

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: S2/28/13 S3/12/13

# A Bill

SENATE BILL 442

5 By: Senator B. King  
6

## For An Act To Be Entitled

8 AN ACT TO PROVIDE FOR LICENSED QUALIFIED INTERPRETERS  
9 FOR INDIVIDUALS WHO ARE DEAF, DEAFBLIND, HARD OF  
10 HEARING, OR ORAL DEAF; TO CREATE THE ADVISORY BOARD  
11 FOR INTERPRETERS BETWEEN HEARING INDIVIDUALS AND  
12 INDIVIDUALS WHO ARE DEAF, DEAFBLIND, HARD OF HEARING,  
13 AND ORAL DEAF; TO CREATE A FUND; AND FOR OTHER  
14 PURPOSES.  
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16

## Subtitle

17  
18 TO PROVIDE FOR LICENSED QUALIFIED  
19 INTERPRETERS FOR INDIVIDUALS WHO ARE  
20 DEAF, DEAFBLIND, HARD OF HEARING, OR ORAL  
21 DEAF.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended  
27 to add an additional section to read as follows:

28 19-6-819. Interpreters between Hearing Individuals and Individuals who  
29 are Deaf, Deafblind, Hard of Hearing, or Oral Deaf Fund.

30 (a) There is created on the books of the Treasurer of State, the  
31 Auditor of State, and the Chief Fiscal Officer of the State a special revenue  
32 fund to be known as the "Interpreters between Hearing Individuals and  
33 Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf Fund".

34 (b)(1) All moneys collected under § 20-14-801 et seq. shall be  
35 deposited into the State Treasury to the credit of the fund as special  
36 revenues.



1           (2) The fund also shall consist of any other revenues authorized  
2 by law.

3           (c) The fund shall be used by the Department of Health to pay costs  
4 related to the Advisory Board for Interpreters between Hearing Individuals  
5 and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf and  
6 the licensure of licensed qualified interpreters under § 20-14-801 et seq.

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8           SECTION 2. Arkansas Code Title 20, Chapter 14, is amended to add an  
9 additional subchapter to read as follows:

10           Subchapter 8 – Interpreters between Hearing Individuals and  
11 Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf.

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13           20-14-801. Findings.

14           (a) The General Assembly finds that:

15           (1)(A) The practice of interpreting affects the public health,  
16 safety, and welfare and civic, economic, social, academic, and recreational  
17 aspects of life.

18           (B) Therefore, the practice of interpreting should be  
19 subject to licensure and regulation to protect the public's interest;

20           (2) Individuals who are deaf, deafblind, hard of hearing, or  
21 oral deaf, individuals with disabilities who use special techniques in order  
22 to communicate, and individuals whose primary language is sign language have  
23 a civil right to effective communication;

24           (3) Individuals with hearing disabilities and those with whom  
25 they communicate require and are entitled to competent, reliable interpreting  
26 services; and

27           (4) The availability of competent, reliable, credentialed  
28 interpreting services is necessary for individuals with hearing disabilities  
29 to realize their right to full and equal participation in society.

30           (b) The purposes of this subchapter are to:

31           (1) Provide minimum qualifications for interpreters and to  
32 ensure that members of the interpreting profession perform with a high degree  
33 of competency;

34           (2) Regulate the practice and licensure of interpreters for  
35 individuals who are deaf, deafblind, hard of hearing, or oral deaf; and

36           (3) Impose penalties for persons who violate this subchapter or

1 the rules adopted under this subchapter.

2  
3 20-14-802. Definitions.

4 As used in this subchapter:

5 (1) "Cued speech" means the system of handshapes that represent  
6 groups of consonant sounds and hand placements that represent groups of vowel  
7 sounds that is used with natural speech to represent a visual model of spoken  
8 language;

9 (2) "Deaf interpreter" means a deaf individual who facilitates  
10 communication between another deaf person and a licensed qualified  
11 interpreter or between two (2) or more deaf persons;

12 (3) "Deaf individual" means an individual who has a documented  
13 hearing loss so severe that the individual is unable to process speech and  
14 language through hearing, with or without amplification;

15 (4) "Deafblind individual" means an individual who has a  
16 combined loss of vision and hearing that prevents the individual's vision or  
17 hearing from being used as a primary source for accessing information;

18 (5) "Hard of hearing individual" means an individual who has a  
19 hearing loss, may primarily use visual communication, and may use assistive  
20 devices;

21 (6) "Interpret" means to provide language equivalency between a  
22 hearing individual and an individual who is deaf, deafblind, hard of hearing,  
23 or oral deaf using techniques that include without limitation:

24 (A) American Sign Language;

25 (B) English-based sign language;

26 (C) Cued speech; and

27 (D) Oral interpreting;

28 (6) "Interpreting agency" means an entity that provides  
29 qualified interpreter services for a fee;

30 (7) "Oral deaf individual" means an individual whose sense of  
31 hearing is nonfunctional for the purpose of communication and whose primary  
32 method of communication is speech reading and spoken English;

33 (8) "Oral interpreting" means the use of oral transliteration  
34 with special techniques to make the English language visible for persons who  
35 communicate as speech readers;

36 (9) "Licensed provisional interpreter" means an individual who

1 is deaf licensed under this subchapter; and

2 (10) "Licensed qualified interpreter" means an individual  
3 licensed under this subchapter.

