



Department of Health

Three Capitol Hill
Providence, RI 02908-5097

TTY: 711
www.health.ri.gov

DIVISION OF HEALTH SERVICES REGULATION
BOARD OF EXAMINERS FOR INTERPRETERS FOR THE DEAF

3 CAPITOL HILL
CONFERENCE ROOM 104
PROVIDENCE, RHODE ISLAND

Wednesday, September 26, 2018
3:30 PM

DRAFT

OPEN SESSION MINUTES

BOARD MEMBERS IN ATTENDANCE

Heather Anderson
Danielle Loughlin
Timothy Riker

BOARD MEMBERS NOT IN ATTENDANCE

Jonathan Henry-Heywood, Chair

STAFF MEMBERS IN ATTENDANCE

J. Michel Martineau, Board Manager

OTHERS IN ATTENDANCE

Carol Fay, Interpreter
Steven Florio, Exec. Dir, RICDHH
Holly St. Pierre, RICDHH

1. Establishment of a quorum

A quorum was established, and the Open Session meeting was called to order at 3:38 PM on a motion by Heather Anderson seconded by Timothy Riker. Motion carried.

2. Presentation of the June 20, 2018 Open Session Minutes

Motion was made by Heather Anderson seconded by Timothy Riker to accept the Open Session Minutes. Motion carried.

3. New Business

- Inquiry regarding licensure law as it pertains to religious settings.

Steven Florio suggests a religious setting may be considered an emergency under certain circumstances. A Member states the board may consider proposing a change to the law to allow an exemption for a religious setting.

Members discuss and Michel Martineau states RIGL 5-71-15 "Persons and practices exempted", does not specifically reference an exemption for religious settings, and states he will check with Board Counsel to seek a legal determination. Discussion includes comments that religious settings do not appear to be exempt from RIGL 5-71.

- Inquiry regarding RIDOH fielding complaints from people who use ASL, not English.

Members ask if RIDOH is prepared to address ASL complaints and ask for clarification of the process. Michel Martineau offers to give a brief overview of the process while not addressing any specific complaint. He states that when a complaint is received by RIDOH, it is necessary to prepare it for a Team Review (TR) which involves RIDOH legal staff, Investigative staff and the Board Manager.

In the case of an ASL complaint, RIDOH has an extra step as the complaint needs to be translated into the written word for use at the TR. The TR initially determines if the complaint has a basis for a violation by referencing RIGL 5-71, and the Rules and Regulations, and Ethics (NAD-RID Code of Professional Conduct). The result of the TR includes but is not limited to, a request for additional information from the Complainant, request information from the Respondent, a determination there is no basis for the complaint, no unprofessional conduct, open the complaint and forward to the board.

Steven Florio commends RIDOH for finding a way to translate the ASL complaint. He asks if RIDOH has a written process for addressing ASL complaints. Michel Martineau indicates when we receive an ASL complaint, we need to get it translated, then it goes to TR like any other complaint.

Holly St. Pierre states that members of the deaf community and other members of the public contact her asking about the complaint process, including what happens after they file a complaint. Michel Martineau states that upon receipt of a complaint, RIDOH sends an initial notification letter, and upon finalizing the complaint, RIDOH sends a second letter notifying the Complainant that the matter has been reviewed and finalized and we share useful links to the RIDOH website.

- Members reviewed to propose amendments to RIGL 5-71 and Rules and Regulations for Licensing Interpreters for the Deaf.

Heather references the new Regulations and suggests we work from this point forward to propose changes and address the Rules and Regulations and not propose changes to RIGL 5-71 at this time.

Motion was made by Heather Anderson seconded by Danielle Loughlin to propose amending RI Rules and Regulations for Interpreters for the Deaf, Section 21.2 Definitions as indicated below. Motion carried.

21.2 Definitions

A. Wherever used in this Part, the following terms shall be construed as follows:

(DELETE: 15. “Manually coded English” or “MCE” or “Other manually coded sign systems” means any form of visual/gestural communication used by deaf or hard-of-hearing persons in the United States and Canada, with semantic and syntactic rules based either partly or entirely upon English. Such systems, include, but are not limited to, CASE (Conceptually Accurate Signed English), Pidgin Signed English (PSE), Signing Essential English, Signing Exact English, Sign Supported English, Signed English, and the Rochester method.)

