



KEN SKOWRONSKI

STATE REPRESENTATIVE • 82nd ASSEMBLY DISTRICT

(608) 266-8590
Toll-Free: (888) 534-0082
Rep.Skowronski@legis.wi.gov

P.O. Box 8953
Madison, WI 53708-8953

Tuesday, June 04, 2019

Good Morning Chairman Petryk and Members of the Committee,

I want to thank you for taking time today to hear AB 250 related to licensure of Sign Language Interpreters. This bill is similar to what passed out of the Assembly last session.

This bill creates a two sets of two tier licensing for sign language interpreters. An intermediate and an advanced level. Both hearing interpreters and Deaf interpreters would have the opportunity to be licensed in either tier.

In order to become licensed you currently have to find a state that offers the B.E.I exam. Currently, the closest state that offers that is Michigan. We are requesting that, with an upcoming amendment that DHS continue to work on bringing the BEI to Wisconsin. Saving interpreters the cost of having to travel to Michigan to take the test. DHS has been working on setting up the BEI in Wisconsin for the past 3 years, and we do not want to have to restart the process with DSPS. The two agencies would then work together once the test is here.

This bill will help create jobs that are needed. Not only in the big cities, but all over the state. This will help with communication access to an amazing community that deserves to have their voices heard correctly. AB 250 is an important bill, and you will hear from the experts shortly on why they feel this is so important.

Thank you

Ken

STATE REPRESENTATIVE
JONATHAN BROSTOFF
19TH ASSEMBLY DISTRICT

Testimony in Support of AB 250

Relating to: examinations and licensure of sign language interpreters
June 4, 2019

Chairman Petryk, distinguished members of the Committee, thank you for the opportunity to come before you today to testify in support of Assembly Bill 250. I am here as a proud co-author of this bill, and as someone who is deeply invested in the safety and success of Wisconsin's Deaf community.

It is too often taken for granted that the Deaf community relies on sign language interpreters to fluidly communicate with the hearing community, with little thought given to the practical considerations or pitfalls that can result. While most licensed sign language interpreters are entirely qualified to interpret in everyday situations, we have seen the Deaf community underserved in situations that require interpretation with an advanced degree of expertise or technical knowledge, such as legal interactions, emergency room visits, or mental health scenarios.

AB 250 addresses this by creating appropriate tiers of sign language interpreters, intermediate and advanced, with different requirements and scopes of practice for each. In this way, AB 250 recognizes the needs of both the Deaf and interpreter communities: it ensures high-quality, advanced interpretation services for deaf individuals in cases where an interpreter with an advanced level of knowledge or experience in a technical field is necessary, and it ensures that interpreters are not put in the position of having to interpret in a scenario for which they feel underqualified or overwhelmed. Furthermore, AB 250 addresses the examination and license renewal process for interpreters, and will help guarantee that current and aspiring interpreters have access to jobs in their field.

While working on this legislation, I've had the opportunity to travel across the state and meet with various stakeholders from rural areas, urban areas, and everywhere in between. Unfortunately, I've had to hear more than enough stories outlining the need for this important legislation. One such story is that of Theresa, a young woman who recently graduated from UW-Milwaukee who, because of a lack of proper interpreting services offered at a hospital to which she was admitted, ended up having the wrong surgery performed on her. Or another couple going through a divorce who, because of a lack of proper interpreting services in the courtroom, ended up having a significant mix-up in their custody and visitation rights, which later on would cause a whole mess of problems for both the parents and children, and further compound a set of already complicated family problems. It is time for this legislation.

AB 250 has earned broad bipartisan support, and is the result of years of work across the aisle to benefit the Deaf community in Wisconsin. I want to sincerely thank Representative Skowronski, Representative Thiesfeldt, Senator Testin, Senator Johnson, former Representative Kleefisch, the Wisconsin Association for the Deaf, the Wisconsin Registry of Interpreters for the Deaf, and the numerous other individuals who have worked on or touched this legislation in some way for their work - each of us, in our own way, has put a lot of work into this and I am honored and blessed to have worked with such a fine group on such an important bill.