4  
5 20-14-803. Penalties.

6 (a)(1) A person who is not licensed under this subchapter and who  
7 pleads guilty or nolo contendere to or is found guilty of holding himself or  
8 herself out to the public as a licensed qualified interpreter is guilty of a  
9 violation and shall be fined not less than one hundred dollars (\$100) and not  
10 more than five hundred dollars (\$500).

11 (2) If a person who pleads guilty or nolo contendere to or is  
12 found guilty of a violation under subdivision (a)(1) of this section complies  
13 with this subchapter within thirty (30) days after pleading guilty or nolo  
14 contendere to or being found guilty of a violation under subdivision (a)(1)  
15 of this section, the court shall suspend the fine under subdivision (a)(1) of  
16 this section.

17 (b) An interpreting agency that pleads guilty or nolo contendere to or  
18 is found guilty of knowingly hiring or providing interpreting services for an  
19 individual who is deaf, deafblind, hard of hearing, or oral deaf through an  
20 individual not licensed under this subchapter is guilty of a violation and  
21 shall be fined not less than five hundred dollars (\$500) and not more than  
22 one thousand dollars (\$1,000).

23  
24 20-14-804. Advisory Board between Hearing Individuals and Individuals  
25 who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf – Creation –  
26 Membership.

27 (a) The Advisory Board for Interpreters between Hearing Individuals  
28 and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf is  
29 created within the Department of Health.

30 (b) The board shall consist of seven (7) members appointed by the  
31 Director of the Department of Health as follows:

32 (1) Four (4) licensed qualified interpreters appointed from a  
33 list of eight (8) submitted by the Arkansas Registry of Interpreters for the  
34 Deaf in conjunction with the Arkansas Association of the Deaf;

35 (2) Two (2) members appointed from a list of four (4) submitted  
36 by the Arkansas Association of the Deaf in conjunction with the Arkansas

1 Registry of Interpreters for the Deaf who are deaf persons, hard of hearing  
2 persons, or oral deaf persons not licensed under this subchapter; and

3 (3) One (1) member appointed from a list of two (2) submitted by  
4 the Arkansas Association of the Deaf in conjunction with the Arkansas  
5 Registry of Interpreters for the Deaf who are neither individuals who are  
6 deaf, deafblind, hard of hearing, or oral deaf and who are not licensed under  
7 this subchapter.

8 (c)(1) Each member shall serve a term of three (3) years.

9 (2) A member shall not serve more than two (2) consecutive  
10 terms.

11 (d) Four (4) members of the board constitute a quorum for the  
12 transaction of business of the board.

13 (e) If a vacancy occurs on the board, the director shall appoint to  
14 complete the term vacated a person who possesses the same qualifications as  
15 those required for the position to which he or she is appointed.

16  
17 20-14-805. Powers and duties of Advisory Board for Interpreters  
18 between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of  
19 Hearing, or Oral Deaf.

20 (a) The Advisory Board between Hearing Individuals and Individuals who  
21 are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall:

22 (1) Recommend rules for the operation of the Advisory Board  
23 between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of  
24 Hearing, or Oral Deaf to the State Board of Health; and

25 (2)(A) Hold meetings at the offices of the Department of Health  
26 in Little Rock or at other places as the Advisory Board for Interpreters  
27 between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of  
28 Hearing, or Oral Deaf may determine.

29 (B) The Department of Health shall provide meeting  
30 facilities and staff for meetings of the Advisory Board for Interpreters  
31 between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of  
32 Hearing, or Oral Deaf.

33 (b) The Advisory Board for Interpreters between Hearing Individuals  
34 and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall  
35 review and recommend to the Director of the Department of Health:

36 (1) Acceptance or rejection of applications for licensure and

1 renewal of licenses for interpreters for the deaf, deafblind, hard of  
2 hearing, and oral deaf;

3 (2) Criteria for issuance and renewal of licenses for licensed  
4 qualified interpreters;

5 (3) Criteria for issuance and continuance of provisional  
6 licenses;

7 (4) Fees for licensure and licensure renewal under this  
8 subchapter;

9 (5) Suspension or revocation of licenses under this subchapter;

10 (6) Procedures for receiving and investigating complaints under  
11 the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

12 (7) Rules to ensure that an interpreting agency provides only  
13 licensed qualified interpreters for services under this subchapter;

14 (8) Rules regarding conflicts of interest regarding members of  
15 the Advisory Board for Interpreters Between Hearing Individuals and  
16 Individuals Who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf;

17 (9)(A) A code of professional conduct.

