

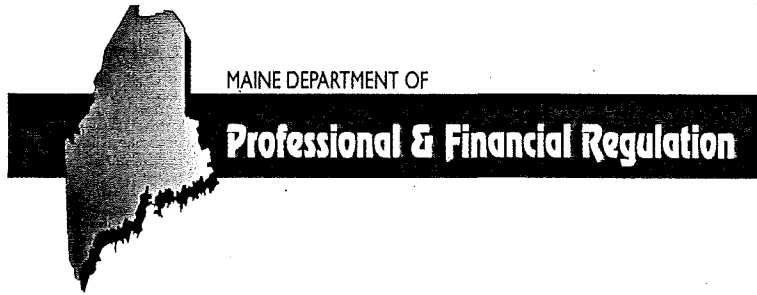
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**Report of the  
Department of Professional and Financial Regulation**

**to**

**the Joint Standing Committee on Business, Research and Economic  
Development**

**Pursuant to P.L. 1999, c. 399**

**“An Act to License Interpreters for the Deaf and Hard of Hearing,”**

**February 15, 2003**

*John Elias Baldacci*  
*Governor*

*Robert E. Murray, Jr.*  
*Commissioner*

**APR 15 2003**

# **Report to the 121<sup>st</sup> Maine Legislature, Joint Standing Committee on Business, Research and Economic Development**

## **On**

### **Licensure Program for Interpreters for the Deaf and Hard of Hearing**

#### **I. Introduction**

Pursuant to P.L. 1999, c. 399, the Department of Professional and Financial Regulation is required to submit a report to the Joint Standing Committee having jurisdiction over business matters by February 15, 2003. P.L. 1999, c. 399 requires the Commissioner of Professional and Financial Regulation to develop the report in consultation with the advisory council. The report must include, but is not limited to, a review of the adequacy of licensure standards set forth in Maine Revised Statutes, Title 32, chapter 22 and an assessment of the continued efficacy of an exemption from licensure for nonresident interpreters. The report may also include proposed legislation based on the recommendations of the department. The joint standing committee of the Legislature having jurisdiction over business matters may submit legislation based on the recommendations of the report.

This report summarizes the governing legislation and implementation of the law. The report also discusses the adequacy of licensure standards, the characteristics of past and present licensee pools, the continued efficacy of an exemption from licensure for nonresident interpreters, and the statutory disclosure requirement.

#### **II. Governing Legislation**

The Legislature enacted P.L. 1997, c. 749, "An Act to Register Interpreters for the Deaf and Hard of Hearing," and established a registration program for interpreters, which became mandatory on January 1, 1999. However, the registration program was superseded by P.L. 1999, c. 399, "An Act to License Interpreters for the Deaf and Hard of Hearing," which went into effect on June 30, 2000, and replaced the registration program with a licensing program. P.L. 1997, c. 749 is attached to the report as Appendix A and P.L. 1999, c. 399 is attached as Appendix B.

The licensing law for American Sign Language ("ASL") interpreters is codified in Title 32 of the Maine Revised Statutes, chapter 22. (32 MRSA § 1521, *et. seq.*) In essence, the law—

- Requires persons who perform interpreting for the deaf and hard of hearing for compensation to be licensed by the Commissioner of Professional and Financial Regulation;
- Establishes minimum training and education requirements for licensure;
- Creates a license that is subject to annual renewal;
- Authorizes establishment of an annual license fee not to exceed \$300;
- Requires 15 hours of continuing education annually of all licensees who have not attained the highest level of licensure;
- Provides that the rendition of interpreting services without a license when a license is required is a Class E crime;
- Establishes grounds for disciplinary action against licensees and grounds for nonrenewal of licenses;
- Requires interpreters to disclose their license qualifications to consumers and to the person who engages their interpreter services; and
- Establishes a three-year transition period for persons registered under the former registration law to meet the entry-level requirements for the current licensing law.

Title 32, chapter 22 *et seq.* is attached to the report as Appendix C.

### **III. Implementation of the law**

The Commissioner of Professional and Financial Regulation is vested with authority to license interpreters pursuant to 32 MRSA § 1522. The Office of Licensing and Registration, within the Department of Professional and Financial Regulation, is authorized by 10 MRSA § 8001(38) to administer the interpreter licensing program.

Pursuant to 32 MRSA § 1522(1), the following implementing rules have been adopted for the interpreter licensing program:

- Chapter 50: Definitions
- Chapter 51: Requirements for Initial Licensure
- Chapter 52: License Renewal and Continuing Education
- Chapter 53: Conversion of Registrants to Licensees
- Chapter 54: Disclosure Statement
- Chapter 55: Complaints and Investigations

Copies of the rules are attached to the report as Appendix D.

#### IV. Licensure Standards

Licensure standards differ slightly for interpreters who are deaf as opposed to interpreters who can hear. Only 5 deaf individuals are licensed as deaf interpreters. Therefore, this report will focus on the licensure standards that apply to interpreters who can hear because they comprise the majority of the licensee pool.

The minimum entry-level standards now in effect for licensure as an interpreter for the deaf are—

- High school diploma or the equivalent;
- Sworn statement of compliance with the applicable code of ethics;
- Proof of education and training in American Sign Language; and
- Proof of completion of 100 clock hours of instruction in the interpreting process.

The high school diploma and affidavit of compliance with the code of ethics is straightforward. Proof of education and training in American Sign Language is also straightforward. Education and training in ASL can be demonstrated either by proof of completion of 100 hours of instruction in ASL *or* by submission of a letter from a highly-qualified interpreter “attesting that the applicant’s skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language.” 32 MRSA § 1524(4)(B); see also Rule Chapter 51, § 3(2). The agency’s experience is that most applicants satisfy this requirement with a letter rather than with coursework.

Completion of the 100 clock hours of instruction in the interpreting process<sup>1</sup> has presented difficulty for some applicants who can demonstrate the completion of the required hours, but not within the five year period preceding the date of application for licensure as required by 32 MRSA § 1524(5). It is not unusual for applicants to present college transcripts or course certificates that fall outside the five year window.

Professional and occupational licensing laws do not usually place a time limit on recognition of an academic degree or other formal training required for licensure. Supporters of the five-year recency requirement express the belief that the profession of interpreting has changed so rapidly that initial training more than five years old is insufficient to assure a minimum level of professional competence today.

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<sup>1</sup> 32 MRSA § 1524(5) provides: “Written proof of completion of at least 100 clock hours of instruction in the interpreting process, which must include instruction in deaf culture and the ethics of interpreting, conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf.

The Office of Licensing and Registration cannot determine whether alteration or elimination of the five-year recency requirement would adversely affect the quality of interpreting for the deaf and hard of hearing in Maine, and if so, to what extent, or if there is a correlation between recency of training and a person's ability to perform as an interpreter. Since regulation of interpreters commenced in 1999, the Office has received only three consumer complaints against interpreter licenses. This low incidence of complaints suggests either the overall quality of interpreting services provided in Maine meets minimum levels of competence and that the minimum education and training required by statute for licensing is satisfactory *or* that the consumers of interpreting services are unaware of the mechanics of the administrative complaint process. In light of these circumstances, the Office does not recommend altering the five-year recency requirement at this time.

## **V. Characteristics of Licensee Pool**

Appendix E to this report contains information on the number and training or educational levels of registrants and licensees from 1999 to the present. Initially, 153 individuals registered as interpreters. During the two renewal cycles after the licensure requirement went into effect, the total number of licensees was somewhat lower (149 in 2000-01 and 112 in 2001-02). As of December 9, 2002, there are 123 licensed interpreters. The attrition rate among interpreters with the least amount of training (holders of temporary registrations) was higher than that of interpreters with a greater amount of training. The transition from registration to licensure predictably reduced the total number of interpreters, and had the greatest impact on the group of interpreters with the least amount of training.

An important part of the transition from interpreter registration to interpreter licensure was an increase in the minimum qualifications required to be an interpreter in Maine. Under the registration system, the only substantive requirements were three letters of reference and 16 hours of interpreter education. However, an applicant could obtain a nonrenewable two-year temporary registration without any training. Under the licensure system, as described above, the minimum requirements include 100 hours of ASL training or letter of equivalency and 100 hours of education and training in the interpreting process. In addition, the provision for temporary registration was eliminated. The licensing law also requires 15 hours of continuing education annually for licensees who have not achieved certified status, which is the highest level of licensure. 32 MRSA §§ 1524-B(3) and 1528-A(2).

No registrants have been disqualified from licensure. The transition scheme enacted in 32 MRSA § 1532 affords all licensed registrants three years to meet the new entry level standards. For most registrants, the three year transition period will end in June 2003, although there are a few registrants for whom the transition period will end in December 2003.

Appendix E reflects both the higher level requirements for new Maine interpreters, and the efforts of transitioning or grandparented registrants to bring themselves into compliance. Only 46 interpreters met minimum requirements in the first year licensing was in effect and currently, 83 interpreters meet that standard. There are only two licensees with less than 16 hours of training; the number of licensees with more than 16 but less than 100 hours of

training was reduced from 103 in 2000-01 to 38 in 2002-03; the number of licensees who have attained the "100/100" entry-level standard but are not certified interpreters increased from 14 in 2000-01 to 40 in 2002-03; and the number of licensees who are certified interpreters increased from 32 in 2000-01 to 43 in 2002-03.