(DELETE: 19. “Transliterating” means conveying spoken English into manually coded English, or conveying manually coded English into spoken English (signto-voice), or conveying English on the lips so that it is accessible to speech reading (oral transliterating, or any auditory communication as a visual form in English such as cued speech).)

Motion was made by Heather Anderson seconded by Timothy Riker to propose amending RI Rules and Regulations for Interpreters for the Deaf, Section 21.3 Professional Licensure Requirements as indicated below. Motion carried.

21.3 Professional Licensure Requirements

21.3.1 Qualifications of Applicants for Licensure Certified

A. License Required.

1. No person shall practice or hold him or herself out as being able to practice interpreting, educational interpreting, or intermediary interpreting as defined in R.I. Gen. Laws § 5-71-3 and this Part unless he or she holds a license.

2. No person shall hold himself or herself out as being able to practice under the Act and this Part unless he or she is licensed pursuant to R.I. Gen. Laws § 5-71-9(b).

B. (DELETE: Licensure) (ADD: Certification). To be eligible for licensure by the Department as a certified interpreter or certified deaf interpreter, the applicant shall:(DELETE: “meet the qualifications of R.I. Gen.

Laws § 5-71-8”)

(ADD: 1. Be of good moral character.

2. Meet the certifications as defined in this Part;

3. Provide evidence of certification from RID, or BEI (Board for Evaluation of Interpreters) Advanced or Master, NAD (National Association of the Deaf) III, IV, or V, or any of their successor agencies.

C. To be eligible for licensure by the Department as an educational interpreter for the deaf, the applicant (DELETE: shall meet all of the requirements set forth in R.I. Gen.

Laws § 5-71-8).

(ADD: Shall have a minimum EIPA score of 3.7 with expectation of EIPA score of 4.0 within three (3) years).

D. Screened

1. To be eligible for licensure by the Department as a screened interpreter

or screened deaf interpreter, the applicant shall:

a. Be of good moral character;

b. Meet the screened requirements as defined in this Part;

c. Successfully complete a recognized state screening, (ADD: BEI Basic or state

equivalent within the United States. For the purposes of this Part, a

state screening or a state equivalent shall be current and valid; and

d. Submit written verification of (DELETE: successful completion) (ADD: passing) of the National

Registry of Interpreters for the Deaf Performance Evaluation

(written), (ADD: CASLI/RID or successor agency or present evidence of completion of coursework in

American Sign Language, Deaf Culture, and Ethics.

Such coursework may be completed as part of an interpreter

training program, or through individual workshops sponsored by a

recognized organization or agency or other training recognized by

the National Registry of Interpreters for the Deaf (ADD: or its successor agency).

4. Motion to adjourn to Closed Session

Motion was made by Timothy Riker seconded by Danielle Loughlin to adjourn to Closed Session at 4:29 PM. Motion carried. Pursuant to Sections 42-46-4 and 42-46-5(a)(1) of the Rhode Island General Laws, for the purpose of discussing job performance, character, physical or mental health of applicants for licensure. Said individuals have been notified in advance by writing that they may request that the discussion be held at an open meeting. Also, pursuant to Sections 42-46-4 and 42-46-5(a) (4) of the Rhode Island General Laws, for investigatory proceedings regarding allegations of civil or criminal misconduct.

5. Motion to return to Open Session

Motion was made by Timothy Riker seconded by Heather Anderson 4:32 PM to re-open the Open Session and to seal the Minutes of the Closed Session pursuant to Sections 42-46-4, 42-46-5 and 42-46-7 of the Rhode Island General Laws. Motion carried.

6. Adjournment

Motion was made by Danielle Loughlin seconded by Heather Anderson to adjourn at 5:10 PM. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Martineau', written in a cursive style.

J. Michel Martineau
Board Manager
Center for Professional Boards and Licensing