



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

February 3, 2017

TESTIMONY TO THE HOUSE COMMITTEE ON HUMAN SERVICES

House Bill 1106 - Relating to Licensing of American Sign Language Interpreters

The Disability and Communication Access Board (DCAB) supports the intent of House Bill 1106 that would require licensing of American Sign Language (ASL) interpreters who work in Hawaii. The bill does not state a specific department that will be responsible for the professional licensure of ASL interpreters. The bill also includes a blank appropriation for startup fees for the program. This is a consumer protection measure to ensure that ASL interpreters who work in the local community have adequate language skills and interact with deaf and hearing consumers in a professional and ethical manner.

Currently, there are approximately forty credentialed ASL interpreters who work statewide in Hawaii. There are also other mainland interpreters who visit Hawaii and work for several months and leave. It has recently been brought to DCAB's attention that consumers (deaf and hearing) of ASL interpreter services that there is a need to ensure the interpreter who is working at an assignment is providing effective communication as well as acting in a professional and ethical manner. If there are complaints about nationally certified interpreters, the agency or individual can contact the National Registry of Interpreters for the Deaf. However, DCAB tests and credentials interpreters but there are no procedures established to address grievances or concerns about locally credentialed interpreters. Licensure could address this issue, because it would be handled by a neutral agency.

Although DCAB supports the intent of House Bill 1106, we are aware that there is a requirement for a sunrise review to be conducted related to the enactment of new regulatory measures for unregulated professions and vocations per §26H-6, Hawaii Revised Statutes. Due to this requirement, DCAB recommends that this measure be deferred in order for the Auditor to conduct a study to assess, evaluate and review, and analyze the effect of the proposed licensing of ASL interpreters. Agencies hiring ASL interpreters may ask to see credentials prior to the assignment, but even with credentials, the agency may not understand the complex nature of interpreting and assume the interpreter is performing adequately. We also request that the subject matter of the sunrise review be combined with the previously heard House Bill 1107. Senate Concurrent Resolution 32 was introduced related to these measures in the Senate version of these bills, but to date, there is no House Concurrent Resolution introduced.

Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ LEONG
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director

HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:48 AM
To: HUStestimony
Cc: Musicmind75@yahoo.com
Subject: Submitted testimony for HB1106 on Feb 3, 2017 09:00AM
Attachments: HB 1106 LICENSURE.pages.zip

Follow Up Flag: Follow up
Flag Status: Completed

HB1106

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Safranski	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HB1106

Aloha

My name is Keri Lee. I am an American Sign Language (ASL) interpreter. I am nationally and state certified. I am also an ASL instructor at Brigham Young University. There have been some students who graduate and later become interpreters.

I support HB 1106. I support it for many reason as is stated in the bill. Having licensure required for each working professional interpreter is good business practice. I think it will provide minimum standards where there are currently none.

One main reason I support HB1160, because all those who use ASL to communicate benefit from it. It is so very important that these individuals have equal access to communicate and to be able to understand the dialogue in any situation. If an interpreter accepts a job where s/he isn't qualified then miscommunication and misunderstanding happen. It is not fair and it is not right for this to happen. When this happens, it can to harmful.

Also by requiring licensures those individuals (mentioned in HB1160) who rely on and use interpreters have recourse if the interpreter doesn't interpret accurately and/or impartially. Also if the interpreter doesn't adhere to the Code of Professional Conduct the interpreter can be held responsible since licensing and procedures will be in place. From my understanding only RID has a grievance policy and procedure in place for those interpreters who are nationally certified. For the interpreters who are only State certified who interpret in a situation and something goes wrong the Deaf consumer doesn't have any avenue to report the interpreter.

By requiring interpreters to have licensure it puts more responsibly on them. Interpreters may give it a second thought as to whether or not they are qualified to accept an assignment. As mentioned above I am national (RID) and State (HQAS) certified. However that doesn't mean I can interpret in every setting and situation. I know my limitations. Having licensure will ensure that other interpreter be more aware of their limitations as well.

Suggestion to change the current house bill.