The increase in the level of training will continue as the 40 licensees who have not yet met entry-level standards either achieve this goal during the 2003-04 license year or cease to practice in Maine. At the same time, we see a growing number of applicants who have earned bachelor's degrees in college and university interpreter training programs offered by the University of Southern Maine and out of state institutions. The increased level of training of the licensee pool overall further indicates that legislation mandating additional license qualifications is not necessary at this time.

## **VI. Licensure Exemption for Nonresident Interpreters**

Title 32 MRSA § 1525-A(1) contains an exemption from licensure for non-resident interpreters who do not interpret for compensation or remuneration for more than 160 hours per year. Because non-resident interpreters who meet the exemption conditions are not required to be licensed, the Department does not know how many non-resident interpreters practice in Maine. No complaints involving non-resident interpreters have been received to date and staff is not aware of any claimed deficiency in the performance of non-resident interpreters. The 160-hour exemption for non-resident interpreters has not been a regulatory issue.

## **VII. Disclosure Requirement**

There has been significant negative feedback from licensees on the current disclosure requirement. The statute requires that licensees disclose their "license category, training and experience" to consumers and to persons engaging the licensee's services. See, 32 MRSA § 1531. Licensees have indicated that although the basic disclosure requirement is acceptable, the content and format of the disclosure statement adopted by rule is burdensome to licensees and not helpful to consumers.

Information described in prior sections indicates that the general level of training and experience of licensees is steadily increasing. Within the next year, a majority of licensees will have completed 100 hours or more of training in ASL and 100 hours or more in the interpretive process. This trend may indicate that detailed information on post-secondary education and work experience currently required to be listed on the disclosure statement is no longer necessary to allow consumers of interpreter services to choose qualified interpreters. Accordingly, the Department recommends that 32 MRSA § 1531 be amended to delete references to training and experience. This would allow the content and format of the disclosure statement form to be simplified through the rulemaking process. Suggested statutory language to reflect this recommendation is attached as Appendix F.

### **VIII. Additional Pathway to Limited Licensure**

Interested parties, including some members of the Advisory Council, have proposed a new pathway to limited licensure, in addition to those currently set forth in statute. Currently, an applicant for limited licensure must document 100 hours of ASL training or letter of equivalency and 100 hours of education and training in the interpreting process. The proposal by interested parties is to create a new pathway to limited licensure using an assessment instrument called the Educational Interpreter Performance Assessment (EIPA). The EIPA is a diagnostic tool that tests interpreting skills in either American Sign Language or English sign systems. It is designed specifically to assess skills of interpreters working with children and young adults in an educational setting. If the current statute were amended to allow applicants to demonstrate a score of 3.5 or higher on the EIPA, as an alternative to the current requirement of documenting 100 hours of ASL training and 100 hours of education and training in the interpreting process, in addition to the other stated requirements, a new group of potential licensees could be integrated into the limited licensure category, thus, increasing provider services to the deaf and hard of hearing community.

### **IX. Emerging Issues**

As the licensed interpreter community in Maine and other states becomes increasingly mobile the issue of reciprocal licensure should be considered. Most other professional and occupational licensure statutes make some provision for recognition of licenses issued by other states where the licensure requirements in a sister state are at least equivalent to those of Maine. Beyond reciprocal licensure, increasing use of the internet and videoconferencing raises additional policy questions that should be reviewed. These are some of the issues that the Department in consultation with the Advisory Council will be studying and may be the subject of future recommendations for statutory change.

### **X. Summary of Report**

The sole purpose of a state licensure program is to protect the public from dangers posed by unqualified or unethical professionals. Licensure requirements established by the Legislature must be adequate to protect the public, but not so high that licensure will be a artificial barrier to entry into the profession. Licensing standards must be appropriate to the potential harm to the public. When state licensure requirements are imposed on a professional or occupation that has not previously been regulated, the profession enters a period of transition. The most common result of imposing new licensure requirements is a decline in the population of individuals providing services. Once the profession becomes accustomed to the new requirements and standards, the number of licensees stabilizes.

The Legislature determined that registration of interpreters was a prudent first step in the process of creating of licensing program. The purpose of the registration was to learn more about the potential regulated community with regard to the level of training and experience. Later, the Legislature converted the registration requirement into a licensure requirement and provided registrants with a three year period within which to comply with license



requirements. The program is still in transition between the registration requirement and the licensure requirement. We can see that the level of training of licensees is steadily increasing and that the number of licensed interpreters has increased over the last two renewal cycles.

## **XI. Recommendations**

Based on the factors discussed in previous sections, and given that the program remains in transition until the end of 2003, the Department makes the following recommendations to the Joint Standing Committee on Business, Research, and Economic Development:

- Amend the requirements for limited licensure at 32 MRSA § 1524 to add demonstration of a score of 3.5 or higher on the Educational Interpreter Performance Assessment as an additional way of qualifying for limited licensure.
- Amend the disclosure requirement at 32 MRSA § 1531 by deleting references to training and experience.

Appendices A - F

## **APPENDIX A**

**P.L. 1997 Ch. 749, effective July 9, 1998**

# PUBLIC LAWS OF MAINE

## Second Special Session of the 118th

### CHAPTER 749

S.P. 481 - L.D. 1483

#### An Act to Register Interpreters for the Deaf and Hard-of-Hearing

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

Sec. 1. 5 MRSA §48, sub-§5 is enacted to read:

**5. Provide information.** The Division of Deafness must provide information to the public, including state agencies and individuals who work with interpreters, regarding the registration requirements provided under Title 32, chapter 22.

Sec. 2. 10 MRSA §8001, sub-§38, as amended by PL 1997, c. 245, §19, is further amended by amending the last blocked paragraph to read:

The Office of Licensing and Registration also administers the following regulatory functions: licensure of athletic trainers; registration of massage therapists; registration of interpreters for the deaf and hard-of-hearing; registration of persons pursuant to the Charitable Solicitations Act; and registration of transient sellers, including door-to-door home repair transient sellers.

Sec. 3. 32 MRSA c. 22 is enacted to read:

### CHAPTER 22

#### AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS

##### §1521. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Commissioner.** "Commissioner" means the Commissioner of Professional and Financial Regulation.

**2. Deaf person.** "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and whose primary means of communication is visual.

**3. Department.** "Department" means the Department of Professional and Financial Regulation.

**4. Hard-of-hearing person.** "Hard-of-hearing person" means a person who has a functional hearing

deficit, who may or may not primarily use visual communication and who may or may not use assistive devices.

**5. Interpreting.** "Interpreting" means the process of providing accessible communication between and among persons who are deaf, hard-of-hearing and can hear, and who do not share a common means of communication. This process includes, without limitation, interpreting and transliterating and visual-gestural, auditory and tactile communication.

**6. Interpreter or transliterator.** "Interpreter or transliterator" means a person who provides any of the following services:

A. English-based transliterating, which includes but is not limited to conveying a message by visible representations of the English language such as manually coded English and oral transliteration. This process conveys information from one mode of English to another mode of English;

B. American Sign Language-based interpreting, which is the process of conveying information between American Sign Language and English; or

C. Intermediary interpreting, which means interpreting services rendered by a deaf person to facilitate communication between another deaf person and another registered interpreter or between 2 or more deaf persons.

#### **§1522. Commissioner; powers and duties**

The commissioner has the following powers and duties in addition to other powers and duties set forth in this chapter.

**1. Rules.** The commissioner may adopt rules in accordance with the Maine Administrative Procedure Act necessary to carry out the purposes of this chapter. Rules adopted under this chapter are routine technical rules pursuant to Title 5, section 8071.

**2. Registration.** The commissioner shall register a person who has successfully complied with the application process established by the department, paid the required fees established by the department under sections 1527 and 1528 and met the qualifications for registration as set forth in section 1524. The commissioner shall make available, at cost, a directory that contains the names of all individuals registered pursuant to this chapter.

**3. Employees.** The commissioner may appoint, subject to the Civil Service Law, employees necessary to carry out the purposes of this chapter. Those employees are considered to be department employees.

#### **§1523. Privileged communication**

Individuals registered under this chapter are included under the evidentiary communications privilege outlined in Title 5, section 48, subsection 4.

#### **§1524. Requirements for registration**

To be eligible for registration under this chapter, an applicant must be at least 18 years of age and

must provide the following:

**1. High school diploma.** Proof of a high school diploma or the equivalent;

**2. References.** Letters of reference from 3 persons for whom the applicant has worked on a compensated basis as an interpreter. Two of the references must be persons who are deaf or hard-of-hearing and one of the references must be a person whose hearing is fully functional. All references must contain, at a minimum, the name, address and phone number of the person giving the reference and a brief description of the quality of the services provided by the applicant;

**3. Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc.; and

**4. Summary of experience.** A written summary of the applicant's interpreting education and experience, with proof of completion of at least 16 hours of interpreter education that specifically addresses the development of interpreter communication skills.

#### **§1525. Registration required**

After January 1, 1999, a person may not provide interpreting services as defined in this chapter for compensation unless properly registered in accordance with this chapter.

#### **§1526. Temporary registration**

A person who has not completed the requirements for registration under this chapter may apply for a temporary registration. The holder of a temporary registration may provide interpreting services for compensation for a term of 2 years. A temporary registration is not renewable.

#### **§1527. Applications for registration and temporary registration; fees**

An applicant for initial or temporary registration shall submit a written application with supporting documents to the department on forms provided by the department. The applicant shall pay a nonrefundable application fee established by the department in an amount not to exceed \$50, and an initial registration or temporary registration fee not to exceed \$100.

