CHAPTER 22

AMERICAN SIGN LANGUAGE INTERPRETERS

§1521. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 749, §3 (NEW).]

1. Commissioner.
[PL 2019, c. 284, §3 (RP).]

1-A. Deaf interpreter. "Deaf interpreter" means a person whose sense of hearing is nonfunctional for the purpose of communication, whose primary means of communication is visual or tactile and who provides intermediary interpreting.
[PL 1999, c. 399, §3 (NEW); PL 1999, c. 399, §20 (AFF).]

1-B. Accredited. "Accredited" means an educational institution that is approved by the United States Department of Education or a regional or national accrediting agency recognized by the United States Department of Education.
[PL 2019, c. 284, §4 (NEW).]

1-C. American Sign Language proficiency interview. "American Sign Language proficiency interview" means a holistic language evaluation that is used to determine global American Sign Language proficiency and that is administered by an educational testing service organization and evaluated by an American Sign Language evaluation service organization recognized by the director.
[PL 2019, c. 284, §4 (NEW).]

1-D. Conditional license. "Conditional license" means a license granted to an applicant who has met the requirements of section 1524-C but who is not certified with the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director.
[PL 2021, c. 48, §1 (AMD).]

2. Deaf person. "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and whose primary means of communication is visual or tactile.
[PL 1999, c. 399, §4 (AMD); PL 1999, c. 399, §20 (AFF).]

3. Department. "Department" means the Department of Professional and Financial Regulation.
[PL 1997, c. 749, §3 (NEW).]

3-A. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the department.
[PL 2019, c. 284, §5 (NEW).]

4. Hard-of-hearing person. "Hard-of-hearing person" means a person who has a functional hearing deficit, who may or may not primarily use visual communication and who may or may not use assistive devices.
[PL 1997, c. 749, §3 (NEW).]

5. Interpreting. "Interpreting" means the process when a linguistic intermediary between a deaf or hard-of-hearing person and another person translates the spoken utterances or signs, gestures or writing of either person into a linguistic form other than that which that person uses as a primary and preferred form of communication. For the purposes of this chapter, "interpreting" or "transliterating" does not mean communication using cued speech.
[PL 1999, c. 399, §5 (AMD); PL 1999, c. 399, §20 (AFF).]

6. Interpreter. "Interpreter" means a person who provides any of the following services:

A. [PL 2019, c. 284, §6 (RP).]

B. American Sign Language-based interpreting, which is the process of conveying information between American Sign Language and English; or [PL 1997, c. 749, §3 (NEW).]

C. Intermediary interpreting, which means interpreting services rendered by a deaf interpreter to facilitate communication between another deaf person and another licensed interpreter or between 2 or more deaf persons. [PL 1999, c. 399, §6 (AMD); PL 1999, c. 399, §20 (AFF).]
[PL 2019, c. 284, §6 (AMD).]

7. National interpreter certification knowledge exam.
[PL 2021, c. 48, §2 (RP).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §§3-6 (AMD). PL 1999, c. 399, §20 (AFF). PL 2019, c. 284, §§3-7 (AMD). PL 2021, c. 48, §§1, 2 (AMD).

§1522. Director; powers and duties

The director has the following powers and duties in addition to other powers and duties set forth in this chapter. [PL 2019, c. 284, §8 (AMD).]

1. Rules. The director shall establish guidelines and adopt rules necessary for the proper administration and enforcement of this chapter. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2019, c. 284, §8 (AMD).]

2. Licensure.
[PL 2019, c. 284, §8 (RP).]

3. Employees.
[PL 2007, c. 402, Pt. K, §1 (RP).]

4. Advisory council. The director, as necessary, may select members of the interpreting profession and other interested parties to serve on an advisory council to advise and consult with the director concerning the regulation of interpreters for the deaf and hard-of-hearing. Service on the council is not in itself a conflict of interest regardless of the occupations or associations of the members.
[PL 2019, c. 284, §8 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §§7,8 (AMD). PL 1999, c. 399, §20 (AFF). PL 2007, c. 402, Pt. K, §1 (AMD). PL 2019, c. 284, §8 (AMD).

§1523. Privileged communication

Individuals licensed under this chapter are included under the evidentiary communications privilege outlined in Title 5, section 48-A, subsection 5. [PL 2003, c. 685, §3 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §9 (AMD). PL 1999, c. 399, §20 (AFF). PL 2003, c. 685, §3 (AMD).

§1524. Requirements for licensure; limited interpreter and limited transliterator

(REPEALED)

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §10 (AMD). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §1 (AMD). PL 2007, c. 402, Pt. K, §2 (AMD). PL 2019, c. 284, §9 (RP).

§1524-A. Requirements for licensure; limited deaf interpreter

(REPEALED)

SECTION HISTORY

PL 1999, c. 399, §11 (NEW). PL 1999, c. 399, §20 (AFF). PL 2007, c. 402, Pt. K, §§3, 4 (AMD). PL 2019, c. 284, §10 (RP).