I urge the members of the Committee to vote yes on AB 250, and to show your support for the Deaf and interpreter communities in our great State. Thank you for your time and consideration, and I would be happy to answer any questions about this piece of legislation either now or in the future.



PATRICK TESTIN

STATE SENATOR

DATE: June 4th, 2019
RE: **Testimony on 2019 Assembly Bill 250**
TO: The Assembly Committee on Workforce Development
FROM: Senator Patrick Testin

Thank you to Chairman Petryk and the members of the committee for accepting my written testimony on Assembly Bill 250 (AB 250). This bill, which I've authored with Senator Johnson and Representatives Skowronski and Brostoff intends to give greater flexibility to those looking to enter the field of sign language interpreting, and give a stronger voice to members of the Deaf Community.

Most of us has have the good fortune to be born with all five senses. It's hard to imagine how being unable to hear would change how we communicate, and how much we would come to rely on another person – an interpreter – to share our thoughts, ideas, emotions, and needs with the broader world.

This legislation was crafted in consultation with the Deaf Community, and changes the sign language interpreter classifications in accordance with their wishes. It also transitions the Sign Language Interpreter Council to the Sign Language Interpreter Advisory Committee, a change that we hope will give members of the Deaf Community a greater say in issues that have a direct impact on their wellbeing.

Additionally, this legislation makes changes to reform the current interpreting licensure system, which, though established in 2010 with good intentions, has inadvertently led to the loss of over 100 interpreters in the last year. Statutorily, it must utilize a test that is widely acknowledged to be out of date, and due to internal complications, this test has been unavailable for a number of years. State agencies have implemented emergency rules to accept results from another test, the Board for Evaluation of Interpreters (BEI) performance examination, in an attempt to enable practitioners to remain licensed. Even so, Wisconsin could lose another 40 interpreters this year. We must fix this statutorily. For the Deaf Community, this is much worse than an inconvenience. They are losing their mode of communication.

In addition, current law mandates timeframes in its licensure renewal requirements that have caused qualified interpreters to leave the field. Instead of forcing interpreters to pursue the highest level of training, our bill enables restricted level licensees to permanently renew their licenses at that level.

Thank you for your consideration. I hope you will join me in supporting this bill.

12
June 3, 2019

RE: AB250 Interpreting license

Dear Representative Petryak,

Let me introduce myself to you; Katie Voss, a Germantown, WI resident and have been on the committee for the interpreting licensure for 5 years. The committee support this bill AB250. Here are the reasons why:

- Will increase more job opportunities for the deaf and hearing interpreters.
- Will protect the deaf and hearing individuals whereas the interpreters know which settings they are allow to work.
- Creation of Sign Language Interpreting Advisory Committee will offer better relationship with DSPS and the communities who need to handle issues when arise as well as make suggestions on any interpreter's skills than is currently available now.
- Provides opportunity for advancement in interpreting skills in mental health and legal settings that are very important to our community.
- Color labels will help any deaf person and any scheduling agency to know what skills any interpreter is capable of.

It is very important for this bill to pass so we the deaf community can breathe better knowing that we will have interpreters who can work will be able to interpret for us.

As of this year, it was a tough year trying to find someone to interpret for me at work location due to limit number of qualified interpreters and it was not easy for me. I had to go without an interpreter for some meetings which made more difficult for me.

Again, I want to emphasize that this bill AB250 will increase more opportunity for people to work in Wisconsin by allowing more flexibility to grant a license to an interpreter who may be limited by resources that may not be available to him or her.

I SUPPORT AB250.

Thank you,

Katie Voss
Germantown, WI

June 4, 2019

RE: AB250, Sign Language Interpreter Licensure

Hello Representatives:

I support this bill, AB250. I was on the Deaf Interpreter Taskforce when SB465 was killed. Now, I am the co-chairperson for the current Interpreter Licensure committee with Katie Voss.

