



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Health, Health Insurance, Privacy, Property Tax Relief, and Revenue (SC-HHIPTRR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue

Senate Bill 389

Relating to: licensing sign language interpreters, creating an evidentiary privilege for communications with those interpreters, creating a Sign Language Interpreter Council, granting rule-making authority, and providing a penalty.

By Senators Kedzie, Lazich, Olsen and Carpenter; cosponsored by Representatives Lothian and Townsend.

November 09, 2009 Referred to Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

January 20, 2010 **PUBLIC HEARING HELD**

Present: (7) Senators Erpenbach, Carpenter, Robson, Lassa, Lazich, Kanavas and Darling.

Absent: (0) None.

Appearances For

- Neal Kedzie — Sen.
- Gregg Smudde, Appleton
- Colleen Keating, Sharon
- Renee Thomas, Sun Prairie
- John Fletcher, Milwaukee
- Joseph Riggio — WI Association of the Deaf Past President
- Jenny Buechner, Madison — WI Association of the Deaf President
- Joel Mankowski, Greenfield
- Faye Jordan-Peters, Appleton
- Christopher Woodfill, Delavan
- Leonard Peacock, Delavan
- Jerrod Keim, Delavan
- Dean Kelly, Darien
- Ted Trenkamp, Madison
- Lisa Burckhardt, Jefferson
- Jack Barr, Sun Prairie
- Jamie Garrison, Menomonee Falls
- Peggy Weaver, Madison — Purple Language Services

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Tom Lothian — Rep.
- Billy Mauldin, Madison
- Amber Mullett, Madison
- Jana Hicks, Madison
- Amy Schroeder, Madison
- Susan Boudreau, LaFarge — Dean Medical Care
- Kristin Risley, DeForest — MATC
- Daniel Rains, Janesville
- Lamont Klecot
- Mary Lynn Rose, Madison
- Joy Ann Lee, Delavan
- Milton Lee, Delavan
- Alice Sykora
- Denise Pulfer, Madison
- Alyson Urdahl, Delavan
- Susan Gordan, Franksville — WI Registry of Interpreters for the Deaf
- Sue Gudenkauf, Verona
- Ryan Kelly, Darien
- Rebecca King, Madison
- Gail Fearing, McFarland
- Chris L'Heureux, Madison
- Sandy Hall, McFarland

Registrations Against

- None.

Registrations for Information Only

- None.

January 27, 2010

EXECUTIVE SESSION HELD


Present: (7) Senators Erpenbach, Carpenter, Robson, Lassa, Lazich, Kanavas and Darling.

Absent: (0) None.

Moved by Senator Robson, seconded by Senator Lazich that **Senate Bill 389** be recommended for passage.

Ayes: (7) Senators Erpenbach, Carpenter, Robson,
Lassa, Lazich, Kanavas and Darling.
Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 7, Noes 0



Kelly Becker
Committee Clerk

Vote Record
Committee on Health, Health Insurance, Privacy, Property
Tax Relief, and Revenue

Date: _____

Moved by: Robson

Seconded by: Lazich

AB _____ SB 389 _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

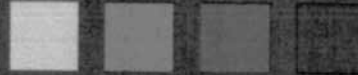
A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- | | | | | |
|---------------------------------------|------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrency | |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Jon Erpenbach, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mary Lazich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Alberta Darling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____





January 19, 2010

As president of the National Association of the Deaf (NAD), I am writing to express our strong and unequivocal support for Senate Bill 389, which would require all sign language interpreters to register with and receive a license to work in the state of Wisconsin. We support the Wisconsin Association of the Deaf and its stakeholders in this regard.

The NAD was established in 1880 by deaf leaders who believed in the right of the American deaf community to use sign language, to congregate on issues important to them, and to have its interests represented at the national level. These beliefs remain true to this day, with American Sign Language (ASL) as a core value. As a nonprofit federation, the mission of the NAD is to preserve, protect, and promote the civil, human, and linguistic rights of deaf and hard of hearing individuals in the United States of America.

ASL is the recognized sign language of the deaf community in the United States of America. As is the case with standardized spoken, written, and signed languages worldwide, ASL conforms to linguistic principles (e.g., semantics, syntax, morphology, phonology, and pragmatics). The complex visual-spatial linguistic structure of ASL is distinct from English, a linear, sequential language that is based on auditory processes.

The process by which professional interpreters become fluent in ASL-English interpretation requires many years of professional training and experience. Many states today require national certification as well as state licensure for sign language interpreters. Under this proposed bill, sign language interpreters would be required to achieve a certain level of competency and professionalism to be registered and licensed by the state. This bill would also codify what the majority of deaf and hard of hearing citizens already know: that interpreter licensure will recognize the profession of interpreters and consequently raise standards of service.

