

JAN 25 2017

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A STUDY REGARDING PROFESSIONAL
LICENSURE OF AMERICAN SIGN LANGUAGE INTERPRETERS AND
REGULATION OF INTERPRETER REFERRAL AGENCIES.

1 WHEREAS, there is an increased need statewide for
2 communication access provided by American Sign Language
3 interpreters as reflected in the number of requests made to
4 local interpreter referral agencies; and
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6 WHEREAS, the increased need for interpreters by the deaf
7 community, government agencies, private agencies, and employers
8 has created a need for all consumers of American Sign Language
9 interpreting services to be assured that the services they
10 receive are provided by qualified interpreters who follow
11 professional standards; and
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13 WHEREAS, the Disability and Communication Access Board
14 currently tests and credentials American Sign Language
15 interpreters at the state level, and the Registry of
16 Interpreters for the Deaf certifies American Sign Language
17 interpreters at the national level; and
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19 WHEREAS, American Sign Language interpreters establish
20 their own business in Hawaii and obtain a general excise tax
21 license to provide services, and many accept assignments from an
22 agency directly or from local American Sign Language interpreter
23 referral agencies; and
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25 WHEREAS, the Disability and Communication Access Board is
26 not an enforcement agency and does not regulate professional
27 interpreters or interpreter referral agencies; and
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29 WHEREAS, in 2015, the Pacific Disabilities Center (formerly
30 known as the Pacific Basin Rehabilitation Research and Training
31 Center) compiled nationwide information in a report titled



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1 "Status of State Licensure of American Sign Language
2 Interpreters"; and

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4 WHEREAS, the report indicates that sixteen states license
5 American Sign Language interpreters with a variety of fees
6 charged and differing requirements for licensure; and

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8 WHEREAS, the report does not include information regarding
9 the impact that the licensure of American Sign Language
10 interpreters has had in those states; and

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12 WHEREAS, more information is necessary to determine the
13 impact that licensure of American Sign Language interpreters and
14 regulation of interpreter referral agencies would have in Hawaii
15 related to the fees charged for services, credentialing,
16 professional development for interpreters, disciplinary action,
17 and penalties for unprofessional conduct; and

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19 WHEREAS, the Department of Commerce and Consumer Affairs
20 regulates and licenses professionals as well as investigates
21 complaints of fraudulent and unfair business practices; and

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23 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
24 new measures that, if enacted, would subject unregulated
25 professions and vocations to licensing or other regulatory
26 controls, to be referred to the Auditor for analysis; now,
27 therefore,

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29 BE IT RESOLVED by the Senate of the Twenty-ninth
30 Legislature of the State of Hawaii, Regular Session of 2017, the
31 House of Representatives concurring, that the Auditor is
32 requested to conduct a sunrise review of the probable effects of
33 licensure of American Sign Language interpreters and regulation
34 of interpreter referral agencies as proposed by S.B. No. and
35 S.B. No. , Regular Session of 2017; and

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37 BE IT FURTHER RESOLVED that the study analyze the sixteen
38 states that have licensure requirements and include information
39 about:

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41 (1) The impact licensure has had on interpreter services
42 and customer satisfaction;



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- 2 (2) Procedures for filing a complaint and the review
- 3 process for handling complaints;
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- 5 (3) Types of infractions reviewed;
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- 7 (4) Grounds for establishing licensure; and
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- 9 (5) Disciplinary sanctions imposed and the reasons for
- 10 imposing disciplinary sanctions; and
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12 BE IT FURTHER RESOLVED that the Auditor is requested to
13 consult with critical stakeholders in conducting the sunrise
14 review and submitting its findings and recommendations; and

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16 BE IT FURTHER RESOLVED that the study include information
17 about the responsibility of an American Sign Language
18 interpreter referral agency to:

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- 20 (1) Recruit the most qualified interpreters;
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- 22 (2) Assess customer satisfaction for deaf and hearing
- 23 customers;
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- 25 (3) Provide a complaint or grievance process; and
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- 27 (4) Inform interpreters and all agencies served about the
- 28 quality of interpreter services; and
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30 BE IT FURTHER RESOLVED that the Auditor is further
31 requested to complete the study and submit findings and
32 recommendations, including any proposed legislation and a
33 recommendation as to whether Hawaii should require licensure of
34 American Sign Language interpreters and regulation of
35 interpreter referral agencies, to the Legislature no later than
36 twenty days prior to the convening of the Regular Session of
37 2018; and

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39 BE IT FURTHER RESOLVED that certified copies of this
40 Concurrent Resolution be transmitted to the Auditor, Director of
41 Commerce and Consumer Affairs, Executive Director of the
42 Disability and Communication Access Board, Director of the



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1 Pacific Disabilities Center, President of the Hawaii Registry of
2 Interpreters for the Deaf, President of the Aloha State
3 Association of the Deaf, Owner of Hawaii Interpreting Services,
4 and President of Isle Interpret.

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OFFERED BY:

Kal Rhoads
~~DC~~ [Signature]
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