§1524-B. Requirements for licensure; certified interpreter and certified deaf interpreter

To be eligible for licensure as a certified interpreter or certified deaf interpreter under this chapter, an applicant must be at least 18 years of age and must provide the following: [PL 2019, c. 284, §11 (AMD).]

1. High school diploma.
[PL 2019, c. 284, §11 (RP).]

2. Sworn statement.
[PL 2009, c. 112, Pt. A, §7 (RP).]

3. Proof of certification. Documented proof of valid certification by the Registry of Interpreters for the Deaf, Inc. or comparable certification by a comparable or successor organization recognized by the director that is current at the time of application.
[PL 2019, c. 284, §11 (AMD).]

SECTION HISTORY

PL 1999, c. 399, §11 (NEW). PL 1999, c. 399, §20 (AFF). PL 2009, c. 112, Pt. A, §§6, 7 (AMD). PL 2019, c. 284, §11 (AMD).

§1524-C. Requirements for licensure; conditional interpreter and conditional deaf interpreter

No more than one conditional license may be issued to a person who has completed the education requirements of this chapter. A conditional license may be held no more than 5 years, except that a 6th year may be granted by the director upon demonstration of extreme hardship. [PL 2025, c. 585, §1 (AMD).]

To be eligible for licensure as a conditional interpreter or conditional deaf interpreter under this chapter, an applicant must be at least 18 years of age and must provide the following: [PL 2019, c. 284, §12 (NEW).]

1. Proof of proficiency in American Sign Language. Documented proof of a qualifying score on an American Sign Language proficiency interview as determined by the director by rule adopted under section 1522; and
[PL 2021, c. 48, §3 (AMD).]

2. Proof of education and training in the interpreting process.

[PL 2021, c. 48, §4 (RP).]

3. Proof of education and training in the interpreting process. Documented proof of the following:

A. At least one of the following:

(1) An associate degree or higher in any field, including an associate degree or higher in American Sign Language, American Sign Language interpreting or deaf studies, from an accredited college or university; or

(2) For persons holding a limited license that is current on the effective date of this section, an alternative pathway approved by the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director; and [PL 2025, c. 585, §2 (AMD).]

B. A passing score on a knowledge exam administered by the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director. [PL 2021, c. 48, §5 (NEW).]

[PL 2025, c. 585, §2 (AMD).]

SECTION HISTORY

PL 2019, c. 284, §12 (NEW). PL 2021, c. 48, §§3-5 (AMD). PL 2025, c. 585, §§1, 2 (AMD).

§1525. License required

A person may not provide interpreting services as defined in this chapter for compensation or remuneration unless properly licensed in accordance with this chapter. This section also applies to a person providing video-based interpreting services in which one or more participants are physically located in the State and the person providing the services does not meet the exemptions as set out under section 1525-A. [PL 2019, c. 284, §13 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §12 (AMD). PL 1999, c. 399, §20 (AFF). PL 2019, c. 284, §13 (AMD).

§1525-A. Exemptions to licensure

1. Nonresident interpreters. This chapter does not apply to certified interpreters who are residents of a jurisdiction other than this State and who do not interpret for compensation or remuneration in the State for more than 60 hours per year. Service during declared state or national emergencies does not count toward the 60 hours per year limitation.
[PL 2019, c. 284, §14 (AMD).]

2. Medical emergencies. This chapter does not apply to a person providing communication assistance during a medical emergency. For purposes of this subsection, "medical emergency" is when a person's medical condition could be significantly compromised by delaying assessment and treatment.
[PL 1999, c. 399, §13 (NEW); PL 1999, c. 399, §20 (AFF).]

3. Emergencies. This chapter does not apply to a person providing communication assistance during an emergency. For purposes of this subsection, "emergency" means a determination by the director, after consultation with the Commissioner of Professional and Financial Regulation, that a serious, unexpected and potentially dangerous situation is occurring, or did occur, that requires an immediate need for interpreting services to be provided as part of an emergency response.
[PL 2025, c. 585, §3 (NEW).]

SECTION HISTORY

PL 1999, c. 399, §13 (NEW). PL 1999, c. 399, §20 (AFF). PL 2019, c. 284, §14 (AMD). PL 2025, c. 585, §3 (AMD).

§1525-B. Licensure by endorsement

Notwithstanding any provision of this chapter to the contrary, the director, in accordance with Title 10, section 8003-H and any applicable rules adopted pursuant to that section, shall establish a process to issue a license by endorsement for each license authorized under this chapter that the director determines is appropriate for licensure by endorsement. An applicant may submit an application under the process established under this section or any other licensure process authorized in this chapter. [PL 2021, c. 642, §12 (NEW).]

SECTION HISTORY

PL 2021, c. 642, §12 (NEW).

§1526. Temporary registration

(REPEALED)

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 2007, c. 402, Pt. K, §5 (RP).