I do not support having Interpreting Training Program (ITP) students excluded from this Licensure, instead I suggest a model that I experience while an ITP student myself. Some ITP student do work in the community, I did as ITP student. However I worked with a fully certified interpreter. It should be stated in the bill that an ITP student should work with a certified Licensing interpreter.

I will like to state again that I support HB1106 bit it will depend on how it is written.

Thank you for reading my testimony

Keri Lee

Laie, HI

HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:12 PM
To: HUStestimony
Cc: heather.interpreter@gmail.com
Subject: Submitted testimony for HB1106 on Feb 3, 2017 09:00AM

HB1106

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Benjamin	Individual	Oppose	Yes

Comments: While I agree that consumers need to be protected, I also feel that licensure may have other unintended negative ramifications. The American Sign Language interpreting community is very small in Hawaii. Small on Oahu and almost non-existent on the neighboring islands. Creating a Licensure processes, while on the face seems worthy, creates more hoops and additional expenses for interpreters to enter the professional field. With there already being a shortage of interpreters and jobs that go uncovered, creating another obstacle to enter the profession, may have unintended negative consequences for the Deaf community. Consumer protection is needed, however I feel that the protection can be brought about in other, more cost effective ways, such as having a grievance structure for state licensed interpreters (there currently is none). Nationally certified interpreters already have a grievance structure in place. Another way to improve consumer protection is further consumer education. Consumers need to be aware of what professional interpreters are required to do so they can say something when they observe someone who is not behaving professionally. Another thing to consider is that Licensure won't stop interpreters from making poor ethical decisions. So, there needs to be a different solution to this problem. Sincerely, Heather Benjamin CI/CT Honolulu, HI Nationally Certified ASL/English Interpreter

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HUStestimony

From: Rod Macdonald <rjmacdonald@hawaiiintel.net>
Sent: Wednesday, February 1, 2017 6:53 PM
To: HUStestimony
Cc: rjmacdonald@hawaiiintel.net
Subject: HB1106 RELATING TO LICENSING OF AMERICAN SIGN LANGUAGE INTERPRETERS -
Testimony of R.J. Macdonald

HOUSE OF REPRESENTATIVES
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2017

COMMITTEE ON HUMAN SERVICES
Rep. Dee Morikawa, Chair

DATE: Friday, February 3, 2017
TIME: 9:00 A.M.
PLACE: Conference Room 329
State Capitol
415 South Beretania Street

HB 1106: RELATING TO LICENSING OF AMERICAN SIGN LANGUAGE INTERPRETERS.

Requires an American Sign Language interpreter to be licensed to work in Hawaii. Appropriates funds to implement the American Sign Language English Interpreter Licensing Program.

Madam Chair, Members:

My name is Rod Macdonald. I will not be able to attend this hearing due to health issues, so I am submitting this written testimony regarding HB-1106, and respectfully request your consideration of the following:

I support the principle of CERTIFICATION of interpreters working with deaf people.

I also support the principle of using CERTIFICATION as a criterion in determining the level of compensation interpreters receive for their services.

And I certainly applaud the effort to "Professionalize" the provision of interpreting services.

However, I strongly OPPOSE the requirement that an interpreter must be "licensed to work in Hawaii." I request that this provision be struck from the legislation.

To begin with, Hawaii has a severe shortage of interpreters. Requiring licensure will only exacerbate this problem. I believe that an opportunity for an increased level of compensation is a fine incentive; a requirement of licensure may well be an effective dis-incentive. A rehabilitation counselor for the deaf, a teacher of deaf children or a similar professional has already passed qualification testing; why would they want to go to the expense of time, effort and cost when their job requirements have already been met, just so they can possibly do part-time or occasional interpreting work for which they are fully qualified?

Additionally, how are aspiring interpreters to improve their skills if they cannot get work to acquire needed experience?

I am a deaf person who does not utilize American Sign Language. I need interpreting services, but not ASL interpreting services. My type of interpreting service - I am blind as well as deaf and utilize either tactile fingerspelling or braille interpreting - is not regarded with equal respect (or remuneration) by the interpreting profession, but my type of services are frequently covered under the blanket of "interpreting for the deaf".