#### **§1528. Renewal**

All registrations except temporary registrations must be renewed annually on or before March 31st of each year or at such other time as the commissioner may designate. The annual registration renewal fee must be established by the department by rulemaking and may not exceed \$100. The commissioner shall notify each registrant, at the registrant's last known address, 30 days in advance of the expiration of the registration. Renewal notices must be on forms provided by the department. A registration not renewed by March 31st automatically expires. The department may renew an expired registration if the renewal application is returned within 90 days after the registration expiration date and upon payment of a late fee of \$10 in addition to the renewal fee. A person who submits an application for renewal more than 90 days after the registration expiration date is

subject to all requirements governing new applicants under this chapter.

#### **§1529. Violations**

A person who violates section 1525 is guilty of a Class E crime. The State may bring an action in Superior Court to enjoin any person from violating this chapter, regardless of whether procedures have been instituted in the Administrative Court or whether criminal proceedings have been introduced.

### **§1530. Revocation and reissuance**

The department may suspend or revoke registration pursuant to Title 5, section 10004. In addition, the department may refuse to issue or renew a registration pursuant to Title 10, subsection 8003 or the Administrative Court may revoke, suspend or refuse to renew the registration of an interpreter for:

- 1. Fraud.** The practice of fraud in obtaining a registration under this chapter;
- 2. Incompetency.** A court finding of mental incompetency;
- 3. Criminal conviction.** Conviction of a crime, subject to the limitations of Title 5, chapter 341, that if committed in the State is punishable by one year or more of imprisonment;
- 4. Violation.** Violation of this chapter or any rule adopted by the department; or
- 5. Unethical conduct.** A finding of a violation of the Code of Ethics of the Registry of Interpreters for the Deaf, Inc.

### **Sec. 4. Technical review committee.**

**1. Establishment.** The Commissioner of Professional and Financial Regulation shall establish a technical review committee on interpreters. The technical review committee is charged with determining the method by which the State should regulate interpreters.

**2. Report.** No later than February 15, 1999, the technical review committee shall submit a written report together with recommended legislation to the Governor and the joint standing committee of the Legislature having jurisdiction over business and economic development matters with a copy to the Executive Director of the Legislative Council and the Law and Legislative Reference Library. The technical review committee shall make an oral report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters no later than March 1, 1999. The joint standing committee of the Legislature having jurisdiction over business and economic development matters may submit legislation based on the recommendations of the technical review committee.

**Sec. 5. Department of Education; report.** The Department of Education must report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over business and economic development matters by February 15, 1999. Items in this report must include, without limitation, the following:

1. The qualifications and experience of educational technicians and others working as interpreters in kindergarten to grade 12 schools;
2. The need for additional training for educational technicians and others working as interpreters in kindergarten to grade 12 schools;
3. The availability of funding for interpreters' training program development in Maine;

4. A review of the impact of standards for interpreters in educational settings, both for the training of interpreters in education and for the classification and credentialing of interpreters in education;

5. A review of student performance on the Maine Education Assessment and local assessments relating to interpreting services; and

6. A report on the expansion of the capacity for professional development of interpreters throughout the University of Maine System, including the possibility of coordinating efforts with other interpreter training institutions in the State.

**Sec. 6. Working capital advances.** The State Controller is authorized to advance from the General Fund Unappropriated Surplus the following amounts to be used for any necessary start-up costs associated with the registration of interpreters required under the Maine Revised Statutes, Title 32, chapter 22: \$17,000 to the Office of Licensing and Registration within the Department of Professional and Financial Regulation. Funds advanced for this purpose must be returned to the General Fund Unappropriated Surplus from the first \$17,000 received by the State under Title 32, chapter 22.

**Sec. 7. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

**1998-99**

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

Administrative Services - Professional and Financial Regulation

All Other \$22,620

Appropriates funds for the costs of establishing and providing staff for a technical review committee on interpreters.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION \_\_\_\_\_**  
**TOTAL \$22,620**

**Sec. 8. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

**1998-99**

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Division of Licensing and Enforcement**

All Other 17,000

Allocates funds for the costs of registering interpreters for the deaf and hard-of-hearing.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION \_\_\_\_\_**  
**TOTAL \$17,000**

Effective July 9, 1998, unless otherwise indicated.

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|               |              |              |               |
|---------------|--------------|--------------|---------------|
| <b>PAGE</b> < | <b>TOP</b> ^ | <b>TOC</b> ≡ | <b>PAGE</b> > |
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## **APPENDIX B**

**P.L. 1999 Ch. 399, effective June 30, 2000**

# PUBLIC LAWS OF MAINE

## First Regular Session of the 119th

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### CHAPTER 399

#### S.P. 833 - L.D. 2233

#### An Act to License Interpreters for the Deaf and Hard-of-Hearing

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

**Sec. 1. 5 MRSA §48, sub-§5**, as enacted by PL 1997, c. 749, §1, is amended to read:

**5. Provide information.** The Division of Deafness must provide information to the public, including state agencies and individuals who work with interpreters, regarding the registration licensure requirements provided under Title 32, chapter 22.

**Sec. 2. 10 MRSA §8001, sub-§38**, as amended by PL 1997, c. 727, Pt. C, §1 and c. 749, §2, is further amended by amending the last blocked paragraph to read:

The Office of Licensing and Registration also administers the following regulatory functions: licensure of athletic trainers; registration of massage therapists; registration licensure of interpreters for the deaf and hard-of-hearing; registration of persons pursuant to the Charitable Solicitations Act; and registration of transient sellers, including door-to-door home repair transient sellers.

**Sec. 3. 32 MRSA §1521, sub-§1-A** is enacted to read:

**1-A. Deaf interpreter.** "Deaf interpreter" means a person whose sense of hearing is nonfunctional for the purpose of communication, whose primary means of communication is visual or tactile and who provides intermediary interpreting.

**Sec. 4. 32 MRSA §1521, sub-§2**, as enacted by PL 1997, c. 749, §3, is amended to read:

**2. Deaf person.** "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and whose primary means of communication is visual or tactile.

**Sec. 5. 32 MRSA §1521, sub-§5**, as enacted by PL 1997, c. 749, §3, is amended to read:

**5. Interpreting.** "Interpreting" means the process ~~of providing accessible communication between and among persons who are deaf, hard-of-hearing and can hear, and who do not share a common means of communication. This process includes, without limitation, interpreting and transliterating and visual-gestural, auditory and tactile communication~~ when a linguistic intermediary between a deaf or hard-of-hearing person and another person translates the spoken utterances or signs, gestures or writing of either person into a linguistic form other than that which that person uses as a primary and preferred form of communication. For the purposes of this chapter, "interpreting" or "transliterating" does not mean

communication using cued speech.

**Sec. 6. 32 MRSA §1521, sub-§6, ¶C,** as enacted by PL 1997, c. 749, §3, is amended to read:

C. Intermediary interpreting, which means interpreting services rendered by a deaf ~~person~~ interpreter to facilitate communication between another deaf person and another ~~registered~~ licensed interpreter or between 2 or more deaf persons.

**Sec. 7. 32 MRSA §1522, sub-§2,** as enacted by PL 1997, c. 749, §3, is amended to read:

**2. Licensure.** The commissioner shall ~~register~~ license a person who has successfully complied with the application process established by the department, paid the required fees established by the department under sections 1527 and 1528 and met the qualifications for ~~registration~~ licensure as set forth in section 1524. The commissioner shall make available, at cost, a directory that contains the names of all individuals ~~registered~~ licensed pursuant to this chapter.

**Sec. 8. 32 MRSA §1522, sub-§4** is enacted to read:

**4. Advisory council.** The commissioner, as necessary, may select members of the interpreting profession and other interested parties to serve on an advisory council to advise and consult with the commissioner concerning the regulation of interpreters for the deaf and hard-of-hearing. Service on the council is not in itself a conflict of interest regardless of the occupations or associations of the members.

**Sec. 9. 32 MRSA §1523,** as enacted by PL 1997, c. 749, §3, is amended to read:

#### **§1523. Privileged communication**

Individuals ~~registered~~ licensed under this chapter are included under the evidentiary communications privilege outlined in Title 5, section 48, subsection 4.

**Sec. 10. 32 MRSA §1524,** as enacted by PL 1997, c. 749, §3, is amended to read:

#### **§1524. Requirements for licensure; limited interpreter and limited transliterator**

To be eligible for ~~registration~~ licensure as a limited interpreter or limited transliterator under this chapter, an applicant must be at least 18 years of age and must provide the following:

**1. High school diploma.** Proof of a high school diploma or the equivalent;

~~**2. References.** Letters of reference from 3 persons for whom the applicant has worked on a compensated basis as an interpreter. Two of the references must be persons who are deaf or hard-of-hearing and one of the references must be a person whose hearing is fully functional. All references must contain, at a minimum, the name, address and phone number of the person giving the reference and a brief description of the quality of the services provided by the applicant;~~

**3. Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc., or a comparable or successor organization recognized by the commissioner; ~~and~~

**4. Proof of education and training in American Sign Language.** ~~A written summary~~ Written proof

of the applicant's ~~interpreting~~ education and experience, ~~with proof of completion of at least 16 hours of interpreter education that specifically addresses the development of interpreter communication skills.~~  
training in American Sign Language, consisting of either:

A. Proof of completion of at least 100 clock hours of instruction in American Sign Language conducted by:

(1) An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner;

(2) An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

(3) An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

B. Submission of a letter attesting that the applicant's skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language. The letter must be prepared and signed by:

(1) An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner;

(2) An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

(3) An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; and

**5. Proof of education and training in the interpreting process.** Written proof of completion of at least 100 clock hours of instruction in the interpreting process, which must include instruction in deaf culture and the ethics of interpreting, conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner. Credit may not be given for interpreting process clock hours that were completed prior to 5 years from the date of application.

