from the state's registry of interpreters
- p) Consumer of oral interpreting services
- q) Individual who has never been a licensed sign language interpreter and has no financial interest in the profession of sign language interpreting
- r) Faculty member of an interpreter training program
- s) Public member who is not a licensed interpreter and does not have an immediate family member who is deaf or hard-of-hearing

X. Categories of Licensure

Fifteen (15) of the sixteen (16) states that license sign language interpreters have types and/or categories of licensure.

Types of licenses:

- Seven (7) states offer just two types of licensures: full or temporary.
- Three (3) states offer full and/or temporary license and at least one license for a specialized setting (e.g. education, courts, medical, and/or community).
- Nine (9) states have at least one form of temporary/provisional licensure to accommodate professionals who do not meet the criteria for a full license.

Categories of licenses:

- Two (2) states categorize their licenses on the basis of language/mode of communication (e.g., ASL, Manually Coded English, Signing Exact English).
- Two (2) states categorize licensure on the basis of assignment setting (e.g. education, courts, medical, and community).
- One (1) state categorizes licensure based on standard levels.

XI. Licensing Costs

The cost of licensure for states that license sign language interpreters varies widely. The licensure costs for one (1) of sixteen (16) states were unknown.

- **Application Fees:** Five (5) states charge an application fee separate from the license fee. The cost ranges from \$50 to \$300, with four (4) states charging \$50.
- **Full Licensure Fees:** Fifteen (15) states charge a fee for standard/full licenses. The fee ranges from \$25 to \$250, with five (8) states charging between \$120 and \$175, and five (5) states charging between \$25 and \$75.
- **Temporary/Provisional Licensure Fees:** Six (6) states charge a fee for provisional or temporary licenses. The fee ranges from \$25 to \$225 with four (4) states charging between \$25 and \$50.
- **Renewal Fees:** Fifteen (15) states have renewal fees, which range from \$25 to \$250. Six (6) states charge between \$25 and \$90, while seven (7) states charge between \$120 and \$175. One (1) state waives the renewal fee if the applicant is serving in the Armed Forces.
- **Replacement Fees:** Seven (7) states charge a replacement fee for lost licenses. Five (5) states charge \$10 and two (2) states charge \$20.
- **Late fees:** Seven (7) states charge a fee for late applications. Late fees range from \$20 to \$60 with three (3) states charging \$60 and two (2) states charging \$25.
- **Other types of fees required by some states that license sign language interpreters include:**
 - Background check/fingerprinting fees
 - Roster fees
 - Upgrade fees
 - Inactive status fees
 - Reinstatement/Reactivation fees
 - Confirmation/verification of license fees
 - Disciplinary hearing fees
 - Test fees
 - Out-of-state registration fees
 - Name change on record fees

XII. Licensing Requirements

Each of the sixteen (16) states that license sign language interpreters identified requirements for licensure. Requirements vary considerably from state to state, with two exceptions.

All states require:

1. High school diploma or GED
2. Proof of certification from a state or national certifying body. Some states call for additional requirements.

These include:

- Associates degree
- Proof of Continuing Education credits
- Signed Code of Ethics form
- Membership to Registry of Interpreters for the Deaf (RID)
- Letters of recommendation with application
- Citizen of U.S. or Alien status
- Official resident of state
- Pass Educational Interpreter Performance Assessment (EIPA) (for educational interpreters)
- Photo
- Disclosure statements for conflicts of interest
- Teaming agreement form
- Fingerprinting and/or background check
- Demonstrate evidence of good professional or moral character and reliability (unknown how this is demonstrated)
- Payment of fee(s)

XIII. Length of Licensure

Each of the sixteen (16) states that license sign language interpreters identified a time period for which licensure is valid.

- Ten (10) states require annual renewal.
- Five (5) states require biennial renewal.
- One (1) state requires renewal every three (3) years.
- Three (3) states had separate requirements for temporary/provisional licensure. One (1) state grants a one-time, non-renewable license good for three (3) years. Another state grants provisional licenses that must be renewed annually for up to four years. The third state only requires annual renewal.

XV. Penalty and Grievance Procedures

Thirteen (13) of the sixteen (16) states that license sign language interpreters identified a penal system for violations of state regulations set forth for the licensure. There was no information available on the three (3) remaining states.

Penalties:

- The thirteen (13) states on which there was information available identified suspension and/or revocation of state licensure as a possible penalty.
- Six (6) states listed a monetary fine as a possible penalty. The amount of the fine ranged from \$100 to \$2000 for individual infractions and up to \$10,000 for infractions committed by referral agencies/enterprises.
- Six (6) states identified misdemeanors as a possible penalty.

Grievance Procedures:

- Twelve (12) states made their grievance/complaint procedures available to the public online.

This summary was prepared for the Disability and Communication Access Board (DCAB) by the Pacific Basin Rehabilitation Research and Training Center (PBRRTC). PBRRTC is an equal opportunity, affirmative action institution that is a part of the Research Corporation of the University of Hawaii (RCUH) and is affiliated with the John A. Burns School of Medicine. It is staffed by a multi-disciplinary team with professional training and knowledge in many areas, including research, evaluation, social work, communication, community development, entrepreneurship, planning and coordination, political science, social media and marketing, project management, public policy, public health, technology, and business.