The Registry of Interpreters for the Deaf is the national organization representing the interests of interpreters. Their Code of Professional Conduct is widely used and respected, and is frequently referenced as the interpreter's "Bible" on professional conduct. While this Code states - once - that it applies to working with deaf, hard of hearing and deaf-blind consumers, not a single tenet covers anything other than "deaf" interpreting. An interpreter working with a deaf-blind person will have many additional duties and responsibilities, but these are simply ignored in the RID document. I have a grave concern that licensing for "deaf only" is going to ignore the needs of consumers and their providers whose needs are different from the stereotype.

Here in Hawaii the Legislature has funded the Comprehensive Service Center for Deaf, Hard of Hearing and Deaf-Blind persons. As part of this program a pilot project is currently in operation to provide "Support Service Provider" (SSP) services for individuals who are deaf-blind. Currently, eight deaf-blind consumers are receiving these services that usually includes the activity we know as "interpreting". Several of the consumers in this project are ASL-dependent. However, they follow their SSP (interpreter) either tactually or via very close observation - non-standard methodologies for an ASL interpreter. We have developed our own "Code of Professional Conduct" for SSPs, and have no wish whatever to have an unrelated licensure program dictate what can or should be done, or under what circumstances, or whether SSPs can in fact be hired if they will conduct the activity of interpreting using American Sign Language.

In closing I believe that this effort to require licensure of interpreters is ill-advised and subject to mis-interpretation, misunderstanding and mis-use; it is an effort to make "deaf" apply far beyond what is strictly "deaf"; and it is unnecessary over-regulation. I strongly urge that you reject this legislation.

Thank you.

February 2, 2017
TESTIMONY TO THE HUMAN SERVICES COMMITTEE

House Bill 1106 – Relating to American Sign Language Interpreters

Representative Dee Morikawa
Chair, House Committee on Human Services
Hawaii State Capitol
Room 442
415 South Beretania Street
Honolulu, HI 96813

Dear Representative Morikawa,

As owners of a sign language interpreter agency, Isle Interpret, LLC of Honolulu, HI, we agree that Sign Language Interpreters need to conduct business ethically and be accountable to the consumers they serve. However, we strongly oppose HB 1106 for numerous reasons including:

1. There are systems in place to oversee nationally certified sign language interpreters. Most of the systems are in place for state credentialed sign language interpreters.
2. A licensing program would impact the cost of doing business in Hawaii and could reduce the number of interpreters in the state.
3. Lack of evidence to support the benefits of a licensing program
4. The most effective means of protecting consumers is by utilizing experienced interpreter referral agencies to provide sign language interpreter services.
5. The bill reduces services currently available to Hawaii's deaf, hard of hearing and deaf-blind persons
6. The purpose of the bill is not to protect consumers. Rather the real objective shared at Communication Access Committee meeting is to ensure the bill fails so DCAB can request a House Concurrent Resolution that the auditor conduct a sunrise study. We feel a study will find similar evidence of the unwarranted actions being proposed and should not be pursued.

1. There are two (2) main certifying/credentialing bodies that award interpreter certification/credential in Hawaii.

There is a system in place to oversee nationally certified sign language interpreters. Nationally certifying body, Registry of Interpreters for the Deaf (RID), certifies American Sign Language interpreters. RID has its own administering, overseeing and monitoring of their testing, CEU and Grievance processes. RID certified interpreters do not need an additional body to oversee their work.

Most of the systems are in place for state credentialed sign language interpreters. State credentialing body, Disability and Communication Access Board (DCAB) administers and oversees a state interpreter credential called, Hawaii Quality Assurance System (HQAS). DCAB administers the HQAS state interpreter exam, awards state interpreter credentials, administers/monitors the Continuing Education Unit (CEU) program and renews or discontinues awarding a credential. One aspect missing from the

HQAS program is a published grievance procedure. The deaf and interpreting communities have been asking DCAB for years to add a formal DCAB/HQAS grievance process.

S.C.R. 32 says, "Disability and Communication Access Board is not an enforcement agency and **does not** regulate professional interpreters." However, by the way the DCAB HQAS testing system and CEU program is structured; DCAB **is** regulating interpreters by operating a continued education program that is required in order for HQAS interpreters to maintain their credential. Regulating interpreters, like other certifying entities, should be DCAB's obligation if they want to be in the business of credentialing interpreters. **DCAB should have a mandated mechanism for consumers to address quality concerns regarding interpreters they credential.** This would be the way to protect consumers of sign language interpreting services.

