

**MINUTES OF
THE ADVISORY BOARD FOR INTERPRETERS BETWEEN HEARING INDIVIDUALS
AND INDIVIDUALS WHO ARE DEAF, DEAFBLIND, HARD OF HEARING, OR ORAL
DEAF**

AUGUST 4, 2017 QUARTERLY MEETING

MEMBERS PRESENT

Ray James, Chair
Jami Hollingsworth
Debbie Pearce
Holly Ketchum
Karin Binko
J. R. Courtright
Jerri Finch

ADH STAFF PRESENT

Brooks White
Karley Altazan

GUEST PRESENT

Dr. Linda Stauffer, Interpreter
John West, Interpreter
Will Gorum, Interpreter

WELCOME AND CALL TO ORDER

Chair, Mr. Ray James called the meeting to order at 2:00 p.m.

APPROVAL OF MINUTES

Mr. James requested approval or changes to the meeting minutes from February 3, 2017. Ms. Debbie Pearce reminded the meeting reflects Mr. John West made a motion, but will be edited by Mr. Karley Altazan. Motion made by Ms. Jami Hollingsworth to approve minutes per changes, seconded by Ms. Karin Binko. Motion carried.

OLD BUSINESS

Ms. Hollingsworth requested the website to reflect the proper title for the board members. Additionally, the term limits for committee members need to be updated to the proper year. Ms. Binko requested her email address be corrected.

Mr. James requested an update from Mr. Brooks White regarding the complaints of unlicensed interpreters working in schools, which were passed over to the ADE. Mr. White spoke to ADE and Mr. Robert Brech, General Counsel at ADH and in discussion with Mr. James, the interpretation from ADH was the intent at the time interpreters at the

school, the governance to those individuals are under the guidelines of ADE. They have a set of rules that are promulgated under that, which does state they hold a license. The legal department of ADH interprets that we do not hold jurisdiction to sanction individuals that are working in the schools and do not have license. They believe that is the province of the schools, therefore the advice to the board is we can refer complaints to ADE. After speaking with the ADE, Mr. White stated they are not sure how to deal with complaints on unlicensed interpreters. His opinion after revising the ADE rules and regulations, these unlicensed individuals are not in compliance. However, it is the ADE's requirement to enforce their rules.

Ms. Jerri Finch feel this information would need to be included to clarify these complaints will be forwarded to ADE. Mr. James identified we will continue to accept complaints but they will be directed to the appropriate entity. Ms. Hollingsworth questioned in the scenario that an interpreter does not have a license, what would the ramifications from that governing agency. According to Mr. White, after reviewing ADE rules that sets forth a disciplinary process. Ms. Finch questioned when the school completed their employee listing, would the interpreters are listed. Mr. James said they could follow up with the school boards to see if that is being reported.

Ms. Debbie Pearce understanding was that any interpreter, for school, medical facility, etc., must be licensed, but the board could not dictate the requirements. Mr. White reiterated it was a sanctioned jurisdictional issue of the license they must hold. Again his understanding is their rules state the interpreter must be licensed which superseded our promulgated rules and regulations due to the exception listed. Mr. James clarified that the laws of licensure for the schools do allow for licensed interpreters but do not provide sanctions for unlicensed interpreters.

NEW BUSINESS

Ms. Hollingsworth announced there are currently 180 qualified licensed interpreters, with two (2) pending. As of August 2016, there were 158 qualified licensed interpreters.

Ms. Altazan verified changing the verbiage on the renewals.

Mr. James requested to begin the process for noticing ARID and AAD regarding to the appointment recommendations. The ending appointments are Ms. Debbie Pearce and Mr. J.R. Courtright and will require a nomination for replacement. AAD will need to fill a position from the deaf community and ARID to fill the interpreter position.

Mr. James addressed VRI interpreted and how our licensing law applies to out of state interpreters. This refers to interpreters using video interpreting service for hospitals,

rural area schools, and court systems. VRI have no regulations as to what credentials are held. Ms. Holly Ketchum questioned if this applies under the limited hours allowed of unlicensed interpreters by our regulations. If so, there is no way to determine how many areas each interpreter is working. Mr. James clarified that a person is allowed to work 20 total days in the state of Arkansas without licensure. Ms. Hollingsworth questioned how can we regulate licensing requirements or if we even have the legality to do so. Mr. White stated those individuals should be licensed with Arkansas. He said it would fall under the governing body of the FCC but he is unaware if it would violate any of their rules. This would have to be complaint driven and would require them to be licensed within this state. Mr. White inquired if the employees of VRI are required to be licensed to perform their job. Mr. James stated that would be up to the company and state they are working from. Mr. White said he believes we have taken the position they VRI interpreter must be licensed in Arkansas to perform work here. Previously he had spoken to a lawyer from California regarding the requirement for VRI licensure in Arkansas. He did inform them it was required. From a legal standpoint, he does not see substantive difference of an interpreter employed in Arkansas versus a person through video. Mr. James agreed with the interpretation from Mr. White and suggested drafting a letter as a precursor to VRI companies wanting to work in Arkansas. Mr. White cited precedent from the Arizona that does require VRI interpreters to be licensed in that state, regardless where the interpreter resides. Mr. James and Ms. Hollingsworth feel this is information that should be reflected on our website.

OTHER MATTERS

There were no public comments.

Motion to adjourn at 2:34 p.m.



Karin Binko, Secretary

Approved on January 18, 2018