I am a Deaf consumer, proactive in my Deaf Community, a Certified Deaf Interpreter with a Legal Certification, the only Deaf owner of a Sign Language Interpreting agency in Wisconsin, and Co-Chairperson for AB250. With multiple roles, this has given me an unique perspectives how this bill should play out by increasing deaf community protection, and how to regulate which settings specialized, certified and pre-certified interpreters should be allowed to work in, create more opportunity for deaf interpreters, and to increase the pool of interpreters and the critical need of SLIAC (Sign Language Interpreter Advisory Committee).

There are two most important things I want to address today.

- 1) The greatest thing about this bill gives the State of Wisconsin an opportunity to expand job opportunities for interpreters and also to ensure that they are in their place in the appropriate settings where their skills should be at including their credential. In this field, regulating will help cover more unfilled jobs which is positive for deaf consumers and interpreters. You need to know that our Wisconsin Interpreter Community is in critical shortage with our large population of Deaf and Hard of Hearing residents and the low number of certified interpreters are not being met. Many D/HH still do not receive the appropriate accommodations they need. AB250 gives us an opportunity to fix this issue by making thing right so our deaf community is protected which is what they have been asking for many years. This problem is bigger than we anticipated however I don't expect you to come down a solution as this is the world I live in so I have some ideas to offer you a solution. If you are interested to learn what I came up with, please do feel free to contact me at MaffDeafTerp@gmail.com, I am more than happy to join in one of your Workforce Development meeting to discuss further.
- 2) The Sign Language Interpreter Advisory Committee (SLIAC) is what I consider, our "Giannis" in this bill. In my opinion, this is the most crucial part that we truly need. This represent everything the deaf community have been asking for more than I can even remember. This is a "one stop" for the Deaf community to reach out when unnecessary situations arise including wrongful actions by the interpreters on the job. The only one concern I have with this is that DSPS makes the final decisions, a group of hearing employees who are clueless about our needs. What if there is a turnover of staff, which repeats the unknown of deaf rights. That is when we cannot educate what we need them to do to arise when needed. It takes a lot of learning and understanding of our needs, the language, culture, and interpreter's code of professional conduct, etc.. This is something I am willing to give a try so we can get this to governor's desk.

Please support AB250 and SLIAC to give your Deaf/Hard of Hearing community the quality of life we all deserve.

Respectfully,

Michael Maffucci
Oconomowoc, WI

Andrea Metzger
3244 N. 89th St.
Milwaukee, WI 53222

Assembly Committee on Workforce Development
Representative Petryk (Chair)

RE: AB 250 Sign Language Interpreter Licensure Bill

Dear Honorable Chair and Committee Members:

My name is Andrea Metzger and I am a sign language interpreter in the state of Wisconsin. I'm here today to ask for your support for AB 250.

In 2010, when the sign language interpreter law was first enacted, the goal was to align qualifications with the Registry of Interpreters for the Deaf's National Interpreter Certification Exam. Still today, after receiving an initial license, a Wisconsin-resident interpreter has six years to pass that exam. However, at that time, no one could have predicted that by 2015, that exam pass rate would plummet to an embarrassing 17%. No one knew that RID would hold a performance exam moratorium between August 2015-September 2016, leaving pre-certified interpreters without an alternative route to achieve certification. No one expected that unethical, unlicensed interpreters would go virtually unpunished. No one anticipated that on September 1, 2017, nearly 10 percent of Wisconsin-resident sign language interpreters would have their licenses invalidated, myself included. But "the unexpected" became a reality.

Legislators, if a law is capable of intentionally slashing its workforce by 10 percent, it is a danger to itself. With how the law is currently structured, unintentional harm is being imposed on the Deaf community and its allies.