Page 7, Licensing Requirements seem to be in place other than the add criteria of paying a state licensing fee that doesn't benefit the profession or consumers. The 4th item "Demonstrate sufficient evidence of good professional character and reliability to satisfy the state that the applicant will faithfully and conscientiously avoid professional misconduct and otherwise adhere to the requirements of this chapter" is not a measurable enforceable term. RID and DCAB have Codes of Conduct that already outline the tenets of expected ethical behavior. RID has a Grievance Process if someone feels there is sufficient evidence of violation.

Page 3, line 7, states, "When hiring an interpreter, factors to consider include whether an interpreter provides services in a satisfactory, professional, and ethical manner, and what recourse parties have after services are rendered and a deaf consumer or agency paying for the service is not satisfied with services rendered." Consumers can contact the referral agency that assigned the interpreter. If the interpreter is RID nationally certified, there is a Grievance process. If the interpreter is DCAB/HQAS credentialed, there should be a grievance process.

2. A licensing program would negatively impact the cost of doing business in Hawaii and could reduce the number of interpreters in the state.

Sign language interpreters are independent contractors who struggle to earn a living wage in Hawaii. They are paid an hourly rate that seems like a large hourly amount. However, the typical interpreter considers about 25 billable hours per week as full time.

Preparing for an interpreting job is not billable. An interpreter often reads about the assignment topic and related vocabulary. Travel time to a job is not billable. An interpreter needs to leave enough time to driving to an assignment, park, and arrive to the site a few minutes prior to the billable start time.

Driving from an assignment is not billable. Waiting a few hours for the next assignment is not billable time. Post assignment tasks like, scheduling, invoicing, bookkeeping and tax filing is not billable time. An interpreter can be on the road "working" for 8 hours, but have a fraction of their time as billable. After factoring in non-billable hours invested in operating their business, interpreters earn a little more than minimum wage.

Hawaii struggles to **retain** sign language interpreters. The primary reasons interpreters leave is the high cost of operating a business, the high cost of living, and the inability to raise their rates because of the Disability and Communication Access Board (DCAB) that limits the free market. DCAB has a state recommended fee schedule that limits the free market. The rates on this fee schedule have not increased since 2008.

Neighbor islands have just a few interpreters who struggle to remain in the field because there is insufficient work for them to earn a living. Additional proposed fees, might make it impossible for them to continue to work as interpreters resulting in no interpreters being available on neighbor islands and increasing the cost of providing access for public entities. It would require the flying over of interpreters from Oahu, which costs significantly more than using on-island interpreters.

Page 9, Fees; disposition, states that in addition to the licensing program cost, there is an additional \$50 surcharge. Adding a licensing and surcharge fee to sign language interpreters would be an added cost/burden to doing business in Hawaii and does not appear to have any added value to the work interpreters do or the quality of services to consumers.

3. Lack of evidence to support the benefits of a licensing program

There is no convincing evidence that licensure of sign language interpreters will improve the quality of interpreting services or ensure the health and safety of deaf persons. The bill quotes a compiled report that states 10 states have a licensing board. No qualitative information is available that demonstrates the benefits of a licensing program. Information is not shared if these 10 states only recognize national certification or if they have their own state credential (like DCAB's HQAS). It is important to know if these states have a similar size to Hawaii's interpreter pool. States with small interpreter populations have found the licensing cost prohibitive.

No data has been shared with the interpreting community as to the benefits of a licensing program. DCAB has shared their interest to grow the pool of qualified interpreters yet this proposed legislation would impair the ability to grow the interpreter pool and negatively impact the number of interpreters willing to work in the state.

There is no convincing evidence that licensure of sign language interpreters will improve the quality of interpreting services or ensure the health and safety of deaf persons. It is important to note that states like Wisconsin, have had licensure for years and are now trying to **repeal** their licensure legislation. It is also important to know that Hawaii has about 50 sign language interpreters. California, a state that has about 1,200 nationally certified sign language interpreters, in response to a licensure bill, determined licensure as **financially infeasible**. The operation of a sign language licensure board was estimated to cost \$1.5 million annually. Licensure would be even more infeasible for Hawaii with such a significantly smaller pool of providers. Licensure would be a financial burden for interpreters and taxpayers and would not achieve what the bill proposes.

