

Rep. Rachel Prusak,  
Chair House Committee on Health Care  
900 Court St. NE Salem, OR 97301

April 6, 2021

SUBJECT: Support for HB3231, the Oregon Sign Language Interpreter Licensure Bill

To the Chair Prusak, Vice-Chair Hayden, Vice-Chair Salinas, and members of the Committee:

My name is Adam Logan, I will begin with some background information about me for context. I am hard of hearing, and grew up with a Total Communication approach which means I was encouraged to use all communications methods available to me, spoken english, written english, and sign language simultaneously. Simultaneous Communication is the modality I was raised with, to sign and speak at the same time. This is PSE in a nutshell <https://j.mp/3wu2zPc> . My elementary and middle school years were in mainstream programs where I was surrounded by hearing peers and had little contact with other like me, who are deaf or hard of hearing. High School and my college years however, I went to the Oregon School for the Deaf and the National Technical Institute for the Deaf and the Rochester Institute of Technology, which gave me much needed exposure to my deaf and hard of hearing community and the culture that was shielded from me in my childhood years. It was not until I left the educational institutions that I really accepted and understood the depth of my disability. In the educational institutions interpreters were always arranged and provided for me. As an adult outside of the educational institution, I now had to request, and often-times battle businesses, doctors clinics, and so on that no, under the ADA law, they are required to provide me an interpreter, and that no, it is not on me to provide my own interpreter and pay out of pocket. I experienced oppression, I experienced the disempowerment of having to expend my energy to educate others about my disability, of realizing that communication barriers make everything twice as hard for me, at a minimum, compared to hearing people. It took me 3 years to become a H2 ranked hang glider, this is an entry level rank which means I can finally fly at a real site. For my hearing peers it took one year. In the Summer of 2018 I attempted to transition away from hang gliding and learn how to paraglide. Unfortunately, the only instructor in Oregon has a german accent. I could not understand her. I could learn elsewhere, but if I want to fly in Oregon, I would still need someone local that is certified as an instructor that I could understand. Being an organization with just one or two people, they were exempt from ADA laws, so they did not need to provide an interpreter. I had to come up with my own interpreter or an alternative solution. It was from this point that I decided to break free of my utter

reliance on access to an interpreter. In many cases an interpreter is not available, for example, last minute events -interpreters and interpreter agencies generally require 24 hours advance notice, or situations where it's just not economically feasible or worth it to hire an interpreter, like say, uncaptioned media on my phone or computer. I experimented with voice to text technology, and got accounts with all the major video relay service providers. In summary, I became fed up of feeling powerless, and became angry enough to become creative and advocate for myself and for others like me.

A deaf colleague Rupert Dubler from Rochester let me know that he was going to do a 40 hour Deaf Interpreter training at W.O.U. in Oregon. A brief explainer here as Deaf Interpreter is a bit confusing to hearing people. A Deaf Interpreter is literally a deaf person who interprets sign language to another sign language and can transcribe as well, distinct from a Hearing Interpreter who is a hearing person that interprets sign language to speech, vice versa, and of course can transcribe to written languages as well.

I signed up and attended, and graduated from the Deaf Interpreter program and began to interpret without certification or licensure for light general duty assignments. I volunteered at a group home for a while, and then I had a few assignments where I worked with deaf blind clients doing close vision interpreting at Oregon State meetings regarding accessibility. After a couple months, I decided that ethically I could not continue to interpret. I realized that my thinking and signing delivery was very English, and most deaf people really need full-on ASL. I stopped seeking for and accepting assignments. I would have loved to go to school and improve my ASL, but I deemed it too expensive, and quite frankly, not worth my while. ASL is just not my passion, and I quite honestly did not want to be forced to be professionally neutral as an interpreter is ethically supposed to be while working.

All that I have written so far is to provide context to who I am and my unique perspective. I am hard of hearing. I am a part of the deaf/hard of hearing community, I also have some experience interpreting, and understand their perspective.