Sec. 11. 32 MRSA §§1524-A and 1524-B are enacted to read:

**§1524-A. Requirements for licensure; limited deaf interpreter**

To be eligible for licensure as a limited deaf interpreter under this chapter, an applicant must be at least 18 years of age and must provide the following:

**1. High school diploma.** Proof of a high school diploma or the equivalent;

**2. Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc., or a comparable or successor organization recognized by the commissioner;

**3. Proof of education and training in American Sign Language.** Written proof of the applicant's education and training in American Sign Language, consisting of a letter attesting that the applicant's skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language. The letter must be prepared and signed by:

A. An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner;

B. An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

C. An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; and

**4. Proof of education and training in the interpreting process.** Written proof of completion of at least 100 clock hours of instruction in the interpreting process, which must include instruction in deaf culture and the ethics of interpreting, conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner. Credit may not be given for interpreting process clock hours that were completed prior to 5 years from the date of application.

#### **§1524-B. Requirements for licensure; certified interpreter, certified deaf interpreter and certified transliterator**

To be eligible for licensure as a certified interpreter, certified deaf interpreter or certified transliterator under this chapter, an applicant must be at least 18 years of age and must provide the following:

**1. High school diploma.** Proof of a high school diploma or the equivalent;

**2. Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc. or comparable certification by a comparable or successor organization recognized by the commissioner; and

**3. Proof of certification.** Documented proof of certification by the Registry of Interpreters for the Deaf, Inc., documented proof of a minimum certification level of 4 from the National Association of the Deaf, Inc. or comparable certification by a comparable or successor organization recognized by the commissioner.

Sec. 12. 32 MRSA §1525, as enacted by PL 1997, c. 749, §3, is amended to read:

**§1525. License required**

After ~~January 1, 1999~~ June 30, 2000, a person may not provide interpreting services as defined in this chapter for compensation or remuneration unless properly ~~registered~~ licensed in accordance with this chapter.

Sec. 13. 32 MRSA §1525-A is enacted to read:

**§1525-A. Exemptions to licensure**

**1. Nonresident interpreters.** This chapter does not apply to interpreters who are residents of a jurisdiction other than this State and who do not interpret for compensation or remuneration in the State for more than 160 hours per year. Service during declared state or national emergencies does not count toward the 160 hours per year limitation.

**2. Medical emergencies.** This chapter does not apply to a person providing communication assistance during a medical emergency. For purposes of this subsection, "medical emergency" is when a person's medical condition could be significantly compromised by delaying assessment and treatment.

Sec. 14. 32 MRSA §§1527 and 1528, as enacted by PL 1997, c. 749, §3, are amended to read:

**§1527. Applications for licensure; fees**

An applicant for initial ~~or temporary registration~~ licensure, pursuant to section 1524, 1524-A or 1524-B, shall submit a written application with supporting documents to the department on forms provided by the department. The applicant shall pay a nonrefundable application fee established by the department in an amount not to exceed \$50, and an initial ~~registration or temporary registration~~ license fee not to exceed ~~\$100~~ \$300.

**§1528. Renewal**

All ~~registrations except temporary registrations~~ licenses must be renewed annually on or before ~~March 31st~~ June 30th of each year or at such other time as the commissioner may designate. The annual ~~registration~~ license renewal fee must be established by the department by rulemaking and may not exceed ~~\$100~~ \$300. The commissioner shall notify each ~~registrant~~ licensee, at the ~~registrant's~~ licensee's last known address, 30 days in advance of the expiration of the ~~registration~~ license. Renewal notices must be on forms provided by the department. A ~~registration~~ license not renewed by ~~March 31st~~ June 30th automatically expires. The department may renew an expired ~~registration~~ license if the renewal application is returned within 90 days after the ~~registration~~ license expiration date and upon payment of a late fee of \$10 in addition to the renewal fee. A person who submits an application for renewal more than 90 days after the ~~registration~~ license expiration date is subject to all requirements governing new applicants under this chapter.

Sec. 15. 32 MRSA §1528-A is enacted to read:

**§1528-A. Continuing education**

**1. Limited interpreters.** An application for renewal of a limited interpreter, limited transliterator or

limited deaf interpreter license must show proof of completion of at least 15 hours annually of continuing education in American Sign Language or the interpreting process. This subsection does not apply to interpreters, transliterators and deaf interpreters who obtain limited licensure status pursuant to section 1532 and who have not completed the educational and training requirements set forth in section 1524, subsection 4 or section 1524-A, subsection 3.

**2. Certified interpreters.** An applicant for renewal of a certified interpreter, certified deaf interpreter or certified transliterator license is not required to show proof of continuing education, but is required to show proof of continued certification by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner.

**Sec. 16. 32 MRSA §1530, first ¶,** as corrected by RR 1997, c. 2, §54, is amended to read:

The department may suspend or revoke ~~registration~~ licensure pursuant to Title 5, section 10004. In addition, the department may refuse to issue or renew a ~~registration~~ license pursuant to Title 10, section 8003 or the Administrative Court may revoke, suspend or refuse to renew the ~~registration~~ license of an interpreter for:

**Sec. 17. 32 MRSA §§1531 and 1532** are enacted to read:

#### **§1531. Disclosure**

All interpreters licensed pursuant to this chapter shall disclose their license category, training and experience to consumers and to the person or persons engaging the interpreter's services. The content and form of the disclosure must be developed by the department pursuant to rule-making provisions of the Maine Administrative Procedure Act. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

#### **§1532. Conversion of registrants to limited licensees**

As of June 30, 2000, interpreters, deaf interpreters and transliterators who have registered with the department pursuant to Public Law 1997, chapter 749 and who do not possess the educational and training requirements set forth in section 1524, subsection 4 or section 1524-A, subsection 3 are eligible for the limited interpreter, limited transliterator or limited deaf interpreter license. Interpreters, deaf interpreters and transliterators who obtain limited licensure status pursuant to this section shall comply with all other licensure requirements and must complete the education and training requirements set forth in section 1524, subsection 4 or 1524-A, subsection 3 within 3 years of obtaining a limited license or be subject to nonrenewal.

**Sec. 18. Department of Professional and Financial Regulation; report.** The Department of Professional and Financial Regulation shall report to the joint standing committee of the Legislature having jurisdiction over business matters by February 15, 2003. The report must be developed by the Commissioner of Professional and Financial Regulation in consultation with the advisory council and must include, but is not limited to, a review of the adequacy of licensure standards set forth in the Maine Revised Statutes, Title 32, chapter 22 and an assessment of the continued efficacy of an exemption from licensure for nonresident interpreters. The report may include legislation based on the recommendations of the department. The joint standing committee of the Legislature having jurisdiction over business matters may submit legislation based on the recommendations of the report.

**Sec. 19. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

**2000-01**

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Office of Licensing and Registration**

All Other \$6,000

Provides funds for contracted services and operating costs required to administer the licensure of interpreters for the deaf and hard-of-hearing.

**Sec. 20. Effective date.** This Act takes effect June 30, 2000.

Effective June 30, 2000.

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|---|--------------------------------------|-------------------------------|--------------------------------------|--|
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## **APPENDIX C**

### **Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS**

## Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS (HEADING: PL 1997, c. 749, @3 (new))

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## Chapter 22: AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS (HEADING: PL 1997, c. 749, @3 (new))

### §1521. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1997, c. 749, §3 (new).]

**1. Commissioner.** "Commissioner" means the Commissioner of Professional and Financial Regulation. [1997, c. 749, §3 (new).]

**1-A. Deaf interpreter.** "Deaf interpreter" means a person whose sense of hearing is nonfunctional for the purpose of communication, whose primary means of communication is visual or tactile and who provides intermediary interpreting. [1999, c. 399, §3 (new); §20 (aff).]

**2. Deaf person.** "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and whose primary means of communication is visual or tactile. [1999, c. 399, §4 (amd); §20 (aff).]

**3. Department.** "Department" means the Department of Professional and Financial Regulation. [1997, c. 749, §3 (new).]

**4. Hard-of-hearing person.** "Hard-of-hearing person" means a person who has a functional hearing deficit, who may or may not primarily use visual communication and who may or may not use assistive devices. [1997, c. 749, §3 (new).]

**5. Interpreting.** "Interpreting" means the process when a linguistic intermediary between a deaf or hard-of-hearing person and another person translates the spoken utterances or signs, gestures or writing of either person into a linguistic form other than that which that person uses as a primary and preferred form of communication. For the purposes of this chapter, "interpreting" or "transliterating" does not mean communication using cued speech. [1999, c. 399, §5 (amd); §20 (aff).]

**6. Interpreter or transliterator.** "Interpreter or transliterator" means a person who provides any of the following services: [1999, c. 399, §6 (amd); §20 (amd).]

A. English-based transliterating, which includes but is not limited to conveying a message by visible representations of the English language such as manually coded English and oral transliteration. This process conveys information from one mode of English to another mode of English; [1997, c. 749, §3 (new).]

B. American Sign Language-based interpreting, which is the process of conveying information between American Sign Language and English; or [1997, c. 749, §3 (new).]

C. Intermediary interpreting, which means interpreting services rendered by a deaf interpreter to facilitate communication between another deaf person and another licensed interpreter or between 2 or more deaf persons. [1999, c. 399, §6 (amd); §20 (aff).]

