
SENATE CONCURRENT RESOLUTION

REQUESTING THAT THE DEPARTMENT OF HEALTH, OFFICE OF LANGUAGE
ACCESS, AND DISABILITY AND COMMUNICATION ACCESS BOARD
JOINTLY CONVENE A WORKING GROUP OF STAKEHOLDERS TO EXAMINE
THE NEED FOR POSSIBLE REGULATION AND OVERSIGHT OF AMERICAN
SIGN LANGUAGE INTERPRETERS AND AMERICAN SIGN LANGUAGE
INTERPRETER REFERRAL AGENCIES IN HAWAII.

1 WHEREAS, American Sign Language (ASL) interpreters provide
2 a critical service to deaf, hard of hearing, deaf-blind, and
3 hearing individuals and public agencies in the State who wish to
4 effectively communicate with each other in a variety of settings
5 and circumstances; and
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7 WHEREAS, the Disability and Communication Access Board
8 (DCAB) notes there is an increased need statewide for
9 communication access provided by ASL interpreters, as reflected
10 in the number of requests made to local interpreter referral
11 agencies; and
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13 WHEREAS, Hawaii has an existing network of ASL interpreters
14 and ASL interpreter referral agencies that provide services
15 throughout the State to assist with effective communication,
16 including the listing by DCAB of ASL language interpreters
17 credentialed through the DCAB's Hawaii Quality Assurance System
18 for sign language interpreter services or through national
19 certification, as well as ASL interpreter referral agencies; and
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21 WHEREAS, DCAB currently tests and credentials ASL
22 interpreters at the state level, while the Registry of
23 Interpreters for the Deaf certifies ASL interpreters at the
24 national level, and a public listing is currently published that
25 shows each certified interpreter or referral agency's level of
26 credentials, preferred assignment types, island location, and
27 contact information; and



1 WHEREAS, it is uncertain whether the anticipated future
2 growth in ASL interpreter services requires regulation of these
3 service providers through licensure, which is the highest level
4 of regulation available for many other regulated and licensed
5 professionals, such as doctors, audiologists, and speech
6 pathologists; and
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8 WHEREAS, deaf consumers of ASL interpreting services have
9 raised concerns regarding ASL interpreters breaching the
10 professional code of conduct and having no agency with which to
11 file grievances; and
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13 WHEREAS, for a locally credentialed ASL interpreter who may
14 not follow a professional code of conduct, there is no grievance
15 procedure for a deaf or hearing user of ASL interpreter services
16 to file a complaint or have any recourse, other than not to use
17 that particular ASL interpreter in the future; and
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19 WHEREAS, consideration should be given regarding whether
20 the adoption of additional standards of quality for ASL
21 interpreters would help ensure a better level of service from
22 providers, or whether increasing the promotion and visibility of
23 DCAB's current Hawaii Quality Assurance System and listing of
24 ASL interpreters and ASL interpreter referral agencies
25 credentialed in the State is necessary to ensure users have a
26 better understanding of credentials or levels of quality amongst
27 service providers; and
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29 WHEREAS, the State of Hawaii is the largest purchaser of
30 ASL interpreter services in the State, and as a Title II entity
31 under the Americans with Disabilities Act, it is imperative that
32 the State strive to ensure individuals who are deaf, hard of
33 hearing, or deaf-blind are receiving high quality services from
34 professionals who provide ASL interpreter services; now,
35 therefore,
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37 BE IT RESOLVED by the Senate of the Twenty-ninth
38 Legislature of the State of Hawaii, Regular Session of 2017, the
39 House of Representatives concurring, that the Department of
40 Health, Office of Language Access, and the Disability and
41 Communication Access Board are requested to jointly convene a
42 working group to examine the need for possible regulation and



1 oversight of ASL interpreters and ASL interpreter referral
2 agencies in Hawaii; and

3
4 BE IT FURTHER RESOLVED that the working group include
5 representatives or designees from the following:

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- 7 (1) Department of Human Services, Division of Vocational
8 Rehabilitation, Deaf Services Section;
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- 10 (2) Department of Human Services, Division of Vocational
11 Rehabilitation, Deaf and Hard of Hearing Advisory
12 Board;
- 13
- 14 (3) Department of Commerce and Consumer Affairs,
15 Professional and Vocational Licensing Division;
- 16
- 17 (4) Hawai'i State Judiciary, Office on Equality and Access
18 to the Courts;
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- 20 (5) Kapi'olani Community College, Interpreter Education
21 Program;
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- 23 (6) Pacific Disabilities Center;
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- 25 (7) Hawaii School for the Deaf and the Blind;
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- 27 (8) Hawaii Interpreting Services;
- 28
- 29 (9) Isle Interpret;
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- 31 (10) Hawaii Registry of Interpreters for the Deaf, Inc.;
- 32 and
- 33
- 34 (11) Aloha State Association of the Deaf; and
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36 BE IT FURTHER RESOLVED that the working group is requested
37 to determine the optimal level of any regulation of ASL
38 interpreters and ASL interpreter referral agencies in Hawaii -
39 from registration, to certification, to licensure - and
40 determine the impact any such regulation would have on the
41 availability of ASL interpreter services, including the impact
42 on fees charged for services, credentialing, professional



1 development for ASL interpreters, sanctions, and penalties for
2 improper conduct if a professional licensing program were to be
3 established in Hawaii; and
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5 BE IT FURTHER RESOLVED that the working group is also
6 requested to consider the following factors when conducting its
7 review of the need for regulation and oversight of ASL
8 interpreters and ASL interpreter referral agencies in Hawaii:
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- 10 (1) Review and define existing and potential concerns from
11 deaf and hearing consumers of ASL interpreter services
12 and ASL interpreter referral agency services,
13 including a review of concerns presented to various
14 agencies;
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- 16 (2) Examine the characteristics of the current environment
17 for ASL interpreters, paying agencies, and hearing
18 consumers in Hawaii, including the current number of
19 ASL interpreters, ASL interpreter referral agencies,
20 and consumers; the level of training and credentialing
21 and service code of professional conduct used by ASL
22 interpreters currently working in Hawaii; and the
23 estimated expansion of the demand for ASL interpreters
24 in the State;
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- 26 (3) Possible frameworks and requirements and fees for ASL
27 interpreter regulation in Hawaii, including a review
28 of registration (including credentialing and quality
29 standards), certification, or licensure; and
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- 31 (4) The positive and negative impacts of ASL interpreter
32 regulation and standards and fees in other states, for
33 the various levels of regulation examined; and
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35 BE IT FURTHER RESOLVED that the working group is requested
36 to submit findings and recommendations, including any proposed
37 legislation, to the Legislature no later than twenty days prior
38 to the convening of the Regular Session of 2018; and
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40 BE IT FURTHER RESOLVED that the working group cease to
41 exist on June 30, 2018; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Director of Health;
3 Director of Commerce and Consumer Affairs; Director of Human
4 Services; Executive Director of the Office of Language Access;
5 Executive Director of the Disability and Communication Access
6 Board; Administrator of the Division of Vocational
7 Rehabilitation; Chair of the Deaf and Hard of Hearing Advisory
8 Board; Coordinator of the Office on Equality and Access to the
9 Courts; Coordinator of the Interpreter Education Program,
10 Kapi'olani Community College; Director of the Pacific
11 Disabilities Center; Principal of the Hawaii School for the Deaf
12 and the Blind; Owner of Hawaii Interpreting Services; President
13 of Isle Interpret; President of the Hawaii Registry of
14 Interpreters for the Deaf, Inc.; and President of the Aloha
15 State Association of the Deaf.