I am writing to support this bill, but also to say I have my reservations. I am wary of gatekeepers who are hearing that have tremendous power over the deaf and hard of hearing community's access to interpreting. I feel very strongly that deaf and hard of hearing people should have a right to choose who interprets for them. The way I see it, thus far, businesses have had the final say on who they provide to interpret for deaf and hard of hearing customers. Half the time, a customer can specifically request that the business use a specific agency or a request a specific interpreter. The other half of the time the business has already signed an exclusivity clause, restricting them to use one

sole agency. So. I ask that part of this legislation, if possible, bans the use of exclusivity clauses in the state of Oregon. It hurts deaf clients as it limits access to interpreters. It is incredibly important that deaf and hard of hearing stakeholders have the power to pass or reject legislation such as this. There's that saying "nothing about us without us". I think deaf and hard of hearing and deaf blind and other deaf-plus members need to have representation on the board since this qualification body and related policies will have such outsized impact on our community. I suggest especially that the qualifications committee consult and get approval of this legislation with the Oregon Association of the Deaf and do so repeatedly with any changes or modifications thereafter.

I recently had an experience where I was at Salem Health for five days recovering from a perforated appendix. I was admitted on the weekend, and although I repeatedly requested an in-person interpreter, I got a Video Relay Interpreter for pretty much all interactions except one chunk of about an hour and a half where two specialists talked with me about my appendix. I hated the VRI service. It was incredibly frustrating. After a couple of days, I figured out that the only way to make it work, was for me to train each person who interacted with me with VRI. I had to explain to each person that I needed them to be next to the screen so I could look back and forth easily and quickly between the screen with the interpreter and the person speaking so I could see their facial expressions and body language which express many cues about their tone and message. I had to tell them to literally keep a hand on the cart and bring it with them whenever they move around the room and the only exception is if they need both hands to type, but the cart should still be within arm's reach to them. I had to tell them to not go behind the screen, as the webcam on the screen also has the microphone, and if they go behind the screen, the interpreter cannot hear them. I also had to explain that they need to not block my vision of the interpreter while the interpreter is interpreting. So the onerous was on me to train medical staff on how to use this technology appropriately, each new cna, rna, and doctor that came into my room and needed to communicate with me. I got so fed up with it, I actually preferred to use Live Scribe, a free voice to text app that is available on select Google Pixel phones. It was fast, I didn't have to train them how to use it. The tradeoff was that it wasn't as accurate, but having some residual hearing I was able to get the message most of the time, and if I missed a word or a sentence, I asked them to repeat it until I got it.

The reason I share this, is my concern is by limiting an already small pool of interpreters to an already smaller pool of qualified interpreters, is I can see many places doing away with in-person interpreting and instead jumping on the VRI bandwagon exclusively, which is a sub-par experience for deaf people, and barely tolerable for me as a hard of hearing person who has the privilege of some hearing, and high english comprehension. I am very concerned about rural areas where interpreters skills are not

as sharp since demand is not as high, income is low, and costs of being a sign language interpreter is relatively high.

Interpreters already have significant financial burdens for education costs, and exorbitant certification fees and continuing education. I request that the source of funding for licensure come from elsewhere, namely, not from interpreters applying for licensure.

In sum, I support this legislation, I think it is needed, as I can attest that I have personally experienced under-qualified -read rookie, or hard to understand senior interpreters with stiff fingers- in medical settings where misunderstandings could have severe consequences and mean the difference between life or death. Yet I also have my reservations about hearing people as gatekeepers. The power and right of deaf and hard of hearing people to choose their interpreting agency or interpreting regardless of certification/qualification formalities is crucial, we must be consulted and be given the chance to sign off on policies and governing bodies that affect us. I am deeply concerned that this policy may make a financially burdensome profession even more expensive, and make a small pool of interpreters even smaller. Ultimately I think the legislation deserves passage, but I strongly urge incorporating changes based on feedback from the deaf and hard of hearing community.

Sincerely,

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