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**SUBSTITUTE HOUSE BILL 2221**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** House Human Services, Youth, & Early Learning (originally sponsored by Representatives Orwall, Santos, Reeves, Donaghy, and Davis)

AN ACT Relating to establishing a work group to address the shortage of qualified and certified American sign language interpreters and protactile sign language interpreters in the state of Washington; adding a new section to chapter 43.20A RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  (1) The legislature finds that:

(a) The state lacks qualified and certified American sign language interpreters and protactile interpreters, including both hearing interpreters and deaf interpreters, to adequately fill accommodations and requests for interpreting services for:

(i) State services;

(ii) Medical services, including mental health services and medical emergencies;

(iii) Legal services;

(iv) Academic accommodations for students in grade school, high school, postsecondary education, and vocational school;

(v) Employment accommodations;

(vi) Community and cultural events;

(vii) Other interpreting requests made by deaf, deafblind, and hard of hearing residents; and

(viii) Other interpreting requests made by agencies, businesses, and organizations on behalf of their deaf, deafblind, and hard of hearing constituents;

(b) The quality of American sign language interpreters and protactile interpreters in the state is inconsistent, depriving deaf, deafblind, and hard of hearing residents access to equitable communication;

(c) The shortage of qualified American sign language interpreters and protactile interpreters includes both hearing and deaf interpreters;

(d) It is best practice for deaf, deafblind, and hard of hearing users of sign language interpreters to have access to interpreters that match their linguistic identities. Many users require not only hearing sign language interpreters, but qualified deaf interpreters, who are best able to incorporate the linguistic and cultural norms of the deaf and deafblind communities into their interpretation. The shortage of interpreters deprives deaf, deafblind, and hard of hearing residents who need qualified deaf interpreters access to equitable communication;

(e) It is best practice for deaf, deafblind, and hard of hearing users of sign language to have access to interpreters that match their cultural identities. The shortage of interpreters deprives diverse deaf, deafblind, and hard of hearing residents access to equitable communication, especially those who are: Black, indigenous, and other people of color; immigrants and refugees; transgender and nonbinary individuals; and members of the LGBTQIA community;

(f) As of January 1, 2024, there are approximately only 410 sign language interpreters in the state who are certified by the registry of interpreters for the deaf. Less than half of those interpreters are contracted to provide work for the department of enterprise services and the office of the deaf and hard of hearing, who have expressed the need for more qualified sign language interpreters;

(g) As of January 1, 2024, there is no postsecondary institution in the state that provides professional education at the baccalaureate level in sign language interpreting, and the most recent program closed in 2013;

(h) At the only college in the state that offers classes in sign language interpretation, the classes are limited to education interpreting, an important but small portion of the overall interpreting needs. The two-year program culminates in an associate of the arts degree. Interpreters must have a baccalaureate degree to become nationally certified by the registry of interpreters for the deaf and be able to provide the kinds of interpretation services the state needs;

(i) The decline of qualified American sign language interpreters and protactile interpreters in the state has created an immense burden on the remaining interpreters, who are more at risk of physical injury and burnout, accelerating the rate of attrition. In addition, interpreter wages have not increased in proportion to the cost of living in some regions. These factors have caused many interpreters to move away from cities, move out of the state, or leave the interpreting field altogether; and

(j) Due to these systemic circumstances, residents and organizations statewide have seen a decline in sign language interpreter fill rates over the last 10 years. With few new interpreters entering the sign language interpreter workforce in the state, this problem will continue if a proactive solution is not implemented immediately.

(2) It is the intent of the legislature to establish a work group to identify a permanent solution to the shortage of qualified and certified American sign language interpreters and protactile interpreters to ensure that deaf, deafblind, and hard of hearing residents have access to all aspects of a healthy, safe, and fulfilling life.

NEW SECTION. **Sec.**  A new section is added to chapter 43.20A RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the office of the deaf and hard of hearing within the department is directed to establish a work group dedicated to finding solutions for the shortage of qualified and certified American sign language interpreters and protactile interpreters in the state.

(2) The office of the deaf and hard of hearing shall appoint the following members to the work group:

(a) At least two deaf or hard of hearing users of American sign language from King, Pierce, or Snohomish counties with lived experience using sign language interpreters;

(b) At least one deaf or hard of hearing user of American sign language from southwest Washington with lived experience using sign language interpreters;

(c) At least one deaf or hard of hearing user of American sign language from central Washington with lived experience using sign language interpreters;

(d) At least one deaf or hard of hearing user of American sign language from eastern Washington with lived experience using sign language interpreters;

(e) At least two deafblind users of protactile who are state residents with lived experience using sign language interpreters;

(f) Two representatives from community-based organizations in the state that represent deaf and hard of hearing users of American sign language;

(g) Two representatives from community-based organizations in the state that represent the deafblind community, at least one of which must be from an organization that serves a culturally diverse population;

(h) One representative from a business or organization in the state that provides American sign language or protactile interpreters to organizations;

(i) At least one American sign language interpreter certified by the registry of interpreters for the deaf who is a state resident with at least 10 years of experience as a professional certified interpreter;

(j) At least one American sign language or protactile interpreter who is deaf or hard of hearing, a state resident, and has at least 10 years of experience as a deaf interpreter and a history of high quality interpreting;

(k) One teacher of American sign language interpreting or protactile interpreting who is deaf or hard of hearing; and

(l) Two representatives of higher education institutions, one from a four-year state university and one from a community or technical college.

