

Renumbered 10/1/2016

53A-26a-401 Grounds for denial of certification -- Disciplinary proceedings.

- (1) The State Board of Education 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 chapter.
- (2) The State Board of Education 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 cases:
 - (a) the applicant or certified interpreter has engaged in unprofessional conduct as defined in this chapter or by rule under this chapter;
 - (b) the applicant or certified interpreter has engaged in unlawful conduct as defined in this chapter;
 - (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 the 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 State Board of Education.
- (4) The State Board of Education may issue cease and desist orders:
 - (a) to a certified interpreter or applicant who may be disciplined under Subsection (1);
 - (b) to any person who engages or represents himself to be engaged in the profession of a certified interpreter; and
 - (c) to any person who otherwise violates this chapter or any rules adopted under this chapter.