

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2802 Session of
2006

INTRODUCED BY NAILOR, ALLEN AND BELFANTI, JUNE 20, 2006

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 20, 2006

AN ACT

1 Amending the act of July 2, 2004 (P.L.492, No.57), entitled "An
2 act providing for State registration of individuals providing
3 sign language interpreting and transliterating services to
4 individuals who are deaf or hard of hearing; and imposing
5 duties on the Office for the Deaf and Hard of Hearing in the
6 Department of Labor and Industry," further providing for
7 definitions and for State registration requirements.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 2 and 4 of the act of July 2, 2004
11 (P.L.492, No.57), known as the Sign Language Interpreter and
12 Transliterator State Registration Act, are amended to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Applicant." An individual who applies for State
18 registration in accordance with section 5.

19 "Department." The Department of Labor and Industry of the
20 Commonwealth.

1 ["EIPA." The Educational Interpreter Performance Assessment
2 Examination administered by the Department of Education or its
3 agent.]

4 "Interpreting." The process of conveying English in
5 grammatically correct American Sign Language and the process of
6 conveying American Sign Language in English.

7 "Office." The Office for the Deaf and Hard of Hearing within
8 the Department of Labor and Industry.

9 "Qualified sign language interpreter." An individual
10 registered under this act who engages in sign language
11 interpretation.

12 "Qualified transliterator." An individual registered under
13 this act who engages in transliteration.

14 "Registrant." An individual registered under this act as
15 either a qualified sign language interpreter or a qualified
16 transliterator.

17 "Sign language interpreter." An individual who provides
18 individuals who are deaf and hard of hearing with interpreting
19 or transliterating services.

20 "Transliterating." The process of conveying a spoken message
21 from a person who hears to a person who is deaf or hard of
22 hearing and the ability to repeat the message and intent of the
23 speech, mouth movements or English-based signed system of the
24 person who is deaf or hard of hearing.

25 Section 4. State registration required.

26 (a) General rule.--Except as provided in subsection (b), no
27 individual may provide or offer to provide sign language
28 interpreting or transliterating services, or hold himself as a
29 qualified sign language interpreter or qualified transliterator
30 or, use a similar title or designation, without being State-

1 registered by the office in accordance with this act.

2 (b) Exceptions.--The following individuals are exempt from
3 the State registration requirements of subsection (a):

4 (1) An individual engaged in interpreting or
5 transliterating at a worship service conducted by a religious
6 entity and services for educational purposes for a religious
7 entity or religiously affiliated school.

8 (2) An individual engaged in sign language interpreting
9 or transliterating during an emergency, when a delay in
10 obtaining a State-registered interpreter or State-registered
11 transliterator might lead to injury or loss to the individual
12 requiring the services.

13 (3) An individual engaged in interpreting or
14 transliterating as part of a supervised internship or
15 practicum at an accredited college or university or the
16 registry of interpreters for the deaf or the National
17 Association of the Deaf, provided it is not in a legal,
18 medical or mental health setting.

19 (4) An individual who is certified by the National
20 Association of the Deaf or the Registry of Interpreters for
21 the Deaf from outside the Commonwealth who provides
22 interpreting or transliterating services in the Commonwealth
23 for a period not exceeding 14 days each calendar year.

24 (5) An individual engaged in interpreting or
25 transliterating at the request of an individual who is deaf
26 or hard of hearing if the individual informs the client that
27 the individual is not registered under this act.

28 (6) An individual who engages in interpreting or
29 transliterating strictly as a volunteer.

30 [(7) An individual who engages in interpreting or

1 transliterating for a school-related activity in accordance
2 with all of the following:

3 (i) The individual is employed in a public or
4 private elementary or secondary school or institution
5 chartered by the Commonwealth.

6 (ii) The individual received a rating equal to or
7 exceeding 70% on the EIPA. A school district shall
8 determine the EIPA by grade level of the child or class
9 to which the interpreter is assigned and the sign system
10 being used by the class or school.]

11 (7) An individual employed in a public or private
12 elementary or secondary school or institution chartered by
13 the Commonwealth who engages in interpreting or
14 transliterating for the instruction of students or other
15 school-related activity. Individuals exempt pursuant to this
16 subsection shall comply with regulations promulgated by the
17 State Board of Education establishing criteria for persons
18 providing sign language interpreting and transliterating
19 services to students.

20 (8) An individual engaged in interpreting or
21 transliterating in a physician's office, provided that a
22 patient is informed that the individual is not registered
23 under this act and that the patient has the right to request
24 or provide a State-registered interpreter.

25 (c) Unlawful practice.--An individual who violates this
26 section commits a summary offense and shall, upon conviction, be
27 sentenced to pay a fine not to exceed \$300 or to imprisonment
28 for not more than 90 days, or both, for a first violation. An
29 individual who is convicted of a subsequent violation of this
30 section commits a misdemeanor of the third degree and shall be

1 sentenced to pay a fine of not less than \$300 nor more than
2 \$1,000 or to serve a term of imprisonment for not more than 90
3 days, or both.

4 Section 2. This act shall take effect in 60 days.