

INTERPRETERS FOR HEARING IMPAIRED

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen W. Morgan

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prevents a qualified person from being denied certification as an interpreter for the hearing impaired based on age.

Highlighted Provisions:

This bill:

- ▶ prevents an otherwise qualified person from being denied certification as an interpreter for the hearing impaired based on a minimum age requirement.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-26a-202, as enacted by Chapter 306, Laws of Utah 1994

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-26a-202** is amended to read:

53A-26a-202. Powers and duties of the board.

(1) The board shall function as an advisory board to the State Board of Education and under the direction of the State Board of Education shall perform the following duties



concerning the certification of interpreters:

- (a) recommend to the state board appropriate rules;
- (b) recommend to the state board policy and budgetary matters;
- (c) recommend to the state board a passing score for applicant examinations;
- (d) screen applicants for certification and recommend certification, renewal, reinstatement, and recertification actions to the state board in writing;
- (e) recommend standards of supervision for persons in training to become certified interpreters; and
- (f) act as presiding officer in conducting hearings associated with adjudicative proceedings and in issuing recommended orders when so designated by the State Board of Education.

(2) The State Board of Education, with the collaboration and assistance of the advisory board, shall:

- (a) prescribe certification qualifications, but the board may not prevent an otherwise qualified individual from becoming certified based on age;
- (b) prescribe rules governing applications for certification;
- (c) provide for a fair and impartial method of examination of applicants;
- (d) define unprofessional conduct, by rule, to supplement the definition under this chapter; and
- (e) establish conditions for reinstatement and renewal of certification.

(3) (a) The advisory board shall designate one of its members on a permanent or rotating basis to:

- (i) assist the state board in reviewing complaints involving the unlawful or unprofessional conduct of a certified interpreter; and
 - (ii) advise the state board in its investigation of these complaints.
- (b) An advisory board member who has, under Subsection (3)(a), reviewed a complaint or advised in its investigation is disqualified from participating with the advisory board when it serves as a presiding officer of an administrative proceeding concerning the complaint.

Legislative Review Note

as of 2-7-06 2:49 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0437

Interpreters for Hearing Impaired

13-Feb-06
5:23 PM

State Impact
No fiscal impact.

Individual and Business Impact
No fiscal impact.

Office of the Legislative Fiscal Analyst