

Effective 10/1/2016

35A-13-610 Grounds for denial of certification -- Disciplinary proceedings.

- (1) The director shall refuse to issue a certificate to an applicant and shall refuse to renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the certificate of a certified interpreter who does not meet the qualifications for certification under this part.
- (2) The director may refuse to issue a certificate to an applicant, refuse to renew a certificate, revoke, suspend, restrict, or place on probation the certificate of a certified interpreter, issue a public or private reprimand to a certified interpreter, and issue a cease and desist order in any of the following circumstances:
 - (a) the applicant or certified interpreter has engaged in unprofessional conduct as defined in this part or by rule under this part;
 - (b) the applicant or certified interpreter has engaged in unlawful conduct as defined in this part;
 - (c) the applicant or certified interpreter has been determined to be mentally incompetent for any reason by a court of competent jurisdiction; or
 - (d) the applicant or certified interpreter is unable to provide interpretive services with reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material, or as a result of any other mental or physical condition, when the individual's condition demonstrates a threat or potential threat to public health, safety, or welfare.
- (3) An individual whose certificate has been suspended, revoked, or restricted under Subsection (1) may apply for reinstatement at reasonable intervals and upon compliance with conditions imposed by the director.
- (4) The director may issue cease and desist orders:
 - (a) to a certified interpreter or applicant who is subject to discipline under Subsection (1);
 - (b) to an individual who engages or represents that the individual is engaged in the profession of a certified interpreter; and
 - (c) to an individual who otherwise violates this part or rules adopted under this part.

Renumbered and Amended by Chapter 271, 2016 General Session