(3) The composition of the work group must be majority deaf, deafblind, and hard of hearing residents who use American sign language or protactile. Recruitment of work group members from the community must prioritize residents who have a history of leadership and advocacy on behalf of deaf, deafblind, and hard of hearing people. To better understand the needs of interpreter users belonging to populations that have been historically marginalized, recruitment must prioritize qualified individuals from such populations, including black, indigenous, and other people of color, immigrants and refugees, transgender and nonbinary individuals, members of the LGBTQIA community, individuals with multiple disabilities, and other populations that have been underserved and excluded from access to equitable communication.

(4) The goals of the work group shall be that:

(a) Deaf, deafblind, and hard of hearing residents in the state who use American sign language and protactile have access to qualified and certified interpreters whenever needed;

(b) Deaf, deafblind, and hard of hearing residents in the state who use American sign language and protactile have access to sign language interpreters that match their cultural and linguistic preferences, especially those residents from historically marginalized populations;

(c) American sign language interpreters and protactile interpreters in the state meet a satisfactory standard of quality interpreting, so that deaf, deafblind, and hard of hearing residents can be assured of equitable access to communication from all interpreters;

(d) At least one high quality postsecondary interpreter training program for American sign language interpreters and protactile interpreters is established that prepares interpreters to meet the standards of the registry of interpreters for the deaf and is accredited by the commission on collegiate interpreter education or an equivalent interpreter accreditation program;

(e) American sign language interpreters and protactile interpreters in the state have access to more job opportunities and continuing education opportunities;

(f) American sign language interpreters and protactile interpreters in the state have access to equitable wages;

(g) American sign language interpreters and protactile interpreters are incentivized to live and work in the state;

(h) Postsecondary students in the state are incentivized to join interpreter training programs; and

(i) Barriers are eliminated that prevent deaf, deafblind, and hard of hearing residents from using and accessing interpreters when they desire.

(5) The work group shall:

(a) Collect qualitative and quantitative data on the causes of the sign language interpreter shortage in the state and the impact of the shortage on deaf, deafblind, and hard of hearing residents;

(b) Identify community-based solutions that can be undertaken by residents and organizations to increase the number of interpreters who live and work in their home regions, retain interpreters, and provide continuing education, mentorship, and training opportunities for their local interpreters;

(c) Establish criteria or testing, as determined by deaf, deafblind, and hard of hearing sign language stakeholders, which demonstrates that sign language interpreters have the needed skills to ensure quality and accurate services;

(d) Identify investments needed to increase the training and credentialing necessary to prepare interpreters to meet criteria and testing in (c) of this subsection;

(e) Recommend legal standards for American sign language interpreters and protactile interpreters in the state to ensure the quality of professional interpreters, while ensuring those standards are accessible to all aspiring interpreters regardless of disability, income, geographic location, and other potential limiting factors;

(f) Determine the strategies and resources needed to:

(i) Increase the availability of American sign language interpreters and protactile interpreters in all communities, including rural communities;

(ii) Increase the number of interpreters from historically marginalized populations, such as: Black, indigenous, and other people of color, immigrants and refugees, transgender and nonbinary communities; the LGBTQIA community; individuals with multiple disabilities; and other populations that have been underserved and excluded from access to equitable communication;

(iii) Increase the availability of trilingual interpreters who are proficient in American sign language, English, and another language;

(iv) Increase the availability of quality continuing education and professional development of American sign language interpreters and protactile interpreters, including professional mentorship opportunities for new and emerging interpreters; and

(v) Ensure that American sign language interpreters and protactile interpreters can afford to live and work in the state;

(g) Identify methods for:

(i) Establishing at least one high quality postsecondary interpreter training program for American sign language interpreters and protactile interpreters;

(ii) Providing financial incentives for agencies that provide American sign language interpreters and protactile interpreters to implement mentorship and internship programs for emerging interpreters;

(iii) Providing financial incentives from the state to encourage sign language interpreters to live and work in the state, such as grants, home-buying support, and other incentives;

(iv) Providing financial support for organizations to provide sign language interpreters to their deaf, deafblind, and hard of hearing constituents; and

(v) Increasing the pay rate of sign language interpreters hired and contracted by state agencies and agency contractors.

(6) The work group shall prioritize the voices of deaf, deafblind, deafdisabled, hard of hearing, and late-deafened individuals who use American sign language or protactile. The work group shall also prioritize the needs of other populations that have been historically marginalized, including: Black, indigenous, and other communities of color; immigrants and refugees; transgender and nonbinary communities; the LGBTQIA community; individuals with multiple disabilities; and other populations that have been underserved and excluded from access to equitable communication.

(7) All state agencies, offices, institutions, and contractors impacted by the interpreter shortage shall comply with requests for data from the work group within two months of the request. State agencies, offices, institutions, and contractors include but are not limited to:

(a) The Washington center for deaf and hard of hearing youth;

(b) The department of enterprise services;

(c) The office of the superintendent of public instruction;

(d) Four-year universities and colleges;

(e) Community colleges;

(f) Technical colleges or relevant trade schools; and

(g) The Washington state board for community and technical colleges.

(8) The work group shall provide recommendations in alignment with subsection (5) of this section to the governor and relevant committees of the legislature in a final report, in compliance with RCW 43.01.036, on or before June 30, 2025. The report must include an implementation plan for the recommendations in the final report. The report must also identify any barriers that would be created by implementation of the recommendations, including reluctance to provide interpreters because of increased interpreter wages, lack of quality interpreting providers, and lack of quality interpreters in a certain region.

(9) The department of social and health services shall actively advertise the final report and make the final report available to deaf, deafblind, and hard of hearing stakeholders. In addition to a written report, the department of social and health services shall make the final report available through videos using American sign language on publicly available websites on or before August 30, 2025.

(10) This section expires January 1, 2027.

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