

March 11, 2025

To: Senate Committee on Health Care

Re: SB 950

My name is Damon Thayer. I have served Oregon as an ASL Interpreter for over 25 years. I am nationally certified by the Registry of Interpreters for the Deaf, and am court certified in both Oregon and Washington state.

In 2023 the Oregon Legislature established licensure requirements for sign language interpreters (SLI) and created a State Board of Sign Language Interpreters through the passage of House Bill 2696. The purpose of licensure is to protect Deaf and hard of hearing Oregonians from poor and unethical interpreting services by creating a mechanism with which to hold sign language interpreters accountable.

Licensure in Oregon has been in effect for a little more than one year now, and I believe that the [current law](#) can be functional and effective if we give it a chance, with only minor housekeeping fixes. Many of my colleagues in the interpreting profession and other stakeholders disagree and are therefore asking for major structural changes to Oregon's SLI licensure through [Senate Bill 950](#).

To the extent that structural change is needed, the need stems from the fact that the original licensure law is overly complicated and burdensome, making it hard to understand and to administer. With that in mind, any changes to Oregon SLI licensure should seek to make licensure less complicated and more efficient, while still protecting Deaf and hard of hearing Oregonians. It should also honor the work of Oregon interpreters and not disadvantage them relative to out of state interpreters or other special interests.

Below are my comments regarding specific provisions of SB 950.

## **Section 2**

Section 2 details how the SLI Board may issue a supervisory sign language interpreter license and a sign language interpreter license, both by endorsement, to an interpreter who "(a) Holds a license or other authorization in another state or jurisdiction that, as determined by the Board, is substantially similar to a supervisory sign language interpreter license or sign language interpreter license".

Section 2 is effectively a separate license for out of state interpreters and is unnecessary. An Oregon interpreter must apply to the Board, pay a fee, and then be granted the legal right to work in Oregon. Per Section 2, an out of state interpreter must apply, pay a

fee, and be granted the legal right to work in Oregon. It is not clear why Section 2 is needed in the first place, what unique value it adds, or how it makes licensure more efficient. Since the other license has to be “substantially similar” to Oregon licenses, interpreters who hold other licenses should have no problem qualifying for and obtaining an Oregon license.

Section 2 will waste valuable Board and staff time for no discernible benefit to Oregon, by creating the need to evaluate licenses from other jurisdictions, and requiring the Board to spend time evaluating requests to accept licenses that don’t meet Oregon’s standards and are ultimately denied.

Oregon interpreters will gain no benefit from Section 2, in that it is entirely one sided. It doesn’t ensure that Oregon interpreters will be granted the right to work in states that the Board has accepted as permissible for Oregon licensure.

Section 2 opens the door to the possibility that out-of-state interpreters will pay a lesser fee for a license than local Oregon interpreters for a “substantially similar” license that will take the same amount or even a greater amount of state resources to administer. This is fundamentally unfair to Oregon interpreters.

Please amend SB 950 and remove all of Section 2.

### **Section 3**

Section 3 establishes a new interpreter-in-training license, intended as a pathway for people who are studying to become an interpreter so that they can gain live, hands-on, interpreting experience, such as on an internship, before they can qualify for one of the other licenses. I believe that was part of the original intent of the Provisional license.

The only comment I have regarding Section 3 is to point out that if the specialty Education License (ORS 676.762) is repealed as SB 950 seeks to do, and if the Provisional license is amended to allow for interpreting in educational settings, there may not be a practical need for an interpreter-in-training license. With those revisions, depending on rules adopted by the Board, interpreting students may qualify for the Provisional license by the time they are sent on internship by their educational institution. I have no recommendation on whether it would be better to forego this new license, or to modify it in a useful way to better differentiate it from the Provisional license.

### **Section 7(b)(E)**

Section 7(b)(E) creates the following exception to the requirement to be licensed in Oregon: “On a temporary basis not to exceed the number of days in a calendar year

determined by the Board if the person is authorized in another state or jurisdiction or otherwise qualified, as determined by the Board, to provide signed language interpretation services.”

The entire purpose of the Oregon licensure law for sign language interpretation is to provide a mechanism for holding interpreters and the people who hire interpreters accountable. There needs to be a system to protect Deaf Oregonians from unethical practices and shoddy interpretation. To that end interpreters in Oregon must bear a greater administrative burden and pay for the right to work.

Allowing an out of state interpreter to interpret in Oregon even one day without a license betrays Oregon interpreters and hurts the credibility of the license. It sends a mixed message to Oregon interpreters. On one hand some interpreters must bear the administrative and financial burdens of licensure and are subject to criminal penalties per ORS 676.789. Yet other interpreters are allowed to practice without accountability, to burden our system, and to gain financially by working in Oregon without contributing to the system through license fees. Many interpreters in other states have already obtained Oregon licenses. This provision sends a mixed message to those interpreters as well, and will encourage interpreters who would otherwise get licensed to think twice about the value of an Oregon license.