But, just as the Deaf community and interpreting profession originally intended, I and other interpreters continued to work hard toward achieving national certification during our restricted license careers. I have mentored with RID-certified interpreters and Deaf community members. I have done countless hours of my own personal study and practice. I have also proactively sought the 2016-Wisconsin-adopted alternative certification system- the BEI. In essence, the BEI is a tiered testing system in which a Wisconsin-resident interpreter must pass not only one, but three successive exams to order to achieve an RID-equivalent certification. While I have successfully achieved two of the three required exams, my BEI-Basic Certification, current Wisconsin law still will not grant me any more time to pass that last performance exam- the BEI-Advanced.

Please know that Wisconsin does *not* offer any of the BEI examinations, nor, as of June 1, 2019, the RID-NIC exam (due to RID test restructuring). This means that those whose goal it is to achieve a permanent license must either travel out of state to take the BEI, or wait until the RID-NIC temporary moratorium passes (expected date is October 1, 2019). Then, in order for a performance exam to be rated, a candidate must wait at minimum three months (sometimes six) to receive a score. If a candidate

should fail any performance exam, they must wait 6 months from the date they tested before they can retake it (per BEI and RID rules). *This 6 month-waiting period is what is reducing interpreters' chances to achieve permanent licensure*, especially since the current pass rates of Wisconsinites taking either exam is below 35%. For those under the six-year, or temporary exemption (one year beyond the expiration date) timeline, they *must* have a passing score on either exam before September 1, 2019, when the current cycle ends. If they do not, their qualifications to work in Wisconsin will be stripped from them and they will be forced to make hard and fast career decisions.

Unless our current law is revised and replaced with AB 250, the interpreting pool will continue to decrease every year, leaving even more interpreters out of work.

This is why it is crucial that Assembly Bill 250 pass.

If adopted, sign language interpreters will be appropriately placed into categories based on their current skill and credential: Intermediate, Advanced, or Specialized. These categories will protect Deaf consumers in critical situations (i.e. medical, legal, and mental health) by ensuring that that interpreter is appropriately trained.

Furthermore, if passed, Wisconsin will adopt the BEI tiering system in its entirety, putting interpreters like myself back to work. If the interpreter satisfies the requirements, each license granted will be eligible for renewal, and will it not have a time restriction. So if interpreters need more time to pass a national certification exam, like myself, this law will give it to them without fear of losing their livelihood. Legislators, the Deaf community deserves more than a revolving door of pre-certified interpreters.

If it passes, unethical, unlicensed interpreters will be subject to a Sign Language Interpreting ~~Council~~, where deaf, hard of hearing, and deaf-blind members partner alongside interpreters and community members. If caught working without a license or in violation of the profession's standard of ethics, the Council will be consulted and action can be taken.

Advisory
Committee

There are many more benefits to this bill that I have not mentioned, but even the reasons I have outlined is reason enough. I believe Assembly Bill ~~520~~ ²⁵⁰ has the teeth needed to accommodate for the unexpected and will get interpreters back to work!

I urge you to vote yes on this bill.

Thank you for your time and your support of AB ~~520~~ ²⁵⁰.

AB250: Proposed Changes to Sign Language Interpreter Licensure

Changes	Rationale
License Cycle and Renewal	The proposed bill allows interpreters to work indefinitely under permanent licenses, provided they maintain licensure and certification requirements where applicable. Current law has displaced interpreters from work due to restrictive licensure renewal requirements.
Setting Restrictions	The DSPS license is intended for interpreter who work in a variety of settings. Current law allows interpreters without national certification to interpret in critical, high risk situations such as legal, mental health and medical settings. The proposed legislation protects consumers and businesses by requiring a proven verification of advanced skills before entering any high-risk environment, avoiding potential for harm towards the clients, and reducing potential liability on the interpreters. There are opportunities for mentoring into higher level setting by ensuring there are some supervisory/monitoring support.
Oversight & Advisory	Oversight has been identified as a weakness in the current license due to limited involvement from the Deaf community leaders. This leads to many Deaf community members not attempting to file a complaint, and for those who have, many grievances have been inadequately addressed or remedied. The addition of the Sign Language Interpreting Advisory Committee will have advisory authority to work directly with DSPS to set up guidelines and to seek remediation measures for those who was found guilty of violating statutes including the CPC. This will encourage consumers to file complaints and will further prevent unlicensed practice of interpreting in the state of Wisconsin from causing harm to the Deaf, Hard of Hearing, and Deaf-Blind individuals.
Competing Certifications	There are two competing national certification programs (RID and BEI) that vary in requirements, evaluation, and credential levels. Proposed changes ensure Wisconsin licensed interpreters have equivalent qualifications regardless of certification. In order to protect the public and establish consistency, a standard was established with levels that best matches the skills of the interpreters to the proper level of certification with proper setting they are able to work in. We also recognize that there are lack of availability of specialized licenses, the proposed license structure establishes a clear pathway for both deaf and hearing interpreters.
CEU Requirements	Certification programs vary in their CEU cycle requirements. Additionally, one license category (Intermediate-Deaf) does not require a certification to obtain a license but will expect interpreters in that category to maintain continuing education standards equivalent to their peers.

