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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1274 Session of  
2024

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INTRODUCED BY ROBINSON, KANE, HAYWOOD, COLLETT, SAVAL,  
PENNYCUICK, BREWSTER, CAPPELLETTI, VOGEL AND COSTA,  
JUNE 25, 2024

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REFERRED TO LABOR AND INDUSTRY, JUNE 25, 2024

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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:

15 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.

21 Section 2. The definitions of "sign language interpreter"

1 and "transliterating" in section 2 of the act are amended and  
2 the section is amended by adding definitions to read:

3 Section 2. Definitions.

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

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

9 \* \* \*

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

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

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

24 (3) Any other available certification.

25 \* \* \*

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

29 "Transliterating." The process of conveying a spoken message  
30 from a person who hears to a person who is deaf, deafblind or

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

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

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

10 Section 3. Office responsibilities.

11 The office shall do all of the following:

12 \* \* \*

13 (3.1) Annually review the requirements of all  
14 alternative pathway programs. If the office determines that  
15 the requirements are satisfactory, the office shall transmit  
16 a notice listing all approved pathway programs to the  
17 Legislative Reference Bureau for publication in the next  
18 available issue of the Pennsylvania Bulletin.

19 \* \* \*

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

22 Section 4. State registration required.

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

30 (b) Exceptions.--The following individuals are exempt from

1 the State registration requirements of subsection (a):

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

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

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

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

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

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

1 in the Commonwealth for a period not exceeding 14 days each  
2 calendar year.

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

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

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

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

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

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

29 (2) Within one year prior to the expiration under  
30 paragraph (1), at the discretion of the Advisory Council for

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

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

9 (i) The office.

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

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

15 \* \* \*

16 Section 5. Sections 5(a) and 5.1(a) (2) (iii) and (iv), (3)  
17 (ii), (b) (5) (iv) and (c) of the act are amended to read:  
18 Section 5. State registration.

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

22 (1) The applicant shall submit to the office all of the  
23 following:

24 (i) A completed application.

25 (ii) Payment of any required fees.

26 (iii) Proof that the applicant has [passed an  
27 examination approved by the office which tests knowledge  
28 and proficiency in interpreting and transliterating]  
29 received a certification.

30 (2) The office shall review each completed application

1 and shall issue a sign language interpreter registration to  
2 the applicant when the office is satisfied that all of the  
3 following criteria have been met:

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

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

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

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

13 (v) Other criteria as the office may establish by  
14 regulation.

15 \* \* \*

16 Section 5.1. Provisional registration.

17 (a) Application.--

18 \* \* \*

19 (2) The applicant must submit to the office all of the  
20 following:

21 \* \* \*

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

28 (iv) Proof that the applicant has passed a [written]  
29 knowledge examination approved by the office.

30 (3) The office shall review each completed application

1 and shall issue a sign language interpreter provisional  
2 registration to the applicant if the office is satisfied that  
3 all of the following criteria have been met:

4 \* \* \*

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

9 \* \* \*

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

12 \* \* \*

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

15 \* \* \*

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

19 (c) Renewal.--An individual may annually renew a provisional  
20 registration by submitting to the office the information  
21 required under subsection (a) along with proof of completion of  
22 [at least 20 hours of] professional development, as defined  
23 under regulations and approved by the office, and any applicable  
24 fees. The office may approve only [two] four consecutive  
25 renewals.

26 \* \* \*

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

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

30 (2) The remainder of this act shall take effect in 60

1 days.