We work closely with the Registry of Interpreters for the Deaf (RID), an organization of, by and for professional interpreters working with the American deaf community. NAD and RID credentials, taken together, provide the highest level of national standards available to interpreters that are based on stringent testing mechanisms and job analyses, qualifications, code of professional conduct and certification maintenance through continuing education. Interpreters today hold NAD and RID certifications. Additionally, interpreters in more recent years hold NAD-RID National Interpreter Certification, which transpired through the joint efforts of both organizations.

Our understanding is that many service providers in Wisconsin are not compelled to employ high quality sign language interpreting services, which puts many deaf and hard of hearing citizens in an untenable position. Passage of this bill would place authority with a new licensure council to regulate all community-based interpreters in the state. It is of critical importance that deaf, hard of hearing, late deafened and deaf blind residents of Wisconsin can be assured that sign language interpreting services are of the highest quality possible and provided by licensed sign language interpreters holding national certification.

Thank you for your support.

Bobbie Beth Scoggins
President

cc: Jenny Buechner, President, Wisconsin Association of the Deaf





Wisconsin Association of the Deaf

P.O. Box 342874
Milwaukee, WI 53234-2874

January 19, 2010

2009-2011 Officers Serving with Pride...

President

Jenny Buechner
PresidentWAD@gmail.com

Vice President

Chris Woodfill
VicePresidentWAD@gmail.com

Secretary

Katy Schmidt
SecretaryWAD@gmail.com

Treasurer

Ted Trenkamp
TreasurerWAD@gmail.com

Membership Secretary

Cookie Roang
MembershipWAD@gmail.com

Members At Large

Tom Harbison
Katie Voss
Scott Baughmann
Ron Byington

Members of the Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue,

The Wisconsin Association of the Deaf (WAD) is a nonprofit advocacy organization that advocates for all deaf, hard of hearing and deaf-blind citizens of Wisconsin. Many local organizations that serve the deaf, hard of hearing and deaf-blind people in Wisconsin are affiliated with WAD as its chapter members.

WAD would like to express its unequivocal and strong support for Senate Bill 389, which would require all sign language interpreters to register with the state to receive a license to work in the state of Wisconsin. Under this proposed bill, it would be necessary for all of the sign language interpreters to achieve a certain level of competency and professionalism in order to be registered and licensed by the state.

Sign Language is the preferred communication method for many deaf, hard of hearing and deaf-blind individuals. It would oftentimes be necessary to have sign language interpreters in a variety of settings such as doctor's visit or job interview in order to facilitate effective communication. Proper translation in such settings are critical to both sign language users and service providers.

Through American with Disabilities Act (ADA) requires access to effective communication for people that rely on sign language, effective communication between sign language users and service providers in Wisconsin is not happening consistently and competently. This is due to the lack of regulations of any kind within the state defining what levels of professionalism and competency would be required from all sign language interpreters. There have been cases in state where an individual has taken only one or two sign language courses and began to interpret for the sign language users. While this individual may mean well, it is not fair to the people involved in the conversation because miscommunication may occur with serious consequences for all involved.

This bill will prevent such situations from occurring by requiring that all sign language interpreters be certified by the national Registry Interpreters for the Deaf in order to be licensed as sign language interpreter in Wisconsin. With this, there will be assurances that certified and licensed sign language interpreters will have proper level of professionalism and competency in all settings in Wisconsin.

The passage of this bill will mean that the deaf, hard of hearing and deaf-blind people can be assured that sign language communication will be equally translated through certified and licensed sign language interpreter during a doctor's appointment, job interview or other situations that require interpreting.

If there are any questions you may have about the Wisconsin Association of the Deaf and our position, please feel free to contact me directly at PresidentWAD@gmail.com or call me at 608-234-4866 (daytime).

Sincerely,


Jenny Buechner

President



Stefanie Saltern
President

Cheryl Kanitz
Vice President



WisASLTA
5313 Windwood Circle
McFarland, WI 53558

www.wisaslta.org

Wisconsin American Sign Language Teachers Association

January 20, 2010

The Honorable Julie Lassa
4901 Beaver Dam Road
Stevens Point, WI 54481

RE: Interpreter Licensure Bill SB 389

Dear Senator Julie Lassa,

We are writing to urge you to put your support behind the Senate version of 2009 SB 389, the Sign Language Interpreter Licensure and Council bill.

We feel this bill is long overdue in Wisconsin. Wisconsin has the most lacking case law in the Midwest in regard to the quality of sign language interpreting services for the citizens of Wisconsin. This bill would codify what the majority of deaf and hard of hearing citizens already know: interpreter licensure will recognize the profession of interpreters and consequently bring up the standards of service.

Many service providers in Wisconsin do not employ high quality sign language interpreting services, which puts many deaf and hard of hearing citizens in an untenable position. This bill would place authority with a new licensure Council to help regulate all community based interpreters in this state.

