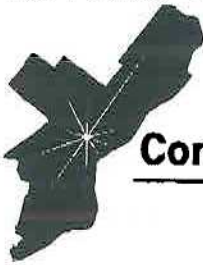


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## Community College of Philadelphia

August 9, 2006

Catherine Wojciechowski  
Deputy Chief Counsel  
10<sup>th</sup> floor, Labor & Industry Building  
7<sup>th</sup> & Forster Sts.  
Harrisburg, PA 17120

Dear Ms. Wojciechowski,

The purpose of this letter is to provide comment in response to the Sign Language Interpreters and Transliterators State Registration Act, commonly known to many people as Act 57. I will address the general intent of this act, and also section 501.5 Exemptions.

As a relatively young profession, Sign Language interpreting is frequently faced with misunderstanding, devaluation, and marginalization. The general population, including individuals who are highly educated, make assumptions about the field of Sign Language interpreting that are unfounded and untrue. One of the most common of these is that anyone with some knowledge of Sign Language can interpret. Or, it may be assumed that with just a little bit of training one can be prepared for interpreting as a career. However, these assumptions are seriously misinformed, and, in fact, have proven to be extremely detrimental to deaf people and to the reputation of the field of interpreting, as unqualified individuals have been hired to perform interpreting services beyond their abilities. Nowhere is this more common than in the educational setting, where the tender and complicated linguistic, cognitive, and academic skills of deaf children are involved.

The Department of Labor and Industry is to be commended for the development of the Sign Language Interpreters and Transliterators State Registration Act. It is a needed step in the right direction toward establishing standards for the employment of Sign Language interpreters in the state of PA. The examinations given by the RID and NAD are the appropriate vehicles for determining the level of an interpreter's skill and ability, and need to be the MINIMUM standard for employment as an interpreter in PA. On this point, I must state my strong objection to the exemptions in sections 501.5 (c), (d), and (e).

- 501.5 (c) says that a client can state a preference for an individual to act as his/her interpreter or transliterator and as long as the interpreter/transliterator notifies the client s/he is not registered s/he may proceed to function as the Sign Language interpreter. In the majority of such cases we can assume that the individual functioning as the interpreter/transliterator is not certified by the RID or NAD, and therefore does not possess the MINIMUM credential for performing the interpreting/transliterating tasks. Anybody who knows some Sign Language, a child

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or friend of a deaf client with no training or education in this difficult work, for example, is therefore legally allowed to work as a Sign Language interpreter.

- The exemption in 501.5 (c) effectively nullifies the entire intent and benefit of this legislative act, which at its core establishes standards of professionalism for Sign Language interpreters. This exception dangerously opens the door to abuse by hiring entities and by individuals providing interpreting/transliterating services who are not certified and who may have little or no training. This is exactly what the legislation was intended to eliminate!

- **RECOMMENDATION:** Exemption 501.5 (c) should be eliminated entirely from this legislation. It is detrimental and unethical to allow individuals to provide interpreting services solely upon the request of the client.

- 501.5 (d) exempts individuals who work in school-related activities and who earn a score of at least 70% on the EIPA. This is weak and insufficient criteria for the employment of individuals to interpret with some of the most challenging deaf clients, children and young people, and in the diverse and demanding educational environment. In addition, while the EIPA is utilized in school settings to provide an assessment of an educational interpreter's skills, it is NOT a certification examination and is not an instrument that has been analyzed for reliability.

- **RECOMMENDATION:** Because the current need for interpreters in the educational setting far outnumbers the available supply of certified interpreters in PA an exception for hiring uncertified interpreters in school-related activities should be established within the following conditions:

- 1) The individual received a score of at least 80% on the EIPA.
- 2) The individual has a minimum of an associates degree with at least 6 credits in child or adolescent development and/or education.
- 3) The individual must pass the RID-NIC within 2 years of hire.

- 501.5 (e) allows for unregistered (uncertified) interpreters to work in medical offices, one of the most high risk, life determining settings of employment for any interpreter. Furthermore, it depicts a very unethical scenario in which a deaf patient goes to a physician's office, where s/he is entitled to a qualified interpreter under the ADA, and is presented with an unregistered interpreter to service the office visit. S/he is then asked to sign a confirmation with the understanding that requesting a registered interpreter may delay the physician's services. What happens if the situation involves a serious illness or an emergency that needs immediate attention, and the unregistered interpreter is unqualified to provide effective interpreting? Would the doctor hire an unregistered nurse? Or an unregistered lab technician to draw blood? Why, then, is an unregistered interpreter allowable?

- **RECOMMENDATION:** Replace the current 501.5 (e) with an exception in accordance with the following:

- An unregistered individual may provide interpreting or transliterating services if s/he is hired/assigned through an established Sign Language Interpreter Referral Agency, which assumes liability for the interpretation services. All agencies must screen interpreters sent on assignments for appropriate skills to meet each situation.
- The individual provides interpreting or transliterating services for no more than 150 hours each year (15 hours per month).

Again, I would like to state my objections to the lowered standards for Sign Language interpreters and transliterators proposed in section 501.5. There should be no lowering of standards, especially in situations where consumers of interpreting services, both deaf and hearing, have no ability to determine the qualifications and skills of the interpreter/transliterators. I urge you to maintain high standards of interpreting throughout PA by establishing state registration as the required credential to work for all situations, much like the requirements in other human service careers.

Sincerely,



Eve Adelman West, Coordinator  
ASL/English Interpreting Program

cc. Cindi Brown, President PARID  
Nichole Wade, President SEPARID  
Denise Brown, Office of the Deaf and Hard of Hearing  
Vance Coover, Office of the Deaf and Hard of Hearing