### §1522. Commissioner; powers and duties

The commissioner has the following powers and duties in addition to other powers and duties set forth in this chapter. [1997, c. 749, §3 (new).]

**1. Rules.** The commissioner may adopt rules in accordance with the Maine Administrative Procedure Act necessary to carry out the purposes of this chapter. Rules adopted under this chapter are routine technical rules pursuant to Title 5, section 8071. [1997, c. 749, §3 (new).]

**2. Licensure.** The commissioner shall license a person who has successfully complied with the application process established by the department, paid the required fees established by the department under sections 1527 and 1528 and met the qualifications for licensure as set forth in section 1524. The commissioner shall make available, at cost, a directory that contains the names of all individuals licensed pursuant to this chapter. [1999, c. 399, §7 (amd); §20 (aff).]

**Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS  
(HEADING: PL 1997, c. 749, @3 (new))**

**3. Employees.** The commissioner may appoint, subject to the Civil Service Law, employees necessary to carry out the purposes of this chapter. Those employees are considered to be department employees. [1997, c. 749, §3 (new).]

**4. Advisory council.** The commissioner, as necessary, may select members of the interpreting profession and other interested parties to serve on an advisory council to advise and consult with the commissioner concerning the regulation of interpreters for the deaf and hard-of-hearing. Service on the council is not in itself a conflict of interest regardless of the occupations or associations of the members. [1999, c. 399, §8 (new); §20 (aff).]

**§1523. Privileged communication**

Individuals licensed under this chapter are included under the evidentiary communications privilege outlined in Title 5, section 48, subsection 4. [1999, c. 399, §9 (amd); §20 (aff).]

**§1524. Requirements for licensure; limited interpreter and limited transliterator**

To be eligible for licensure as a limited interpreter or limited transliterator under this chapter, an applicant must be at least 18 years of age and must provide the following: [1999, c. 399, §10 (amd); §20 (aff).]

**1. High school diploma.** Proof of a high school diploma or the equivalent; [1997, c. 749, §3 (new).]

**2. References.** [1999, c. 399, §10 (rp); §20 (aff).]

**3. Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc., or a comparable or successor organization recognized by the commissioner; [1999, c. 399, §10 (amd); §20 (aff).]

**4. Proof of education and training in American Sign Language.** Written proof of the applicant's education and training in American Sign Language, consisting of either: [1999, c. 399, §10 (amd); §20 (aff).]

A. Proof of completion of at least 100 clock hours of instruction in American Sign Language conducted by: [1999, c. 399, §10 (new); §20 (aff).]

(1) An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner;

(2) An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

(3) An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

B. Submission of a letter attesting that the applicant's skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language. The letter must be prepared and signed by: [1999, c. 399, §10 (new); §20 (aff).]

(1) An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner;

(2) An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or

(3) An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; and

**5. Proof of education and training in the interpreting process.** Written proof of completion of at least 100 clock hours of instruction in the interpreting process, which must include instruction in deaf culture and the ethics of interpreting, conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner. Credit may not be given for interpreting process clock hours that were completed prior to 5 years from the date of application. [1999, c. 399, §10 (new); §20 (aff).]

**§1524-A. Requirements for licensure; limited deaf interpreter**

To be eligible for licensure as a limited deaf interpreter under this chapter, an applicant must be at least 18 years of age and must provide the following: [1999, c. 399, §11 (new); §20 (aff).]

**Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS  
(HEADING: PL 1997, c. 749, @3 (new))**

1. **High school diploma.** Proof of a high school diploma or the equivalent; [1999, c. 399, §11 (new); §20 (aff).]
2. **Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc., or a comparable or successor organization recognized by the commissioner; [1999, c. 399, §11 (new); §20 (aff).]
3. **Proof of education and training in American Sign Language.** Written proof of the applicant's education and training in American Sign Language, consisting of a letter attesting that the applicant's skill level is equivalent to a person who has completed 100 hours of instruction in American Sign Language. The letter must be prepared and signed by: [1999, c. 399, §11 (new); §20 (aff).]
  - A. An instructor recognized by the American Sign Language Teachers Association, or a comparable or successor organization recognized by the commissioner; [1999, c. 399, §11 (new); §20 (aff).]
  - B. An interpreter certified by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; or [1999, c. 399, §11 (new); §20 (aff).]
  - C. An instructor of courses conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner; and [1999, c. 399, §11 (new); §20 (aff).]
4. **Proof of education and training in the interpreting process.** Written proof of completion of at least 100 clock hours of instruction in the interpreting process, which must include instruction in deaf culture and the ethics of interpreting, conducted through an accredited college, accredited university or accredited or approved high school or conducted by certification maintenance course sponsors approved by the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner. Credit may not be given for interpreting process clock hours that were completed prior to 5 years from the date of application. [1999, c. 399, §11 (new); §20 (aff).]

**§1524-B. Requirements for licensure; certified interpreter, certified deaf interpreter and certified transliterator**

To be eligible for licensure as a certified interpreter, certified deaf interpreter or certified transliterator under this chapter, an applicant must be at least 18 years of age and must provide the following: [1999, c. 399, §11 (new); §20 (aff).]

1. **High school diploma.** Proof of a high school diploma or the equivalent; [1999, c. 399, §11 (new); §20 (aff).]
2. **Sworn statement.** A sworn, signed statement that the applicant has read, understands and agrees to abide by the Code of Ethics of the Registry of Interpreters for the Deaf, Inc. or comparable certification by a comparable or successor organization recognized by the commissioner; and [1999, c. 399, §11 (new); §20 (aff).]
3. **Proof of certification.** Documented proof of certification by the Registry of Interpreters for the Deaf, Inc., documented proof of a minimum certification level of 4 from the National Association of the Deaf, Inc. or comparable certification by a comparable or successor organization recognized by the commissioner. [1999, c. 399, §11 (new); §20 (aff).]

**§1525. License required**

After June 30, 2000, a person may not provide interpreting services as defined in this chapter for compensation or remuneration unless properly licensed in accordance with this chapter. [1999, c. 399, §12 (amd); §20 (aff).]

**§1525-A. Exemptions to licensure**

1. **Nonresident interpreters.** This chapter does not apply to interpreters who are residents of a jurisdiction other than this State and who do not interpret for compensation or remuneration in the State for more than 160 hours per year. Service during declared state or national emergencies does not count toward the 160 hours per year limitation. [1999, c. 399, §13 (new); §20 (aff).]
2. **Medical emergencies.** This chapter does not apply to a person providing communication assistance during a medical emergency. For purposes of this subsection, "medical emergency" is when a person's medical condition could be significantly compromised by delaying assessment and treatment. [1999, c. 399, §13 (new); §20 (aff).]

**§1526. Temporary registration**

A person who has not completed the requirements for registration under this chapter may apply for a temporary registration. The holder of a temporary registration may provide interpreting services for compensation for a term of 2 years. A temporary registration is renewable. [1997, c. 749, §3 (new).]

**§1527. Applications for licensure; fees**

**Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS  
(HEADING: PL 1997, c. 749, §3 (new))**

An applicant for initial licensure, pursuant to section 1524, 1524-A or 1524-B, shall submit a written application with supporting documents to the department on forms provided by the department. The applicant shall pay a nonrefundable application fee established by the department in an amount not to exceed \$50, and an initial license fee not to exceed \$300. [1999, c. 399, §14 (amd); §20 (aff).]

**§1528. Renewal**

All licenses must be renewed annually on or before June 30th of each year or at such other time as the commissioner may designate. The annual license renewal fee must be established by the department by rulemaking and may not exceed \$300. The commissioner shall notify each licensee, at the licensee's last known address, 30 days in advance of the expiration of the license. Renewal notices must be on forms provided by the department. A license not renewed by June 30th automatically expires. The department may renew an expired license if the renewal application is returned within 90 days after the license expiration date and upon payment of a late fee of \$10 in addition to the renewal fee. A person who submits an application for renewal more than 90 days after the license expiration date is subject to all requirements governing new applicants under this chapter. [1999, c. 399, §14 (amd); §20 (aff).]

**§1528-A. Continuing education**

**1. Limited interpreters.** An application for renewal of a limited interpreter, limited transliterator or limited deaf interpreter license must show proof of completion of at least 15 hours annually of continuing education in American Sign Language or the interpreting process. This subsection does not apply to interpreters, transliterators and deaf interpreters who obtain limited licensure status pursuant to section 1532 and who have not completed the educational and training requirements set forth in section 1524, subsection 4 or section 1524-A, subsection 3. [1999, c. 399, §15 (new); §20 (aff).]

**2. Certified interpreters.** An applicant for renewal of a certified interpreter, certified deaf interpreter or certified transliterator license is not required to show proof of continuing education, but is required to show proof of continued certification by either the Registry of Interpreters for the Deaf, Inc. or the National Association of the Deaf, Inc., or a comparable or successor organization of either recognized by the commissioner. [1999, c. 399, §15 (new); §20 (aff).]

**§1529. Violations**

A person who violates section 1525 is guilty of a Class E crime. The State may bring an action in Superior Court to enjoin any person from violating this chapter, regardless of whether procedures have been instituted in the District Court or whether criminal proceedings have been introduced. [1997, c. 749, §3 (new); 1999, c. 547, Pt. B, §78 (amd); §80 (aff).]