§1527. Fees

The director may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that a fee for any one purpose may not exceed $325 and an applicant who is deaf must pay an initial license fee of $100. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2019, c. 284, §15 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §14 (AMD). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §2 (AMD). PL 2007, c. 402, Pt. K, §6 (AMD). PL 2011, c. 286, Pt. B, §5 (REV). PL 2019, c. 284, §15 (AMD).

§1528. Renewal

All licenses must be renewed annually on or before June 30th of each year or at such other time as the director may designate. A license not renewed by June 30th automatically expires. A license may be renewed up to 90 days after the license expiration date upon payment of a late fee in addition to the renewal fee as set under section 1527. A person who submits an application for renewal more than 90 days after the license expiration date is subject to all requirements governing new applicants under this chapter. [PL 2019, c. 284, §16 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §14 (AMD). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §3 (AMD). PL 2007, c. 402, Pt. K, §7 (AMD). PL 2019, c. 284, §16 (AMD).

§1528-A. Continuing education

Renewal of a license under this chapter is contingent upon evidence of participation in continuing education as determined by the director. A licensee shall certify at time of renewal compliance with the continuing education requirements under this section. [PL 2019, c. 284, §17 (NEW).]

1. Limited interpreters. A holder of a limited interpreter license under former section 1524 or limited deaf interpreter license under former section 1524-A must complete at least 20 hours annually of continuing education in American Sign Language or the interpreting process.
[RR 2019, c. 1, Pt. A, §43 (COR).]

2. Certified interpreters. A certified interpreter or certified deaf interpreter is required to maintain continued certification with the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director.
[PL 2019, c. 284, §17 (AMD).]

3. Conditional interpreters. A conditional interpreter or conditional deaf interpreter must complete at least 20 hours annually of continuing education in American Sign Language or the interpreting process.
[PL 2019, c. 284, §17 (NEW).]

SECTION HISTORY

PL 1999, c. 399, §15 (NEW). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §4 (AMD). PL 2019, c. 284, §17 (AMD). RR 2019, c. 1, Pt. A, §43 (COR).

§1529. Violations

A person who violates section 1525 is subject to the provisions of Title 10, section 8003-C. [PL 2007, c. 402, Pt. K, §8 (AMD).]

SECTION HISTORY

PL 1997, c. 749, §3 (NEW). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2007, c. 402, Pt. K, §8 (AMD).

§1530. Denial or refusal to renew license; disciplinary action

In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the department may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A upon a medical finding of mental incompetency. [PL 2007, c. 402, Pt. K, §9 (RPR).]

1. Fraud.
[PL 2007, c. 402, Pt. K, §9 (RP).]

2. Incompetency.
[PL 2007, c. 402, Pt. K, §9 (RP).]

3. Criminal conviction.
[PL 2007, c. 402, Pt. K, §9 (RP).]

4. Violation.
[PL 2007, c. 402, Pt. K, §9 (RP).]

5. Unethical conduct.
[PL 2007, c. 402, Pt. K, §9 (RP).]

SECTION HISTORY

RR 1997, c. 2, §54 (COR). PL 1997, c. 749, §3 (NEW). PL 1999, c. 399, §16 (AMD). PL 1999, c. 399, §20 (AFF). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2007, c. 402, Pt. K, §9 (RPR).

§1531. Disclosure

(REPEALED)

SECTION HISTORY

PL 1999, c. 399, §17 (NEW). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §5 (AMD). PL 2019, c. 284, §18 (RP).

§1532. Conversion of registrants to limited licensees

(REPEALED)

SECTION HISTORY

PL 1999, c. 399, §17 (NEW). PL 1999, c. 399, §20 (AFF). PL 2005, c. 267, §6 (RP).

§1533. Telehealth services

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Asynchronous encounter" means an interaction between an individual and a person licensed under this chapter through a system that has the ability to store digital information, including, but

not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the individual and the person licensed under this chapter. [PL 2021, c. 291, Pt. B, §3 (NEW).]

B. "Store and forward transfer" means the transmission of an individual's records through a secure electronic system to a person licensed under this chapter. [PL 2021, c. 291, Pt. B, §3 (NEW).]

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between an individual and a person licensed under this chapter or between a person licensed under this chapter and another health care provider. [PL 2021, c. 291, Pt. B, §3 (NEW).]

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring. [PL 2021, c. 291, Pt. B, §3 (NEW).]

E. "Telemonitoring" means the use of information technology to remotely monitor an individual's health status via electronic means, allowing the person licensed under this chapter to track the individual's health data over time. Telemonitoring may be synchronous or asynchronous. [PL 2021, c. 291, Pt. B, §3 (NEW).]

[PL 2021, c. 291, Pt. B, §3 (NEW).]

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

[PL 2021, c. 291, Pt. B, §3 (NEW).]

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

[PL 2021, c. 291, Pt. B, §3 (NEW).]

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

[PL 2021, c. 291, Pt. B, §3 (NEW).]

5. Rulemaking. The director shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 291, Pt. B, §3 (NEW).]

SECTION HISTORY

PL 2021, c. 291, Pt. B, §3 (NEW).

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