

Senator Luz Escamilla proposes the following substitute bill:

MEDICAL INTERPRETER AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Rebecca Chavez-Houck

LONG TITLE

General Description:

This bill amends the Medical Language Interpreter Act.

Highlighted Provisions:

This bill:

- ▶ expands the tests and languages that may be accepted by the Division of Occupational and Professional Licensing for licensing a certified medical language interpreter;
- ▶ divides certification as a medical language interpreter into two tiers;
- ▶ extends certification renewal to a three-year cycle; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-80a-102, as renumbered and amended by Laws of Utah 2010, Chapter 127

58-80a-303, as renumbered and amended by Laws of Utah 2010, Chapter 127



26 **58-80a-304**, as enacted by Laws of Utah 2010, Chapter 127

27

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

29 Section 1. Section **58-80a-102** is amended to read:

30 **58-80a-102. Definitions.**

31 As used in this chapter:

32 (1) "Certified medical language interpreter" means a medical language interpreter who
33 has received a certificate from the division under this chapter.

34 (2) "Health care provider" means a person licensed under:

35 (a) Title 58, Chapter 5a, Podiatric Physician Licensing Act;

36 (b) Title 58, Chapter 16a, Utah Optometry Practice Act;

37 (c) Title 58, Chapter 17b, Pharmacy Practice Act;

38 (d) Title 58, Chapter 24b, Physical Therapy Practice Act;

39 (e) Title 58, Chapter 31b, Nurse Practice Act;

40 (f) Title 58, Chapter 31c, Nurse Licensure Compact;

41 (g) Title 58, Chapter 31d, Advanced Practice Registered Nurse Compact;

42 (h) Title 58, Chapter 44a, Nurse Midwife Practice Act;

43 (i) Title 58, Chapter 57, Respiratory Care Practices Act;

44 (j) Title 58, Chapter 60, Mental Health Professional Practice Act;

45 (k) Title 58, Chapter 61, Psychologist Licensing Act;

46 (l) Title 58, Chapter 67, Utah Medical Practice Act;

47 (m) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

48 (n) Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act;

49 (o) Title 58, Chapter 70a, Physician Assistant Act;

50 (p) Title 58, Chapter 71, Naturopathic Physician Practice Act;

51 (q) Title 58, Chapter 73, Chiropractic Physician Practice Act; or

52 (r) Title 58, Chapter 77, Direct-Entry Midwife Act.

53 (3) "Medical language interpreter" means a person who, for compensation, performs
54 verbal language interpretation services between a health care provider who speaks English and
55 another person for the purpose of assisting the person in seeking or obtaining medical advice,
56 diagnoses, or treatment.

57 (4) "National certification organization" means one of the following national
58 organizations that certifies medical interpreters:

59 (a) the National Board of Certification for Medical Interpreters; or

60 (b) the Certification Commission for Healthcare Interpreters.

61 ~~[(4)]~~ (5) "National standards of practice" means the National Standards of Practice,
62 published by the National Council on Interpreting in Health Care.

63 Section 2. Section **58-80a-303** is amended to read:

64 **58-80a-303. Qualifications for certification.**

65 (1) [A person] An individual qualifies as a tier 1 certified medical language interpreter
66 if the [person] individual:

67 ~~[(1)]~~ (a) acts as a medical language interpreter between English and at least one [of the
68 following languages:] other language;

69 ~~[(a) Spanish;]~~

70 ~~[(b) Russian;]~~

71 ~~[(c) Bosnian;]~~

72 ~~[(d) Somali;]~~

73 ~~[(e) Mandarin Chinese;]~~

74 ~~[(f) Cantonese; or]~~

75 ~~[(g) Navajo;]~~

76 ~~[(2) passes an examination administered by, or under contract with, the division, that~~
77 ~~tests:]~~

78 ~~[(a) the following areas, with respect to the language for which the person applies for~~
79 ~~certification:]~~

80 (b) passes an oral and written examination:

81 (i) administered by:

82 (A) the division;

83 (B) a person under contract with the division;

84 (C) a national certification organization; or

85 (D) a person approved by the division by rule, made in accordance with Title 63G,
86 Chapter 3, Utah Administrative Rulemaking Act; and

87 (ii) that tests:

88 [†(i)] (A) basic language fluency with respect to the language for which the individual
89 applies for certification;

90 [(†i)] (B) basic medical terminology with respect to the language for which the
91 individual applies for certification, including the ability to[~~:(A)~~] name human body parts[~~;~~
92 ~~(B)~~], name internal human organs[~~;~~~~(C)~~], describe basic medical symptoms[~~;~~],² and [(†D)]
93 describe basic medical instructions, including dosage amounts and frequency; [~~and~~]

94 [(†ii)] (C) basic cultural competency relating to medical care beliefs and practices that
95 are common to people who speak [~~that language~~] the language for which the individual applies
96 for certification;

97 [(†b)] (D) knowledge and understanding of the national standards of practice; and

98 [(†e)] (E) a basic understanding of medical confidentiality requirements, including the
99 confidentiality requirements of the federal Health Insurance Portability and Accountability Act;

100 [(†3)] (c) signs a statement agreeing to abide by the national standards of practice; and

101 [(†4)] (d) pays the fee described in Section 58-80a-305.

102 (2) If an oral examination under Subsection (1)(b) is not available in the language for
103 which an individual applies for certification, the individual may qualify as a tier 2 certified
104 medical language interpreter if the individual passes the written portion of an examination
105 under Subsection (1)(b) and completes all other requirements under Subsection (1).

106 Section 3. Section 58-80a-304 is amended to read:

107 **58-80a-304. Term of certification -- Expiration -- Renewal.**

108 (1) [~~The~~] Notwithstanding Section 58-1-308, the division shall issue each certification
109 under this chapter in accordance with a [~~two-year~~] three-year renewal cycle established by rule.
110 The division may by rule extend or shorten a renewal cycle by as much as [~~one year~~] two years
111 to stagger the renewal cycles that the division administers.

112 (2) Each certification automatically expires on the expiration date shown on the
113 certification unless the certified medical language interpreter renews the certification in
114 accordance with Section 58-1-308.