

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2566 Session of 2024

INTRODUCED BY HADDOCK, KINSEY, SANCHEZ, PROBST, VENKAT, HOHENSTEIN, KHAN, SHUSTERMAN, HILL-EVANS, DALEY, PARKER, CONKLIN, CEPEDA-FREYTIZ AND GREEN, SEPTEMBER 19, 2024

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 30, 2024

AN ACT

1 Amending the act of July 2, 2004 (P.L.492, No.57), entitled "An
2 act providing for State registration of individuals providing
3 sign language interpreting and transliterating services to
4 individuals who are deaf or hard of hearing; and imposing
5 duties on the Office for the Deaf and Hard of Hearing in the
6 Department of Labor and Industry," further providing for
7 title of act, for definitions, for office responsibilities,
8 for State registration required, for State registration and
9 for provisional registration.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The title of the act of July 2, 2004 (P.L.492,
13 No.57), known as the Sign Language Interpreter and
14 Transliterator State Registration Act, is amended to read:

AN ACT

16 Providing for State registration of individuals providing sign
17 language interpreting and transliterating services to
18 individuals who are deaf, deafblind or hard of hearing; and
19 imposing duties on the Office for the Deaf and Hard of
20 Hearing in the Department of Labor and Industry.

1 Section 2. The definitions of "sign language interpreter"
2 and "transliterating" in section 2 of the act are amended and
3 the section is amended by adding definitions to read:

4 Section 2. Definitions.

5 The following words and phrases when used in this act shall
6 have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Alternative pathway program." An educational equivalency
9 program approved by the office.

10 * * *

11 "Certification." The resulting credential from passing a
12 standardized test that demonstrates knowledge, ethical decision-
13 making and interpreting skills and meeting any other
14 requirements, that is approved by the office and transmitted to
15 the Legislative Reference Bureau and published in the
16 Pennsylvania Bulletin. When evaluating certifications for
17 potential approval, the office shall consider the following
18 standards:

19 (1) Any current or past certification from the Registry
20 of Interpreters for the Deaf, Inc., national interpreter
21 certification or certified deaf interpreter certification.

22 (2) Any current or past certification from the State of
23 Texas Board for Evaluation of Interpreters at the advanced or
24 master level.

25 (3) Any other available certification.

26 * * *

27 "Sign language interpreter." An individual who provides
28 individuals who are deaf, deafblind and hard of hearing with
29 interpreting or transliterating services.

30 "Transliterating." The process of conveying a spoken message

1 from a person who hears to a person who is deaf, deafblind or
2 hard of hearing and the ability to repeat the message and intent
3 of the speech, mouth movements or English-based signed system of
4 the person who is deaf, deafblind or hard of hearing.

5 "Video remote interpreting." A fee-based interpreting
6 service conveyed via video conferencing or other technology
7 where at least one individual, typically the interpreter, is at
8 a separate location.

9 Section 3. Section 3 of the act is amended by adding a
10 paragraph to read:

11 Section 3. Office responsibilities.

12 The office shall do all of the following:

13 * * *

14 (3.1) Annually review the requirements of all
15 alternative pathway programs. If the office determines that
16 the requirements are satisfactory, the office shall transmit
17 a notice listing all approved pathway programs to the
18 Legislative Reference Bureau for publication in the next
19 available issue of the Pennsylvania Bulletin.

20 * * *

21 Section 4. Section 4(a) and (b) of the act are amended and
22 the section is amended by adding a subsection to read:

23 Section 4. State registration required.

24 (a) General rule.--Except as provided in subsection (b), no
25 individual may provide or offer to provide sign language
26 interpreting [or], transliterating services or video remote
27 interpreting, or hold himself or herself as a qualified sign
28 language interpreter or qualified transliterator or, use a
29 similar title or designation, without being State-registered by
30 the office in accordance with this act.

1 (b) Exceptions.--The following individuals are exempt from
2 the State registration requirements of subsection (a):

3 (1) An individual engaged in interpreting or
4 transliterating at a worship service conducted by a religious
5 entity and services for educational purposes for a religious
6 entity or religiously affiliated school.

7 (2) An individual engaged in sign language interpreting
8 or transliterating during an immediate, life threatening
9 medical emergency[, when a delay in obtaining a State-
10 registered interpreter or State-registered transliterator] or
11 first responder incident where there is no qualified sign
12 language interpreter or qualified transliterator available
13 and a delay in obtaining a qualified sign language
14 interpreter or qualified transliterator might lead to injury
15 or loss to the individual requiring the services. The
16 exception under this paragraph shall no longer apply when the
17 medical emergency or first responder incident is stabilized
18 based on reasonable medical or legal standards.

19 (3) An individual engaged in interpreting or
20 transliterating as part of a supervised internship or
21 practicum at an accredited college or university if it is not
22 in any of the following:

23 (i) A legal setting as defined under regulation.

24 (ii) A medical or mental health setting as defined
25 under regulation, unless accompanied by a qualified sign
26 language interpreter or qualified transliterator.

27 (4) An individual who [is certified by the National
28 Association of the Deaf or the Registry of Interpreters for
29 the Deaf from] resides outside the Commonwealth [who], holds
30 a certification and provides interpreting or transliterating

1 services in person or remotely via video remote interpreting
2 in the Commonwealth for a period not exceeding 14 days each
3 calendar year.