4. The most effective means of protecting consumers is by utilizing experienced interpreter referral agencies to provide sign language interpreter services.

Hawaii has two (2) ASL Interpreter Referral Agencies. Isle Interpret, LLC, is one of two sign language interpreter scheduling agencies who serves persons who are deaf, hard of hearing and deaf blind. **Isle Interpret is the awardee of the State of Hawaii DHS/DVR Interpreter Referral Contract.** As part of the state contract, Isle Interpret adheres to contract reporting requirements and has a Quality Control Plan. The Quality Control Plan ensures interpreters are properly vetted, have credentials in good standing and have complied with all the company requirements (to include: State and FBI checks, HIPAA training, Code of Conduct and Confidential Agreements, acknowledgment of the company Quality Control Plan

and Grievance Program). Isle Interpret has stronger state monitoring and accountability measures than are proposed in HB 1106.

5. Reduces services available to Hawaii's deaf and hard of hearing, and deaf-blind persons

The proposed legislation would actually harm consumers of sign language interpreting services by preventing the use of qualified interpreters when no certification or credentialing exam is available for the category of Deaf Interpreters (DI). Referral of only certified interpreters would harm deaf, hard of hearing, and deaf consumers because there are no certified interpreters in the category of Deaf Interpreters (DI) on Oahu. This regulation would prevent deaf and deaf-blind consumers from using their preferred Deaf Interpreters who provide Hawaii Sign Language interpreting, access for deaf with minimal language, access for deaf wanting to use native signing interpreters, and access for deaf-blind wanting to use native signers for tactile interpreting services. Licensure as outlined in this bill would make it a violation for these deaf interpreters working toward certification to work. This bill is American Sign Language centric and does not take into account the unique languages and communication access needs of deaf and deaf-blind persons in Hawaii.

6. The bill was intentionally drafted to die in order to obtain a House Concurrent Resolution for a sunrise study of licensure.

It was shared by DCAB that the objective of submitting the bill is to have it die in order to be able to request a House Concurrent Resolution for the auditor to conduct a sunrise study of licensure of sign language interpreters and regulation of sign language interpreter agencies. We feel a study will find similar evidence presented in our testimony that licensure is unwarranted, infeasible, and not in Hawaii's best interest. We ask the committee to vote in **opposition to HB 1106** and in opposition to **House Concurrent Resolution 32** requesting for a sunrise study to be conducted. Pursuing a sunrise study would be a poor use of public time and funds for a licensure regulation measure that the community does not support nor need.

Isle Interpret feels HB 1106 has not made a case for the need of a licensing system for sign language interpreters. A recommended solution to the issues the community has with the current system could be addressed by mandating DCAB to develop a grievance process for HQAS interpreters to properly oversee the interpreters they credential.

Mahalo,

Tamar Lani, MBA, CI, CT, NIC, SC:L, President

Susan Kroe-Unabia, CI, CT, Vice President



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2017**

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 1106, RELATING TO AMERICAN SIGN LANGUAGE INTERPRETERS.

BEFORE THE:

HOUSE COMMITTEE ON HUMAN SERVICES

DATE: Friday, February 3, 2017

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Mana Moriarty, Deputy Attorney General

Chair Morikawa and Members of the Committee:

The Department of the Attorney General provides the following comments:

This bill establishes licensing requirements for an unregulated profession, American Sign Language interpreters. However, the broader purpose of this bill is to trigger a sunrise analysis by the Auditor of the probable effects of establishing licensing requirements for American Sign Language interpreters.

Pursuant to section 26H-6, Hawaii Revised Statutes, new measures to license currently unlicensed professions must first be referred to the Auditor to conduct a sunrise analysis of the probable effects of licensing. We note that Senate Concurrent Resolution No. 32 directs the Auditor to "conduct a sunrise review of the probable effects of licensure of American Sign Language interpreters and regulation of interpreter referral agencies as proposed by S.B. No. and S.B. No. , Regular Session of 2017."