AB250: Proposed Changes to Sign Language Interpreter Licensure Summary

AB250 would replace the Wisconsin license for sign language interpreters that was passed in 2010: Wisconsin §440.032. Current licensure no longer reflects the evolution of a growing profession and proposed changes which updates and models best practices for sign language interpreters.

Licensure is key to protecting consumers from fraud or substandard skills in very critical situations such as medical, mental health and legal settings.

Since the passing of the law, the field of sign language interpretation has increased its expectations of practitioners to obtain knowledge and techniques acquired through formal study. This includes a set of language processing skills, ethical decision making skills, and breadth/depth of technical knowledge. Using national standards for interpreters, the proposed licensure model appropriately places the interpreters in categories based on education, training, and skill level.

Proposed Licensure Tiers (Hearing)

Intermediate Hearing

Requires

Satisfies All Option #1

- Minimum of a Bachelor's Degree or equivalent determined by the DSPS with advice from SLIAC
- Successful completion of an interpreter training program completion
- BEI Basic certification or equivalent determined by DSPS with the advice from SLIAC

Satisfies All Option #2

- Minimum of an Associates Degree prior to bill's enactment into law
- Successful completion of an interpreter training program completion
- BEI Basic certification or equivalent

Option #2 is an alternative option available for those who may only have an associate's degree in sign language interpretation prior to the enactment of the law. After the law is enacted, only option #1 qualifies for the Intermediate-Hearing License

Setting Restriction

- Cannot interpret in legal or mental health settings
- Cannot interpret in medical settings alone unless approved by DSPS the advice from SLIAC, or is teaming with Advanced Hearing Interpreter or Advanced Deaf Interpreter

Background

Qualifying All Option #1

The minimum requirement for licensure is a Bachelor's Degree or equivalent determined by the DSPS with advice from SLIAC.

Successful completion of an interpreter training program completion

Qualifying All Option #2

Minimum of an Associates Degree prior to bill's enactment into law

Successful completion of an interpreter training program completion

Setting Restriction

Cannot interpret in legal or mental health settings

Cannot interpret in medical settings alone unless approved by DSPS the advice from SLIAC, or is teaming with Advanced Hearing Interpreter or Advanced Deaf Interpreter

Proposed Licensure Tiers (Deaf)

Intermediate Deaf

Requires

- Requires a minimum of a high school diploma
- Completes 40hrs of Deaf Interpreter training program approved by DSPS with the advice from SLIAC
- Completes 16 hours of sign language interpretation services, CEUs equivalent to RID or BEI approved CEUs
- Successfully completes ASL Linguistic I and II or equivalent coursework approved by DSPS with the advice from SLIAC
- Has successfully completed a minimum of 25 hours of observing ASL interpreting services, verified by providing letters of recommendation from two individuals from any of the following: Advanced Deaf License, Certified Deaf Interpreter from RID, or equivalent certification approved by DSPS with the advice from SLIAC

Setting Restriction

- Cannot interpret in legal unless listed on the Wisconsin Supreme Court Interpreter Roster
- Cannot interpret in mental health settings