4 (5) [An] Subject to subsection (b.1), an individual
5 engaged in interpreting or transliterating at the request of
6 an individual who is deaf, deafblind or hard of hearing if
7 the individual informs the client that the individual is not
8 registered under this act. This exception shall only apply to
9 situations where the individual who is deaf, deafblind or
10 hard of hearing initiates the request for a specific
11 individual, the individual agrees to provide the service
12 requested and the services are reasonable for the location,
13 content and nature of the situation.

14 (6) An individual who engages in interpreting or
15 transliterating strictly as a volunteer.

16 (7) An individual employed in a public or private
17 elementary or secondary school or institution chartered by
18 the Commonwealth who engages in interpreting or
19 transliterating for the instruction of students or other
20 school-related activity. Individuals exempt pursuant to this
21 subsection shall comply with regulations promulgated by the
22 State Board of Education establishing criteria for persons
23 providing sign language interpreting and transliterating
24 services to students.

25 (9) An individual who obtains a provisional registration
26 under section 5.1.

27 (b.1) Expiration of exception.--

28 (1) The exception under subsection (b) (5) shall expire
29 five years from the effective date of this subsection.

30 (2) Within one year prior to the expiration under

1 paragraph (1), at the discretion of the Advisory Council for
2 the Deaf and Hard of Hearing, the Advisory Council for the
3 Deaf and Hard of Hearing may hold a public meeting, followed
4 by a 60-day public comment period, to consider the necessity
5 of extending the exception under subsection (b)(5).

6 (3) If the Advisory Council for the Deaf and Hard of
7 Hearing initiates the procedures under paragraph (2), a
8 report detailing any recommendations and public comments
9 received shall be provided to:

10 (i) The office.

11 (ii) The chairperson and minority chairperson of the
12 Labor and Industry Committee of the Senate.

13 (iii) The chairperson and minority chairperson of
14 the Labor and Industry Committee of the House of
15 Representatives.

16 * * *

17 Section 5. Sections 5(a) and 5.1(a)(2)(iii) and (iv) ~~AND~~ <--
18 (3)(ii), ~~(b)(5)(iv)~~ (B)(5)(III) AND (IV) and (c) of the act are <--
19 amended to read:

20 Section 5. State registration.

21 (a) Application.--An individual may apply to the office to
22 be a State-registered sign language interpreter or
23 transliterator.

24 (1) The applicant shall submit to the office all of the
25 following:

26 (i) A completed application.

27 (ii) Payment of any required fees.

28 (iii) Proof that the applicant has [passed an
29 examination approved by the office which tests knowledge
30 and proficiency in interpreting and transliterating]

1 received a certification.

2 (2) The office shall review each completed application
3 and shall issue a sign language interpreter registration to
4 the applicant when the office is satisfied that all of the
5 following criteria have been met:

6 (i) The applicant is 18 years of age or older.

7 (ii) The applicant has [passed the examination]
8 obtained certification required by this subsection [(a)].

9 (iii) The applicant has paid all applicable fees
10 established pursuant to this act.

11 (iv) The applicant possesses the general fitness,
12 competence and reliability sufficient to satisfy the
13 office that the applicant is worthy of the State
14 registration.

15 (v) Other criteria as the office may establish by
16 regulation.

17 * * *

18 Section 5.1. Provisional registration.

19 (a) Application.--

20 * * *

21 (2) The applicant must submit to the office all of the
22 following:

23 * * *

24 (iii) Proof that within five years prior to the date
25 of application for provisional registration the applicant
26 has graduated from an interpreter education program with
27 an associate degree or higher from an accredited
28 institution of higher education or has met the
29 requirements of an alternative pathway program.

30 (iv) Proof that the applicant has passed a [written]

1 knowledge examination approved by the office.

2 (3) The office shall review each completed application
3 and shall issue a sign language interpreter provisional
4 registration to the applicant if the office is satisfied that
5 all of the following criteria have been met:

6 * * *

7 (ii) The applicant has graduated from an interpreter
8 education program with an associate degree or higher or
9 has met the requirements of an alternative pathway
10 program.

11 * * *

12 (b) Registration.--A sign language interpreter provisional
13 registration issued by the office shall be:

14 * * *

15 (5) Issued for interpreter or transliterator services in
16 this Commonwealth except in any of the following:

17 * * *

18 (III) A [PHYSICIAN'S OFFICE] MEDICAL SETTING, UNLESS <--
19 THE PATIENT IS INFORMED THAT THE INDIVIDUAL ENGAGED IN
20 INTERPRETING OR TRANSLITERATING HAS OBTAINED A
21 PROVISIONAL REGISTRATION, IS NOT STATE-REGISTERED UNDER
22 THIS ACT AND THAT THE PATIENT HAS THE RIGHT TO BE
23 PROVIDED UPON REQUEST A QUALIFIED SIGN LANGUAGE
24 INTERPRETER OR QUALIFIED TRANSLITERATOR.

25 (iv) A critical care, intensive care or emergency
26 department setting in a health care facility, unless the
27 exception under section 4(b)(2) applies.

28 (c) Renewal.--An individual may annually renew a provisional
29 registration by submitting to the office the information
30 required under subsection (a) along with proof of completion of

1 [at least 20 hours of] professional development, as defined
2 under regulations and approved by the office, and any applicable
3 fees. The office may approve only [~~two~~] four consecutive
4 renewals.

5 * * *

6 Section 6. This act shall take effect as follows:

7 (1) The addition of section 4(b.1) of the act and this
8 section shall take effect immediately.

9 (2) The remainder of this act shall take effect in 60
10 days.