Since the primary purpose of this bill is to trigger the sunrise analysis, this bill served its purpose once it was introduced. Accordingly, we recommend that this bill be held in committee until such time as the Auditor has submitted the sunrise analysis to the Legislature.

Thank you for the opportunity to provide testimony.

LATE

From: [Linda Y. Lambrecht](#)
To: [HUS testimony](#)
Subject: HB1106
Date: Thursday, February 02, 2017 11:50:40 PM

February 2, 2017
TESTIMONY TO THE HUMAN SERVICES COMMITTEE

House Bill 1106 – Relating to Licensing of American Sign Language Interpreters

Representative Dee Morikawa
Chair, House Committee on Human Services
Hawaii State Capitol
Room 442
415 South Beretania Street
Honolulu, HI 96813

Dear Representative Morikawa,

My name is Linda Lambrecht. As a member of Hawaii's Interpreting community, I respectfully **oppose H.B. 1106** Relating to Licensing of American Sign Language Interpreters for the following reasons:

1. Charging an interpreter an additional fee to work in Hawaii is not going to improve the quality of interpreting services.
2. Additional fees, will result in having fewer ASL interpreters throughout the state by making it more expensive for interpreters to work in Hawaii.
3. Licensure will also serve as a barrier for entry, making it harder for new persons to become an ASL interpreter.

There is no convincing evidence that licensure of sign language interpreters will improve the quality of interpreting services or ensure the health and safety of deaf persons. It is important that the Legislature know that other states like Wisconsin, have had licensure for years and are now trying to **repeal** their licensure legislation because they are seeing no actual benefit from licensure. It is also important to know that Hawaii has about 50 sign language interpreters and not all of them interpret full-time. In 2015, California, a state that has about 1,200 nationally certified sign language interpreters, in response to a licensure bill determined licensure as **financially infeasible**. Licensure would be even more infeasible for Hawaii with such a significantly smaller pool of providers. Licensure will not achieve what the bill proposes it will.

Licensure will increase the cost of running a business and will make it harder to retain interpreters within the state. All interpreters in Hawaii are self-employed, independent contractors. It is already hard for ASL interpreters to make a living. That is why many skilled interpreters who move here quickly return to the mainland where they are paid better and can find jobs working as employees for companies that also provide them with medical and retirement benefits. Licensure will make it more expensive to work as an interpreter in Hawaii.

Licensure will also serve as barrier to entry in a field that is already struggling to have sufficient number of qualified providers. It would prevent native fluent signers and deaf interpreters from entering a field that is sorely in need of their services. There is no state credentialing exam available for deaf interpreters. RID national exams were placed on a moratorium. It is already difficult for newer interpreters to begin working in Hawaii with the limited work opportunities, limited mentoring opportunities, and no deaf interpreter credential available. Licensure would be an additional barrier to entry that will make it even harder to grow the number of skilled and qualified interpreters available for Hawaii's Deaf community.

As a provider of sign language interpreting services, I support the use of skilled, professional, and ethical sign language interpreters. And I support addressing concerns about an interpreter's unethical conduct, however I feel that licensure will not achieve this and is the wrong approach for Hawaii to take.

Currently, complaints about a RID nationally certified interpreter, it can be addressed with the agency that referred them or RID has a grievance system in place. Complaints about a Hawaii state credentialed interpreter, can be addressed by the agency that referred interpreter. BUT there is no monitoring or grievance system in place with DCAB, the entity that awards the state credential. It is the standard practice in the industry for entities that award credentials/certifications to be responsible for providing a grievance mechanism to monitor their credentialed interpreters. That is the primary issue that exists, but licensure is not the solution.

I respectfully ask that the Legislature consider a resolution recommending that DCAB expand its interpreter HQAS

credentialing system to include a formal grievance procedure that addresses concerns with HQAS interpreters in a similar manner to how RID addresses grievances filed against nationally certified ASL interpreters.

These are the reasons I oppose H.B. 1106 and I ask the committee to vote in opposition to this bill and to not support the Senate Concurrent Resolution for a sunrise study to be conducted. Pursuing a sunrise study would be a waste of public time and funds for a licensure measure that the community does not support.