**§1530. Revocation and reissuance**

The department may suspend or revoke licensure pursuant to Title 5, section 10004. In addition, the department may refuse to issue or renew a license pursuant to Title 10, section 8003 or the District Court may revoke, suspend or refuse to renew the license of an interpreter for: [1999, c. 399, §16 (amd); §20 (aff); c. 547, Pt. B, §78 (amd); §80 (aff).]

- 1. Fraud.** The practice of fraud in obtaining a registration under this chapter; [1997, c. 749, §3 (new).]
- 2. Incompetency.** A court finding of mental incompetency; [1997, c. 749, §3 (new).]
- 3. Criminal conviction.** Conviction of a crime, subject to the limitations of Title 5, chapter 341, that if committed in the State is punishable by one year or more of imprisonment; [1997, c. 749, §3 (new).]
- 4. Violation.** Violation of this chapter or any rule adopted by the department; or [1997, c. 749, §3 (new).]
- 5. Unethical conduct.** A finding of a violation of the Code of Ethics of the Registry of Interpreters for the Deaf, Inc. [1997, c. 749, §3 (new).]

**§1531. Disclosure**

All interpreters licensed pursuant to this chapter shall disclose their license category, training and experience to consumers and to the person or persons engaging the interpreter's services. The content and form of the disclosure must be developed by the department pursuant to rule-making provisions of the Maine Administrative Procedure Act. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A. [1999, c. 399, §17 (new); §20 (aff).]

**§1532. Conversion of registrants to limited licensees**

As of June 30, 2000, interpreters, deaf interpreters and transliterators who have registered with the department pursuant to Public Law 1997, chapter 749 and who do not possess the educational and training requirements set forth in section 1524, subsection 4 or section 1524-A, subsection 3 are eligible for the limited interpreter, limited transliterator or limited deaf interpreter license. Interpreters, deaf interpreters and transliterators who obtain limited licensure status pursuant to this section shall comply with all other licensure requirements and must complete the education and training requirements set forth in section 1524, subsection 4 or 1524-A, subsection 3

**Title 32, Chapter 22, AMERICAN SIGN LANGUAGE, ENGLISH INTERPRETERS AND TRANSLITERATORS**  
**(HEADING: PL 1997, c. 749, @3 (new))**

within 3 years of obtaining a limited license or be subject to nonrenewal. [1999, c. 399, §17 (new); §20 (aff).]

## **APPENDIX D**

### **CHAPTERS 50 – 55 RULES APPLICABLE TO INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN LANGUAGE AND ENGLISH**

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
041 OFFICE OF LICENSING AND REGISTRATION  
INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 50: DEFINITIONS

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SUMMARY: This chapter defines certain terms used in these rules.

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*Note: These definitions are in addition to those contained in 32 MRSA §1521.*

Unless the context otherwise indicates, the following words have the following meanings:

1. Education and training in the interpreting process. "Education and training in the interpreting process" means interpreter education, including models of interpretation, professional standards, deaf culture and interpreter ethics, distinct from the learning acquisition of American Sign Language.
2. NAD. "NAD" means the National Association of the Deaf, Inc.
3. Proof of completion. "Proof of completion" means:
  1. An official, sealed transcript issued by an institution of higher education;
  2. A transcript of continuing education courses issued by RID or NAD; or
  3. A certificate of attendance signed by the instructor of a course given by a high school or other sponsor described in 32 MRSA §§1524(4)(A)(3), 1524(5) and 1524-A(4), as appropriate.
4. RID. "RID" means the Registry of Interpreters for the Deaf, Inc.

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STATUTORY AUTHORITY: 32 MRSA. §1522(1)

EFFECTIVE DATE:

January 30, 2002



02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 51: REQUIREMENTS FOR INITIAL LICENSURE

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SUMMARY: This chapter sets forth criteria for the initial licensure of interpreters/transliterators and describes the application process.

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*Note: Certain defined terms may appear in italics. See the definitions in Chapter 50 of these rules.*

1. Available Licenses

Persons may be licensed in any one of the following capacities:

1. Limited interpreter/transliterators
2. Limited deaf interpreter
3. Certified interpreter/transliterators
4. Certified deaf interpreter

2. General Requirements for Licensure

All applicants shall submit the following materials to the Commissioner:

1. A completed application form;
2. Proof of a high school diploma, a GED certificate or their equivalent. An associate or baccalaureate degree shall be deemed proof of a high school diploma;
3. A notarized affidavit that the applicant has read, understands and agrees to abide by the 1995 *RID* Code of Ethics or the 1996 *NAD* Code of Ethics. Copies of these codes of ethics are attached to this chapter and are incorporated into this chapter by reference. Additional copies are available from *RID* and *NAD* at the addresses shown in the Appendix to these rules;

4. The applicable fee specified in Chapter 10 of the rules of the Office of Licensing and Registration ("Establishment of License Fees"); and
  5. A completed disclosure statement. (See Chapter 54.)
3. Additional Requirements for Licensure as a Limited Interpreter/Transliterator

An applicant for licensure as a limited interpreter/transliterator shall submit the following additional materials to the Commissioner:

1. *Proof of completion* of at least 100 clock hours of instruction in American Sign Language, as set forth in 32 MRSA §1524(4)(A). Clock hours completed in an adult education program will only be recognized if the instructor was recognized by the American Sign Language Teachers Association, was certified by *RID*, was certified by *NAD* with a minimum certification level of 4, or can show proof of specific training in the instruction of American Sign Language, or if the program followed the *VISTA American Sign Language Series – Functional National Approach – Signing Naturally*, published by DawnSignPress of San Diego, CA, or an equivalent, nationally-recognized curriculum for the instruction of American Sign Language.

*OR*

2. Submission of a letter attesting that the applicant's skill level in American Sign Language is equivalent to a person who has completed 100 hours of instruction in American Sign Language, as set forth in 32 MRSA §1524(4)(B). The letter must recite that it is based upon a face-to-face meeting with the applicant

*AND*

3. *Proof of completion* of at least 100 clock hours of *education and training in the interpreting process*, pursuant to 32 MRSA §1524(5). Clock hours completed in an adult education program will only be recognized if the instructor was certified by *RID* or certified by *NAD* with a minimum certification level of 4 or the program is recognized by *RID*'s Certification Maintenance Program for Continuing Education Units, *RID*'s Associate's Continuing Education Tracking Program for ACET Credits, Northeastern University's Interpreter Education Project, or the Conference of Interpreter Trainers.

4. Additional Requirements for Licensure as a Limited Deaf Interpreter

An applicant for licensure as a limited deaf interpreter shall submit the following additional materials to the Commissioner:

1. *Submission of a letter* attesting that the applicant's skill level in American Sign Language is equivalent to a person who has completed 100 hours of instruction in American Sign Language, as set forth in 32 MRSA §1524-A(3). The letter must recite that it is based upon a face-to-face meeting with the applicant; and
2. *Proof of completion* of at least 100 clock hours of *education and training in the interpreting process*, pursuant to 32 MRSA §1524-A(4). Clock hours completed in an adult education program will only be recognized if the instructor was certified by *RID* or certified by *NAD* with a minimum certification level of 4 or the program is recognized by *RID*'s Certification Maintenance Program for Continuing Education Units, *RID*'s Associate's Continuing Education Tracking Program for ACET Credits, Northeastern University's Interpreter Education Project, or the Conference of Interpreter Trainers.

5. Additional Requirements for Licensure as a Certified Interpreter/Transliterater or Certified Deaf Interpreter

An applicant for licensure as a certified interpreter/transliterater or certified deaf interpreter shall submit the following additional materials to the Commissioner:

1. A current membership card issued by *RID* which shows certification by that organization

*OR*

2. Documented proof of a minimum certification level of 4 from *NAD*.

6. License Term

Licenses issued pursuant to this chapter shall expire annually on June 30 of each year.

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STATUTORY AUTHORITY: 32 MRSA. §1522(1)

EFFECTIVE DATE:

January 30, 2002

## CODE OF ETHICS

### REGISTRY OF INTERPRETERS FOR THE DEAF, INC.

The Registry of Interpreters for the Deaf, Inc. has set forth the following principles of ethical behavior to protect and guide interpreters and transliterators and hearing and deaf consumers. Underlying these principles is the desire to insure for all the right to communicate.

This Code of Ethics applies to all members of the Registry of Interpreters for the Deaf, Inc. and to all certified non-members.

1. Interpreters/translitterators shall keep all assignment-related information strictly confidential.
2. Interpreters/translitterators shall render the message faithfully, always conveying the content and spirit of the speaker using language most readily understood by the person(s) whom they serve.
3. Interpreters/translitterators shall not counsel, advise or interject personal opinions.
4. Interpreters/translitterators shall accept assignments using discretion with regard to skill, setting, and the consumers involved.
5. Interpreters/translitterators shall request compensation for services in a professional and judicious manner.
6. Interpreters/translitterators shall function in a manner appropriate to the situation.
7. Interpreters/translitterators shall strive to further knowledge and skills through participation in work-shops, professional meetings, interaction with professional colleagues, and reading of current literature in the field.
8. Interpreters/translitterators, by virtue of membership or certification by the RID, Inc., shall strive to maintain high professional standards in compliance with the Code of Ethics.

