

MAINE STATE LEGISLATURE

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(New Draft of H.P. 247, L.D. 317)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1290

H.P. 961 House of Representatives, April 21, 1987
Reported by Representative MANNING from the Committee on
Human Resources and printed under Joint Rule 2.

EDWIN H. PERT, Clerk
Original bill sponsored by Representative CARROLL of
Gray. Cosponsored by Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Amend the Interpreter Law for
Coverage in Medical and Paramedical
Areas.

5 Be it enacted by the People of the State of Maine as
6 follows:

7 Sec. 1. 5 MRSA §48, sub-§2, as amended by PL
8 1979, c. 88, §3, is further amended to read:

9 2. Interpreter services required. A qualified
10 interpreter shall be appointed as follows.

11 A. Whenever any personal or property interest of
12 a deaf or hearing impaired person is the subject
13 of a proceeding before any agency or court, the
14 presiding officer of the proceeding shall, in

1 consultation with the deaf or hearing impaired
2 person, appoint a qualified interpreter. Whenever
3 any deaf or hearing impaired person consults
4 with a private licensed psychologist, substance
5 abuse counselor or physician, the psychologist,
6 counselor or physician, in consultation with the
7 deaf or hearing impaired person, shall appoint a
8 qualified interpreter.

9 B. In appointing a qualified interpreter, the
10 presiding officer, psychologist, counselor or
11 physician shall give first consideration to per-
12 sons who are certified by the National Registry
13 of Interpreters for the Deaf.

14 C. The presiding officer, psychologist, counsel-
15 or or physician may require proof of deafness or
16 hearing impairment prior to appointing a quali-
17 fied interpreter.

18 D. The interpreter shall be appointed after con-
19 sultation with the deaf or hearing impaired per-
20 son. If the appointed qualified interpreter does
21 not meet the needs of the deaf or hearing im-
22 paired person, the presiding officer, psycholo-
23 gist, counselor or physician shall, with the con-
24 sent of the deaf or hearing impaired person, ap-
25 point another qualified interpreter.

26 **Sec. 2. 5 MRSA §48, sub-§3, ¶¶B and C, as re-**
27 **pealed and replaced by PL 1979, c. 88, §4, are**
28 **amended to read:**

29 B. When requested by an agency or court or a
30 psychologist, counselor or physician, the Bureau
31 of Rehabilitation shall furnish the agency or
32 court with a directory of information on appro-
33 priate and qualified interpreter sources.

34 C. An interpreter appointed under this section
35 shall be reimbursed by the Bureau of Rehabilita-
36 tion, upon certification ~~by the appropriate agency~~
37 ~~or court~~ pursuant to this paragraph of ser-
38 vices performed, at a fixed rate reflecting the
39 current fee schedule as established by the Bureau
40 of Rehabilitation, plus travel expenses; provided
41 that the rate shall not exceed \$15 an hour and

1 that employees of the State or any of its politi-
2 cal subdivisions, public employees and public or
3 private school, university and college teachers
4 or administrators for interpreting services or
5 anyone who receives salary during regular work
6 hours shall not be reimbursed under this section
7 for interpreter services performed during their
8 regular working hours. For consultation with a
9 private licensed psychologist, substance abuse
10 counselor or physician, the deaf or hearing im-
11 paired person who received the services shall
12 certify the services that were performed. For
13 agency or court proceedings, the agency or court
14 shall certify the services that were performed.
15 Nothing in this section shall may be construed as
16 preventing any agency or court from employing a
17 qualified interpreter on a full-time basis or un-
18 der contract at a mutually agreed upon compensa-
19 tion rate.

20 **Sec. 3. Appropriation.** The following funds are
21 appropriated from the General Fund to carry out the
22 purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
23		
24	<u>HUMAN SERVICES, DEPARTMENT OF</u>	
25		
26		
	Bureau of Rehabilitation	
	All Other	\$50,000
		\$50,000

27 FISCAL NOTE

28 It is estimated that this new draft will require
29 an increased appropriation from the General Fund of
30 \$50,000 per year.

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STATEMENT OF FACT

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This new draft replaces the original bill but retains the intent and effect of the original bill. The new draft was needed to distinguish interpreter services in a medical setting, as proposed in this new draft, from interpreter services in agency or court proceedings, as provided in current law.

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