Respectfully submitted,

Linda Lambrecht
Kaneohe, Hawaii

From: [Jeff Lambrecht](#)
To: [HUSstestimony](#)
Subject: HB1106
Date: Thursday, February 02, 2017 11:52:48 PM



February 2, 2017
TESTIMONY TO THE HUMAN SERVICES COMMITTEE

House Bill 1106 – Relating to Licensing of American Sign Language Interpreters

Representative Dee Morikawa
Chair, House Committee on Human Services
Hawaii State Capitol
Room 442
415 South Beretania Street
Honolulu, HI 96813

Dear Representative Morikawa,

My name is Jeff Lambrecht. As a member of Hawaii's Interpreting community, I respectfully **oppose H.B. 1106** Relating to Licensing of American Sign Language Interpreters for the following reasons:

1. Charging an interpreter an additional fee to work in Hawaii is not going to improve the quality of interpreting services.
2. Additional fees, will result in having fewer ASL interpreters throughout the state by making it more expensive for interpreters to work in Hawaii.
3. Licensure will also serve as a barrier for entry, making it harder for new persons to become an ASL interpreter.

There is no convincing evidence that licensure of sign language interpreters will improve the quality of interpreting services or ensure the health and safety of deaf persons. It is important that the Legislature know that other states like Wisconsin, have had licensure for years and are now trying to **repeal** their licensure legislation because they are seeing no actual benefit from licensure. It is also important to know that Hawaii has about 50 sign language interpreters and not all of them interpret full-time. In 2015, California, a state that has about 1,200 nationally certified sign language interpreters, in response to a licensure bill determined licensure as **financially infeasible**. Licensure would be even more infeasible for Hawaii with such a significantly smaller pool of providers. Licensure will not achieve what the bill proposes it will.

Licensure will increase the cost of running a business and will make it harder to retain interpreters within the state. All interpreters in Hawaii are self-employed, independent contractors. It is already hard for ASL interpreters to make a living. That is why many skilled interpreters who move here quickly return to the mainland where they are paid better and can find jobs working as employees for companies that also provide them with medical and retirement benefits. Licensure will make it more expensive to work as an interpreter in Hawaii.

Licensure will also serve as barrier to entry in a field that is already struggling to have sufficient number of qualified providers. It would prevent native fluent signers and deaf interpreters from entering a field that is sorely in need of their services. There is no state credentialing exam available for deaf interpreters. RID national exams were placed on a moratorium. It is already difficult for newer interpreters to begin working in Hawaii with the limited work opportunities, limited mentoring opportunities, and no deaf interpreter credential available. Licensure would be an additional barrier to entry that will make it even harder to grow the number of skilled and qualified interpreters available for Hawaii's Deaf community.

As a provider of sign language interpreting services, I support the use of skilled, professional, and ethical sign language interpreters. And I support addressing concerns about an interpreter's unethical conduct, however I feel that licensure will not achieve this and is the wrong approach for Hawaii to take.

Currently, complaints about a RID nationally certified interpreter, it can be addressed with the agency that referred them or RID has a grievance system in place. Complaints about a Hawaii state credentialed interpreter, can be addressed by the agency that referred interpreter. BUT there is no monitoring or grievance system in place with DCAB, the entity that awards the state credential. It is the standard practice in the industry for entities that award credentials/certifications to be responsible for providing a grievance mechanism to monitor their credentialed interpreters. That is the primary issue that exists, but licensure is not the solution.

I respectfully ask that the Legislature consider a resolution recommending that DCAB expand its interpreter HQAS

credentialing system to include a formal grievance procedure that addresses concerns with HQAS interpreters in a similar manner to how RID addresses grievances filed against nationally certified ASL interpreters.

These are the reasons I oppose H.B. 1106 and I ask the committee to vote in opposition to this bill and to not support the Senate Concurrent Resolution for a sunrise study to be conducted. Pursuing a sunrise study would be a waste of public time and funds for a licensure measure that the community does not support.

Respectfully submitted,

Jeff Lambrecht
Kaneohe, Hawaii