## CODE OF ETHICS

### NATIONAL ASSOCIATION OF THE DEAF, INC.

1. All information in any interpreting assignment is to be kept in strictest confidence.
2. Interpreting services shall always be competent, impartial and professional.
3. Messages shall be rendered faithfully, always conveying the content and spirit of the communicator, and professional judgment should be exercised in assessing whether communication is being understood.
4. In accepting assignments, discretion based on skill, setting, and the consumers involved must be used.
5. Counseling or interjecting personal opinion is never permitted.
6. Information on the role and appropriate use of interpreting services shall be provided to the consumers when necessary.
7. Information on available resources as appropriate should be provided.
8. Compensation for services should be pursued in a professional manner.
9. Respect of and for the deaf person's rights must always be evident.
10. Only the highest professional standards, as promulgated by the NAD, shall be pursued.

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 52: LICENSE RENEWAL AND CONTINUING EDUCATION

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SUMMARY: This chapter sets forth continuing education requirements and describes the license renewal process.

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*Note: Certain defined terms may appear in italics. See the definitions in Chapter 50 of these rules.*

1. General

All renewal applicants shall submit the following materials to the Commissioner:

1. A completed renewal application form;
2. The applicable fee specified in Chapter 10 of the rules of the Office of Licensing and Registration ("Establishment of License Fees"); and
3. A completed disclosure statement. (See Chapter 54.)

2. Continuing Education For Limited Interpreters/Transliterators and Limited Deaf Interpreters

1. Applicants for renewal of the limited interpreter/transliterators or limited deaf interpreter license shall also submit to the Commissioner *proof of completion* of at least 15 clock hours annually of continuing education in American Sign Language or *education and training in the interpreting process*.
2. Pre-approval is required for any course or program other than those:
  - A. Offered by an accredited college or university;
  - B. Offered or sponsored by the Northeastern University Interpreter Education Project;
  - C. Offered by the Conference of Interpreter Trainers;

- D. Offered or sponsored by an accredited or approved high school;
  - E. Offered by an adult education program which meets the criteria contained in Chapter 51, §3(1) or (2) of these rules;
  - F. Offered or approved by *RID* or *NAD*.
3. Pre-approval shall be requested in writing from the Commissioner no later than thirty (30) days prior to the beginning of the course or program for which pre-approval is sought. The applicant shall include with the request a class schedule, a summary or syllabus of the material to be covered, and the *curriculum vitae* or detailed summary of the qualifications of the instructor. Applicants are encouraged to call the Office of Licensing and Registration before requesting approval to find out if a specific course or program has already been approved. The course sponsor is encouraged to submit the request for pre-approval directly.
4. Approval may be denied if the instructor is unqualified or if the instruction does not squarely relate to American Sign Language or the interpreting process. No continuing education credit will be given for a course or program that has been disapproved. No continuing education credit will be given for a course or program as to which pre-approval is required but no timely request for pre-approval was made.
5. The continuing education requirement set forth in this section does not apply to a licensee issued a limited license pursuant to Chapter 54, §3 of these rules until after the licensee has demonstrated compliance with the full education and training requirements as described in Chapter 53, §4 of these rules.
3. Certification Maintenance for Certified Interpreters/Transliterators and Certified Deaf Interpreters
- Applicants for renewal of the certified interpreter/transliterator or certified deaf interpreter license shall also submit to the Commissioner proof of continued certification by either *RID* or *NAD*. These licensees need not submit any other documentation of continuing education.
4. Complete Applications
- Renewal applications must be submitted complete and with all required documentation and correct fees or they will be returned to the applicant. A license will not be issued until the application, correct fees and supporting documentation are resubmitted as complete.

5. Time for Submission; Late Renewal

To avoid a lapse in licensure, a complete renewal application and all accompanying materials must be submitted to the Commissioner no later than June 30 of each year. A license not renewed by June 30 automatically expires. The Commissioner may renew an expired license if the renewal application is returned within ninety (90) days after the license expiration date and upon payment of the late fee specified in Chapter 10 of the rules of the Office of Licensing and Registration ("Establishment of License Fees"). A person who submits an application for renewal more than ninety (90) days after the license expiration date is subject to all requirements governing new applicants.

6. Current Address

All renewal notices will be sent to the licensee's last known name and address as contained in the licensee's file. It is the licensee's responsibility to notify the Commissioner in writing of any change of name or address.

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STATUTORY AUTHORITY: 32 M.R.S.A. §1522(1)

EFFECTIVE DATE:

January 30, 2002



02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 53: CONVERSION OF REGISTRANTS TO LICENSEES

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SUMMARY: This chapter describes the transition process from registration to licensure for persons previously registered as interpreters, transliterators and deaf interpreters in Maine.

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*Note: Certain defined terms may appear in italics. See the definitions in Chapter 50 of these rules.*

1. Replacement of Existing Registrations

No registrations will be issued or renewed under PL 1997, c. 749.

2. Issuance of Certified Licenses

A person registered as an interpreter, transliterator or deaf interpreter under PL 1997, c. 749 may be issued a license as a certified interpreter/transliterator or certified deaf interpreter, as the case may be, upon application to the Commissioner and:

1. Proof of certification by *RID* or proof of a minimum certification level of 4 from *NAD* ;
2. Payment of the \$100 annual fee in effect on June 30, 2000, prorated based on the number of calendar months remaining between the month of expiration of the registration and June 30, 2001; and
3. Submission of a notarized affidavit that the applicant has read, understands and agrees to abide by the 1995 *RID* Code of Ethics or the 1996 *NAD* Code of Ethics.

3. Issuance of Limited Licenses

A person registered as an interpreter, transliterator or deaf interpreter under PL 1997, c. 749, including holders of a temporary registration, may be issued a license as a limited

interpreter/transliterators or limited deaf interpreter, as the case may be, upon application to the Commissioner and:

1. Payment of the \$100 annual fee in effect on June 30, 2000, prorated based on the number of calendar months remaining between the month of expiration of the registration and June 30, 2001; and
  2. Submission of a notarized affidavit that the applicant has read, understands and agrees to abide by the 1995 *RID* Code of Ethics or the 1996 *NAD* Code of Ethics.
4. Grandparenting
1. A person issued a limited license pursuant to §3 of this chapter must submit *proof of completion* of the full education and training requirements for a limited interpreter/transliterators or limited deaf interpreter license as described in subsection 2 below no later than three (3) years after obtaining the limited license. The licenses of persons who do not demonstrate compliance within this three-year period will not be renewed.
  2. Full education and training requirements for a limited interpreter, limited transliterator or limited deaf interpreter license are:
    - A. Education and training in American Sign Language, as set forth in 32 MRSA §§1524(4) and 1524-A(3) and Chapter 51, §§3(1) and 4(1) of these rules; and
    - B. *Education and training in the interpreting process*, as set forth in 32 MRSA §§1524(5) and 1524-A(4) and Chapter 51, §§3(2) and 4(2) of these rules.
  3. Each person issued a limited license pursuant to §3 of this chapter shall submit with the annual renewal application form *proof of completion* showing the licensee's progress during the prior licensing period towards satisfaction of the full education and training requirements described in subsection 2 above.

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STATUTORY AUTHORITY: 32 M.R.S.A. §1522(1)

EFFECTIVE DATE:

January 30, 2002

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 54: DISCLOSURE STATEMENT

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SUMMARY: This chapter describes the statutory disclosure to be furnished by interpreters and transliterators to consumers and clients. The form of disclosure statement to be used is attached to and made a part of this chapter.

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*Note: Certain defined terms may appear in italics. See the definitions in Chapter 50 of these rules.*

1. Contents of Disclosure Statement

Every licensed interpreter/transliterator and deaf interpreter shall prepare a disclosure statement that contains the following information:

1. The name, license number and license expiration date.
2. An indication of whether the licensee is a deaf or a hearing individual.
3. A recent photograph or clear reproduction thereof.
4. The first year in which the licensee was registered or licensed pursuant to PL 1997, c. 749 or PL 1999, c. 399.
5. The category of license held.
6. A statement that the licensee (a) has completed less than 16 hours of training in the interpreting process, (b) has completed 16 or more hours of training in the interpreting process, (c) has completed 100 or more hours of training in American Sign Language and 100 or more hours of training in the interpreting process, or (d) is certified as set forth in subsection 7 below.
7. Any certifications issued by *RID* or *NAD*, and the year of first issuance.

8. Any postsecondary academic degrees held, including the name of the issuing institution, the academic major or program in which the degree was awarded and the year in which the degree was conferred.
9. Representative work experience as an interpreter/transliterators (e.g., hospital/medical, legal, mental health, education, Pupil Evaluation Team meeting, business/government meeting, conference, vocational, theatrical, religious, social service).
10. The following notice, prominently displayed at the end of the disclosure statement in boldface type set in all capital letters:

**CONTACT THE OFFICE OF LICENSING AND  
REGISTRATION WITH ANY QUESTIONS ABOUT THE  
LICENSURE STATUS OF THIS INTERPRETER/  
TRANSLITERATOR OR THE CONTENTS OF THIS  
DISCLOSURE STATEMENT.**

2. Form of Disclosure Statement

The disclosure statement described in §I of this chapter shall be made in writing on a form prepared by the Commissioner. This form is attached to and made a part of these rules.

3. Review of Disclosure Statement

An applicant for initial or renewal licensure shall submit a completed disclosure statement to the Commissioner with the application. The Commissioner will review for accuracy the information supplied by the applicant pursuant to §1(1)–(7) of this chapter. The applicant shall not provide copies of a disclosure statement as set forth in subsection 4 below until the statement has been returned to the applicant with the Commissioner's approval noted thereon.