Board and staff time will be wasted administering this provision.

Section 7(b)(E) will be abused. It assumes that interpreters who don't want to comply with Oregon law to begin with will follow the honor system and recognize when they have reached the Board-determined maximum number of freebies. No authority will be able to track how many times any one individual interpreter provides services in Oregon, especially with the proliferation of video interpretation and potentially thousands of interpreters across the country who could appear on screen in Oregon. Out of state interests will take advantage of this loophole. Hiring entities will also have greater trouble understanding and then enforcing Board determined limits than if the rule states simply that only licensed interpreters may be hired.

There are understandable situations where an out of state interpreter may truly only intend on providing high quality services in Oregon for a day or two and no more. This could be for a weekend conference, or for a guest speaker who requires an interpreter with unique technical knowledge and skill. I agree that it seems cumbersome that they should have to become licensed for such a short stint of work. However, given the problems detailed above and the unfairness of this loophole to interpreters who comply with the law, the least complicated and fairest way to address this issue is to expect those interpreters to plan ahead and obtain a license.

Please amend SB 950 and remove Section 7(b)(E).

### **Section 8(e) and Section 8(e)(B)**

I don't fully understand how Section 8(e) interacts with ORS 676.576, but I take it to mean that the Board has final authority to set license fees. I have reservations about this. There is an obvious conflict of interest in that most of the Board members will pay the fees that they themselves set, and will live and work with colleagues who have to pay the fees that they set. There will be pressure to make the fees as low as possible, which may come into conflict with principles of stewardship of public funds. I trust that the Legislature will decide this issue in a manner that is consistent with other similar Boards and licenses.

I strongly disagree with Section 8(e)(B), the requirement that the Board "shall consider" "The national averages for similar fees." I see this as a 'shall' versus 'may' issue. Other states don't pay Oregon taxes or fees, and other states don't fund the SLI Board and staff. How they choose to fund their licensure programs has minimal relevance to how Oregon should fund its program. The Board and HLO can (and certainly will) consider fees in other states even without this provision. Statute should not dictate that the fees must be set with respect to other states' fees.

Please amend SB 950 to remove Section 8(e)(B).

### **Section 12(1)**

I have no opinion on the merits of repealing ORS 676.762, 676.765, and 676.768. Those are the statutes that create the specialty Educational, Medical, and Legal licenses. As a housekeeping matter, if those statutes are repealed then ORS 676.753(2)(a), 676.756(3), and 676.759(3)(b) will need to be repealed as well.

I will note that this is quite an about-face by the Legislature, and calls into question how the 2023 Legislature could pass something this substantial that is then rescinded little more than one year after implementation.

### **Other Considerations**

Many states require licensure for sign language interpreters and many more are considering implementation of licensure requirements. It's conceivable that in the near future each of the 50 states will require their own state license. Many interpreters work across state lines, to everyone's benefit. True reciprocity agreements, in which, for example, Oregon and Arizona agree that either states' license is accepted in both states, and in which an interpreter only has to hold one of the licenses to be able to work in both states, would be a boon to Oregon, Oregon interpreters, and the Oregon Deaf and hard of hearing communities. I believe this is what Section 2 of SB 950 tries but fails to do. Granting the SLI Board authority to enter into these kinds of bilateral agreements or even multi-state compacts would reduce

administrative burdens on everyone while maintaining accountability that protects Deaf and hard of hearing Oregonians.

Not all interpreters who can comply with the current SLI licensure law have done so; many working interpreters do not currently hold a valid license. Those who do comply have paid upwards of \$500 to obtain licenses for the right to work as an interpreter in Oregon legally, as statute demands per ORS 676.771 and 676.789. Passage of SB 950 will be an acknowledgement by the Legislature that it erred in 2023 when it passed House Bill 2696. Should the Legislature repeal the specialty licenses and grant the Board authority to set fees, it is likely that total fees for licensure will be much, much, lower; as little as \$50 by some estimates. If that happens, some interpreters will have been punished financially for complying with the law while interpreters who broke the law will be rewarded.

The Legislature must make amends for its mistake. If the specialty licenses are repealed, all fees paid for those now defunct specialty licenses must be refunded or credited back to the interpreters who paid them. Repeal so soon after implementation is an admission that they never should have been imposed in the first place. If the Board sets fees far below what interpreters have paid to date, the state must make those interpreters whole by refunding or crediting the difference back to the interpreters who overpaid. Anything less shows contempt for the rule of law and is a slap in the face to the sign language interpreters who tried to do the right thing.

Thank you for your consideration,



Damon Thayer  
ASL Interpreter  
CI/CT, SC:L  
Oregon and Washington court certified

[dethayer@gmail.com](mailto:dethayer@gmail.com)

PO Box 2  
Salem, OR 97308