CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1727

Chapter 171, Laws of 1991

52nd Legislature
1991 Regular Session

SPEECH IMPAIRED PERSONS--APPOINTMENT OF INTERPRETERS FOR

EFFECTIVE DATE: 7/28/91

Passed by the House March 20, 1991
Yea 98 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate April 12, 1991
Yeas 38 Nays 0

JOEL PRITCHARD
President of the Senate

I, Alan Thompson, Chief Clerk of the
House of Representatives of the State
of Washington, do hereby certify that
the attached is ENGROSSED SUBSTITUTE
HOUSE BILL 1727 as passed by the House
of Representatives and the Senate on
the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

Approved May 15, 1991

FILED

May 15, 1991 - 11:18 a.m.

BOOTH GARDNER
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to interpreters; amending RCW 2.42.110, 2.42.130, 2.42.160, and 2.42.170; and repealing RCW 2.42.020, 2.42.030, and 2.42.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 2.42.110 and 1985 c 389 s 11 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Impaired person" means a person who, because of a hearing or speech impairment, cannot readily understand or communicate in spoken language; and includes persons who are deaf, deaf and blind, speech impaired, or hard of hearing.

(2) "Qualified interpreter" means (an interpreter who is certified by the registry of interpreters for the deaf with the certificate level specified below and who meets the requirements of RCW 2.42.130.
(a) For judicial proceedings involving a class A felony, use of the services of a qualified interpreter holding the specialist certificate—legal is required.

(b) For other judicial, quasi-judicial, or administrative proceedings, use of the services of a qualified interpreter holding the specialist certificate—legal, master’s comprehensive skills certificate, or comprehensive skills certificate is required.

(c) For programs and activities other than judicial or administrative proceedings, the services of a qualified interpreter holding a partial certification shall be required. Efforts to obtain the services of a qualified interpreter holding the master’s comprehensive certificate or comprehensive skills certificate shall be made before obtaining the services of a qualified interpreter holding the interpreting certificate and/or the transliterating certificate)

a visual language interpreter who is certified by the state or is certified by the registry of interpreters for the deaf to hold the comprehensive skills certificate or both certificates of interpretation and transliteration, or an interpreter who can readily translate statements of speech impaired persons into spoken language.

((4)) (3) "Intermediary interpreter" means a hearing impaired interpreter who holds a reverse skills certificate by the state or is certified by the registry of interpreters for the deaf with a reverse skills certificate, who meets the requirements of RCW 2.42.130, and who is able to assist in providing an accurate interpretation between spoken and sign language or between variants of sign language by acting as an intermediary between a hearing impaired person and a qualified hearing interpreter.

((5)) (4) "Appointing authority" means the presiding officer or similar official of any court, department, board, commission, agency,
Sec. 2. RCW 2.42.130 and 1985 c 389 s 13 are each amended to read as follows:

(1) If a qualified interpreter for a hearing impaired person is required, the appointing authority shall request a qualified interpreter and/or an intermediary interpreter through the department of social and health services, office of deaf services, or through any community center for hearing impaired persons which operates an interpreter referral service. The office of deaf services and these community centers shall maintain an up-to-date list or lists of interpreters that are certified by the state and/or by the registry of interpreters for the deaf.

(2) The appointing authority shall make a preliminary determination, on the basis of testimony or stated needs of the hearing impaired person, that the interpreter is able in that particular proceeding, program, or activity to interpret accurately all communication to and from the hearing impaired person. If at any time during the proceeding, program, or activity, in the opinion of the hearing impaired person or a qualified observer, the interpreter does not provide accurate, impartial, and effective communication with the hearing impaired person the appointing authority shall appoint another qualified interpreter. No otherwise qualified interpreter who is a relative of any participant in the proceeding may be appointed.

Sec. 3. RCW 2.42.160 and 1985 c 389 s 16 are each amended to read as follows:

(1) A qualified and/or intermediary interpreter shall not, without the written consent of the parties to the communication, be examined as
to any communication the interpreter interprets under circumstances
where the communication is privileged by law.

(2) A qualified and/or intermediary interpreter shall not, without
the written consent of the parties to the communication, be examined as
to any information the interpreter obtains while interpreting
pertaining to any proceeding then pending.

Sec. 4. RCW 2.42.170 and 1985 c 389 s 17 are each amended to read
as follows:

A qualified and/or intermediary interpreter appointed under this
chapter is entitled to a reasonable fee for services, including waiting
time and reimbursement for actual necessary travel expenses. The fee
for services for interpreters for hearing impaired persons shall be in
accordance with standards established by the department of social and
health services, office of deaf services.

NEW SECTION. Sec. 5. The following acts or parts of acts are
each repealed:

(1) RCW 2.42.020 and 1989 c 358 s 13, 1983 c 222 s 2, & 1973 c 22
s 2;

(2) RCW 2.42.030 and 1973 c 22 s 3; and

(3) RCW 2.42.040 and 1973 c 22 s 4.

Passed the Senate April 12, 1991.
Approved by the Governor May 15, 1991.
Filed in Office of Secretary of State May 15, 1991.