

HB 3231 -2 STAFF MEASURE SUMMARY

House Committee On Health Care

Prepared By: Oliver Droppers, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 4/6

WHAT THE MEASURE DOES:

Establishes State Board of Sign Language Interpreters within Oregon Health Authority. Directs board to issue licenses to qualified applicants to provide signed language interpretation services. Allows board to impose discipline and civil penalties not to exceed \$10,000 for violations of Act. Punishes violations by maximum of 30 days' imprisonment, \$1,250 fine, or both. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 **Replaces the measure.** Defines terms. Directs Health Licensing Office (HLO) to issue supervisory, provisional, educational, medical, and legal sign language interpreter license(s), if certain conditions are met; specifies conditions for each licensure type. Specifies an individual with a license may only provide interpretation services in setting in which authorization is issued. . Restricts circumstances an unlicensed individual may provide signed language interpretation services. States a licensee may not be required to disclose confidential, privileged, or private information without consent from the individual as part of a judicial proceeding. Establishes 11-member State Board of Sign Language Interpreters (Board) in the Oregon Health Authority and specifies membership. Specifies duties of the Board including creating a publicly available registry of registered licensees, determining qualifications for licenses, and establishing code of conduct and grievance process. Creates Class C misdemeanor for violations of licensure provisions. Authorizes OHA and Department of Education to adopt rules.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

BACKGROUND:

Oregon law governs the use of interpreters in various settings, including health care, courts and judicial proceedings, and education. Interpretative language services can be provided onsite or through remote means (e.g., telephonic or remote video).

The Oregon Health Care Interpreter (HCI) program was created in 2010, allowing trained individuals to be recognized as qualified or certified professionals. According to the Oregon Health Authority, the HCI registry hosts two interpreter groups, spoken and sign language, who are recognized as qualified or certified. According to OHA, sign language interpreters in Oregon expressed interest in a pathway to become a qualified or certified health care interpreter. Moreover, the process to become a Sign Language HCI is not the same for spoken language HCIs. Not all spoken languages have certification exams, unlike sign language, which has the national Registry of Interpreters for the Deaf (RID) certification exam.

The Oregon Judicial Department (OJD) operates the Court Language Access Services (CLAS), which coordinates interpreting services in Oregon circuit courts for people with limited English-proficiency in more than 170 languages and the hearing-impaired in most judicial districts statewide. OJD operates an American Sign Language (ASL) Oregon Certified Court Interpreter credential, which requires an individual to have a valid "legal specialist certificate" from the Registry for Interpreters for the Deaf (RID).

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According to the Oregon Department of Education, the Oregon Deaf and Hard of Hearing Services (ODHHS) program, administered by the Oregon Department of Human Services (DHS), provides interpreters for students in K-12 who are members of the deaf, deaf-blind, or hard-of-hearing communities. The State Board of Education has a set of standards for sign language interpretive services.

House Bill 3231 establishes licenses for qualified individuals to provide signed language interpretation services.