We encourage you to look carefully at this issue and consider giving it your enthusiastic support. We would be happy to discuss this with any members of your staff.

Sincerely,
WisASLTA Board
president@wisaslta.org





State Senator

Neal J. Kedzie

11th Senate District

Senate Bill 389
Testimony of Senator Neal Kedzie
Senate Committee on Health, Health Insurance, Privacy,
Property Tax Relief, and Revenue
January 20, 2010

Chairman Erpenbach, members of the Committee, thank you for holding a hearing today on Senate Bill 389. As you may know, the Wisconsin School for the Deaf – the only such school in the State of Wisconsin – is located within my district, in Delavan. Over the years, I have come to know the administrators, teachers, students, and families connected with the school, and on their behalf, I offer this bill and believe it is necessary to ensure those who offer deaf interpreting services provide the best quality service.

Senate Bill 389 specifies that no person may, for compensation, provide sign language interpretation services for a client unless they are licensed by the Department of Regulation and Licensing. To obtain a renewable license, interpreters will need either an associate degree or a certificate of completion of an education and training program in interpreting, as well as be nationally certified. Exemptions to the bill exist, specifically for court and educational interpreters – both of which are already licensed by the state – support service providers, interpreters in religious settings, and individuals who may provide interpretation services in the course of their employment during an emergency, such as a police officer or a fire fighter.

The bill also creates a Sign Language Interpreter Council to assist the Department of Regulation and Licensing on the implementation of this legislation, should it become law. The Council would have the ability to grant special circumstance exemptions in situations where it believes an exemption is needed. The creation of the Council is a vital component to the bill, as it will provide members of the deaf community a greater ability to be involved in the governance and administration of the bill, and serve as a clearinghouse, of sorts, where they may petition for additional exemptions or changes to the law, if enacted.

Senate Bill 389 is the collaboration of many years of work by a number of individuals, many of whom are in this room today. In 2003, I introduced similar legislation that passed the State Senate. Following that action, some concerns were brought to my attention, most of which centered around a potential shortage of interpreter services, especially in rural and Northern Wisconsin, if the original bill were enacted into law. Recognizing that concern, I felt it prudent to put this legislative effort on hold until such time when consensus could be reached and that concern could be addressed.

Shortly thereafter, a Statewide Task Force on Interpreter Licensure was formed to facilitate a greater discussion within the deaf community. Town hall meetings were held across the state to both inform citizens regarding the details of the bill, as well as to listen to their questions and concerns. I am pleased to report the results of those Task Force meetings was very productive, and a number of changes to the original bill were made – most notably the creation of the Council and the additional exemptions – which appear before you today in Senate Bill 389. I am confident the bill has now garnered much broader support within the deaf community and addresses their concerns.

While most interpreters in the State of Wisconsin are highly qualified, as with any profession, there are bad actors as well. Further, there are well intentioned individuals operating as interpreters who may not be providing a high level of service as a properly trained interpreter could. An interpreter is a vital communication link for individuals who are deaf, and their importance can not be overstated. In the case of interpreters working in Wisconsin's clinics and hospitals, their ability to understand and communicate effectively with both Doctors and their patients can potentially mean life or death to the patient. For those reasons, I believe it is necessary that Wisconsin move forward to license interpreters and hope this Committee and Legislature look favorably upon the bill.

Thank you for your consideration of Senate Bill 389. I would be happy to answer any questions you may have.



Summary of Senate Bill 389

Interpreter Licensure Bill

- The bill focuses on regulating sign language Interpreters in the state of Wisconsin which will be operated by the Department Of Regulations and Licensing
- The sign language interpreters may not, for compensation, provide interpretation services without the State License
- The bill establishes timeframes and specifies all credentials and trainings required for both hearing and deaf interpreters to become Licensed by the State of Wisconsin
- There will be two types of licenses:
 - Renewable (permanent)
 - Have already met all credentials required
 - Restricted (limited term for up to 6 years)
 - Working on completing all required criteria
- The bill has seven types of exempts from this proposed requirement for Interpreter Licensing:
 - State Court Certified Interpreters
 - Department of Public Instruction-Licensed Educational Interpreters
 - Religious interpreters
 - Deaf-Blind Support Service Providers
 - An unlicensed Interpreter, person or a good Samaritan interpreting in an emergency for up to 24 hours
 - Out-of-state Interpreters for up to 20 days
 - Limited case-by-case waivers by the new state Council created by this bill
- The bill will create a diverse nine-member Sign Language Interpreter Council (SLIC) to oversee the License Regulations. Its duties include:
 - Making recommendations to lawmakers
 - Review grievances from consumers
 - Revoke interpreter Licenses and impose penalties for violations
 - Up to 6 months in prison
 - Up to \$200 fine
 - Establish standards for special exemptions
 - Keeping in touch with the community regarding the practices of interpreters