STATE OF NEW YORK

8031

IN SENATE

March 11, 2020

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to the licensing of sign language interpreters and creating a state board for sign language interpreting

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new article 169 to read as follows:

ARTICLE 169

SIGN LANGUAGE INTERPRETERS

Section 8900. Introduction.
8901. Definitions.
8902. Practice of sign language interpreting.
8903. State board for sign language interpreting.
8904. Licensing requirements.
8905. Exempt persons.

§ 8900. Introduction. This article applies to the profession of sign language interpreter. The general provisions for all professions contained in article one hundred thirty of this title apply to this article.

§ 8901. Definitions. As used in this article:

(1) "Client" shall mean a deaf, hard of hearing or hearing person for whom an interpreter provides sign language interpretation services or who is applying to be assessed for the purpose of qualifying for a license that will allow him or her to provide sign language interpretation services.

(2) "Board" shall mean the board for sign language interpreting.

§ 8902. Practice of sign language interpreting. (1) Only a person licensed or otherwise authorized under this article shall practice sign language interpreting or use the title of sign language interpreter for compensation.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(2) No person may, for compensation, provide sign language interpretation services for a client unless the person is licensed by the department.

§ 8903. State board for sign language interpreting. (1) A state board for sign language interpreting shall be appointed by the board of regents on recommendation of the commissioner for the purpose of assisting the board of regents and the department on matters of professional licensing and professional conduct in accordance with section sixty-five hundred eight of this title. The board shall consist of not less than ten members who shall serve three year terms and shall have a familiarity with deaf or hard of hearing matters. Such members shall include:

(a) six deaf or hard of hearing individuals who are currently or have previously been clients of a sign language interpreter, one of whom shall be the executive director of the office of professions or a designee of the commissioner; and

(b) four sign language interpreters who have been licensed under section eighty-nine hundred four of this article, at least one of whom holds a professional license.

(2) In order to maintain high-quality operation of the executive board and also effective implementation of the policy, one highly knowledgeable deaf person may be appointed to the board from out of state, yet working in the state of New York.

(3) The board shall promulgate:

(a) a code of ethics for sign language interpreters licensed under this article;

(b) rules for granting licensing exemptions under section eighty-nine hundred five of this article;

(c) industry standards for the licensing of sign language interpreters;

(d) guidelines for the administration of testing for the department to implement licensing and license renewal requirements;

(e) requirements for the department to create a searchable database for consumers requiring the assistance of a licensed sign language interpreter; and

(f) a code of ethics and regulations for the purpose of licensing sign language interpreting agencies that hire interpreters and/or translators.

§ 8904. Licensing requirements. (1) To qualify for a license as a sign language interpreter, an applicant shall obtain a professional license as described in subdivision two of this section.

(2) The department shall grant a professional license as a sign language interpreter to an applicant who:

(a) submits an application on a form provided by the department;

(b) pays a fee of one hundred five dollars to the department for admission to a department conducted examination and for an initial license, a fee of sixty dollars for each reexamination, a fee of ninety dollars for an initial license for persons not requiring admission to a department conducted examination, and a fee of one hundred thirty dollars for each five year registration period;

(c) meets the minimum industry standards determined by the board to be licensed by the department; and

(d) establishes the schedule of appropriate fees as needed to ensure the affordability to clients and/or applicants and to maintain the effective management of the licensing procedures.

(3) All licensees shall maintain their skills by participating in interpreters' training workshops or seminars arranged by the state board for sign language interpreting.

§ 8905. Exempt persons. (1) The department may grant a temporary exemption to an individual who is not a resident of this state for a period not to exceed sixty days if the individual has certified credentials from the state of their previous residence. The department may not grant an individual more than two temporary exemptions per year pursuant to this subdivision.

(2) The department may grant a permanent exemption to an applicant based on their ability to meet the minimum industry standards determined by the board to be licensed by the department.

(3) The department may grant a temporary or permanent exemption to an individual who is a resident of this state for a period specified by the department.

§ 2. This act shall take effect on the five hundred fiftieth day after it shall have become a law.