4. Provision of Disclosure Statement

1. The licensee shall provide the disclosure statement at no cost and without request to:
  - A. A deaf individual (including the parent of a deaf child and the guardian of a deaf ward) at an appointment, encounter or proceeding that directly relates to a specific deaf individual in attendance at which the licensee provides interpreting or transliterating services;

- B. A hospital, medical practice, legal practice, social service agency, mental health agency, court, governmental agency or other provider at an appointment, encounter or proceeding that directly relates to a specific deaf individual in attendance at which the licensee provides interpreting or transliterating services. The licensee shall provide the statement to the appropriate central administrative office of the office or institution *and* to a person responsible for placing the disclosure in the particular chart, file or other record of services provided to the deaf individual. The licensee need not provide the statement to the office or institution more frequently than once per calendar year; and
- C. The person engaging the interpreter's services, if not included in paragraph A or B above. The licensee need not provide the statement to the person engaging the interpreter's services more frequently than once per calendar year.

The licensee is responsible for providing the statement whether the assignment is an agency referral or a direct hire.

- 2. The licensee shall provide the disclosure at no cost but only upon request to:
  - A. A person present at a performance, lecture, conference, class, school activity, meeting or other public or private event or proceeding that does not directly relate to a specific deaf individual in attendance at which the licensee provides interpreting or transliterating services; and
  - B. The Commissioner.

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STATUTORY AUTHORITY: 32 MRSA §§1522(1), 1531

EFFECTIVE DATE:

January 30, 2002

**Department of Professional and  
Financial Regulation**

**Office of Licensing and  
Registration**

35 State House Station  
Augusta, Maine 04333-0035  
Phone (voice): (207) 624-8624  
TTY: (207) 624-8563  
Fax: (207) 624-8637  
Web site: [www.maineprofessionalreg.org](http://www.maineprofessionalreg.org)

**Interpreter/Transliterator Disclosure Statement – Part 1**

**PLACE RECENT  
PHOTO HERE**

(a clear, first-generation  
photocopy is acceptable)

Interpreter/Transliterator Name:

☐ Deaf ☐ Hearing (*check one*)

License #:

Expiration Date:

First year licensee was registered or licensed:

| License Type             |                                      | Professional Training  |
|--------------------------|--------------------------------------|--|
| <input type="checkbox"/> | Certified Interpreter/Transliterator | Highest category—<br>see "Certifications Currently Held" box below.  |
| <input type="checkbox"/> | Limited Interpreter/Transliterator   | Has completed 100 or more hours of training<br>in American Sign Language and 100 or more<br>hours of training in the interpretive process. |
| <input type="checkbox"/> | Limited Interpreter/Transliterator   | Has completed 16 or more hours of training<br>in the interpreting process.   |
| <input type="checkbox"/> | Limited Interpreter/Transliterator   | Has completed less than 16 hours of training<br>in the interpreting process.   |

| Certifications<br>Currently Held | <input type="checkbox"/> | National Registry of Interpreters for the Deaf | Year first issued: |
|----------------------------------|--------------------------|--|--------------------|
|                                  | <input type="checkbox"/> | National Ass'n of the Deaf (Level 4 or higher) | Year first issued: |

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

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## APPENDIX

*This appendix contains a partial listing of resources available to interpreters and transliterators in Maine.*

### Professional Associations

Registry of Interpreters for the Deaf, Inc.  
333 Commerce Street  
Alexandria, VA 22314  
[www.rid.org](http://www.rid.org)  
(703) 838-0030 (voice)  
(703) 838-0459 (TTY)  
(703) 838-0454 (fax)

Maine Registry of Interpreters for the Deaf  
Betsy Reifman, President  
55 Hidden Pond Road  
Harpwell, ME 04079  
(207) 729-1178  
[packreif@ghi.net](mailto:packreif@ghi.net)

Maine Registry of Interpreters for the Deaf  
Ruth Vigna, Secretary  
45 Harpswell by the Sea  
Harpwell, ME 04079  
[certinterp@aol.com](mailto:certinterp@aol.com)

National Association of the Deaf  
814 Thayer Avenue  
Silver Spring, MD 20910-4500  
301-587-1788 Voice  
301-587-1789 TTY  
301-587-1791 FAX  
[www.nad.org](http://www.nad.org)

### Continuing Education Providers

Judy Kegl  
University of Southern Maine  
Linguistics Department  
P.O. Box 9300  
65 Exeter Street

Portland, ME 04104-9300  
(207) 780-4531 (voice)  
(207) 780-4069 (TTY)  
(207) 780-5561 (fax)  
[kieglegl@usm.maine.edu](mailto:kieglegl@usm.maine.edu)  
[www.usm.maine.edu/lin/ASLpgm.html](http://www.usm.maine.edu/lin/ASLpgm.html)

Sign Language Research Lab  
68 High Street  
Portland, ME 04101  
(207) 780-5957 (voice)  
(207) 780-5933 (TTY)  
(207) 780-5940 (fax)

Conference of Interpreter Trainers  
[www.cit-asl.org](http://www.cit-asl.org)

Interpreter Education Project  
American Sign Language Program  
405 Meserve Hall  
Northeastern University  
360 Huntington Avenue  
Boston, MA 02115  
(617) 373-2463 (voice)  
(617) 373-4302 (TTY)  
(617) 373-3065 (fax)  
[www.dac.neu.edu/nuiep](http://www.dac.neu.edu/nuiep)

### Other

DawnSignPress  
6130 Nancy Ridge Drive  
San Diego, CA 92121-3223  
(858) 625-0600 (voice/TTY)  
(858) 625-2336 (fax)  
[www.dawnsignpress.com](http://www.dawnsignpress.com)

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF LICENSING AND REGISTRATION

INTERPRETERS AND TRANSLITERATORS OF AMERICAN SIGN  
LANGUAGE AND ENGLISH

Chapter 55: COMPLAINTS AND INVESTIGATIONS

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SUMMARY: This chapter describes the procedure by which complaints will be handled by the Office of Licensing and Registration.

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*Note: Certain defined terms may appear in italics. See the definitions in Chapter 50 of these rules.*

1. Complaint Procedures

The procedures for initiating and processing complaints shall be those set forth in the administrative complaint procedures of the Office of Licensing and Registration, Department of Professional and Financial Regulation. All references in the administrative complaint procedures to "the board" shall be deemed to refer to the Director of the Office of Licensing and Registration.

A staff member of the Office of Licensing and Registration may file a complaint or request an investigation, but such complaint or request shall serve to disqualify the member from participating in the disposition of the matter. That member shall be prohibited from discussing the issue with others, except as a witness, until after final agency action and the time for appeal has lapsed or appeal rights have been exhausted.

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STATUTORY AUTHORITY: 32 MRSA §1522(1)

EFFECTIVE DATE:

January 30, 2002



## Appendix E

### Registration/Licensing History Interpreters/Transliterators for the Deaf

|   |   | 12/98–6/30/00 <sup>1</sup>                         |  | 6/30/00–6/30/01  | 6/30/01–6/30/02           | 6/30/02–6/30/03 |
|---|---|--|--|--|---------------------------|-----------------|
| 1 | < 16 hours interpreter training   | 48   |  | Included in row 2  | Included in row 2         | 2 <sup>4</sup>  |
| 2 | 16 > 100/100 hours ASL/education  | 76 <sup>2</sup>                                    |  | 103  | 52                        | 38              |
| 3 | 100/100 hours ASL/education   | Included in row 2                                  |  | 14   | 27                        | 40              |
| 4 | Certified by RID or NAD   | 29 <sup>3</sup>                                    |  | 32   | 33                        | 42              |
| 5 | Total Registrants / Licensees   | 153  |  | 149  | 112                       | 122             |
| 6 | Nonrenewals from registration to licensure, and from one license year to the next | 0 temporary registrants,<br>7 regular registrants↻ |  | 18 temporary registrants,<br>15 regular registrants,<br>9 licensees↻ | 8 licensees↻              | Not applicable  |
| 7 | Annual Registration/License Fee   | \$150  |  | \$200  | \$300 [effective 1/30/02] | \$300           |

<sup>1</sup>There is some overlap between the 12/98–6/30/00 registration period and the 6/30/00–6/30/01 licensing year. The 6/30/00–6/30/01 column includes any temporary registrant, regular registrant or licensee who held a credential that was recognized as valid at any time during the 6/30/00–6/30/01 period.

<sup>2</sup>Includes 10 temporary registrants who completed 16 hours or more of interpreter training and upgraded to regular registrants during this time period.

<sup>3</sup>Figure approximate; not verified to individual files. Does not affect accuracy of overall total for this period.

<sup>4</sup>Source: 2002–03 interpreter disclosure statements

## APPENDIX F

### Recommended Legislation

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

**Sec. 1 32 M.R.S.A. § 1524 (6) is enacted to read:**

6. Proof of Educational Interpreter Performance Assessment. As an alternative to satisfying sub-sections 4 and 5 of this section, submission of documentation of score of 3.5 or higher on an Educational Interpreter Performance Assessment.

**Sec. 2. 32 M.R.S.A. § 1531, as enacted by P.L. 1999, c. 399, § 17, is amended to read:**

All interpreters licensed pursuant to this chapter shall disclose their license category, ~~training and experience~~ to consumers and to the person or persons engaging the interpreter's services. The content and form of the disclosure must be developed by the department pursuant to rule-making provisions of the Maine Administrative Procedure Act. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A

### SUMMARY

This bill includes an additional method of obtaining limited licensure as an interpreter, and eliminates the requirement that an interpreter disclose his or her training and experience to a consumer or persons utilizing the services of the interpreter in order to make the disclosure more meaningful to the consumer and less burdensome for the interpreter.