18 (B) The code of professional conduct shall provide, at a  
19 minimum, that:

20 (i) A licensed qualified interpreter shall make a  
21 true interpretation in an understandable manner to an individual who is deaf,  
22 deafblind, hard of hearing, or oral deaf for whom the licensed qualified  
23 interpreter is appointed and that the licensed qualified interpreter will  
24 interpret accurately the statements of the individual who is deaf or hard of  
25 hearing who desires that his or her statements be made in English to the best  
26 of the licensed qualified interpreter's skill and judgment; and

27 (ii) All information that a licensed qualified  
28 interpreter gathers, learns from, or relays to an individual who is deaf,  
29 deafblind, hard of hearing, or oral deaf during an administrative, civil, or  
30 criminal proceeding shall remain confidential and privileged unless the  
31 individual who is deaf, deafblind, hard of hearing, or oral deaf desires that  
32 the information be communicated to other persons; and

33 (10) A continuing education program for licensed qualified  
34 interpreters.

35  
36 20-14-806. Powers and duties of the Director of the Department of

1 Health.

2 After consideration of the recommendation of the Advisory Board for  
3 Interpreters between Hearing Individuals and Individuals who are Deaf,  
4 Deafblind, Hard of Hearing, or Oral Deaf, the Director of the Department of  
5 Health shall:

6 (1) Issue or deny a license or a renewal of license of a  
7 licensed qualified interpreter;

8 (2) Issue or deny a license or a renewal of a licensed  
9 provisional interpreter license;

10 (3) Confirm or overrule a recommendation to revoke or suspend a  
11 license for an interpreter between a hearing individual and an individual who  
12 is deaf, deafblind, hard of hearing, or oral deaf; and

13 (4) Create and maintain a registry of licensed qualified  
14 interpreters.

15

16 20-14-807. Licenses.

17 (a) A licensed qualified interpreter shall meet criteria established  
18 under this subchapter for interpreters, including without limitation  
19 certification or credentialing by the:

20 (1) Arkansas Rehabilitation Services Quality Assurance Screening  
21 Test;

22 (2) Educational Interpreter Performance Assessment;

23 (3) National Association of the Deaf;

24 (4) National Cued Speech Association;

25 (5) Registry of Interpreters for the Deaf, Inc.; or

26 (6) Texas Board for Evaluation of Interpreters.

27 (b) A licensed provisional interpreter license may be issued to a deaf  
28 interpreter who meets criteria established under this subchapter.

29 (c) A license issued under this subchapter is valid for one (1) year.

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31 20-14-808. Prohibitions.

32 (a) Except as provided in subsection (b) of this section, it is  
33 unlawful for an individual to use the title "licensed qualified interpreter"  
34 or "licensed provisional interpreter" or to hold himself or herself out as an  
35 interpreter between a hearing individual and an individual who is deaf,  
36 deafblind, hard of hearing, or oral deaf unless the individual using the

1 title holds a license under this subchapter.

2 (b) Subsection (a) of this section does not apply to:

3 (1) A person who interprets for an individual who is deaf,  
4 deafblind, hard of hearing, or oral deaf during a religious service;

5 (2) A nonresident interpreter who holds a credential or a  
6 certificate valid in another state who interprets in Arkansas less than  
7 twenty (20) days per year;

8 (3) A person who interprets during an emergency; or

9 (4) A person who is an interpreter intern or a student in  
10 training who is:

11 (A) Enrolled in and pursuing a degree in interpreting at  
12 an accredited institution of higher learning; or

13 (B) Interpreting under the supervision of a licensed  
14 qualified interpreter as part of a supervised program of study.

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16 20-14-809. Rules.

17 The State Board of Health shall adopt rules to implement this  
18 subchapter.

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20 SECTION 3. DO NOT CODIFY. Initial Meeting of the Advisory Board  
21 Between Hearing Individuals and Individuals Who are Deaf, Deafblind, Hard Of  
22 Hearing, or Oral Deaf.

23 (a) The Director of the Department of Health shall make appointments  
24 to the Advisory Board for Interpreters between Hearing Individuals and  
25 Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf under §  
26 20-14-804 on or before October 1, 2013.

27 (b) An initial member appointed as a licensed qualified interpreter  
28 member shall become licensed as a licensed qualified interpreter under this  
29 subchapter on or before January 1, 2014.

30 (c) The board shall hold its initial meeting within ninety (90) days  
31 after the effective date of this act.

32 (d) At the first meeting, the board shall elect a chair and a  
33 secretary who shall serve one-year terms.

34 (e) At the first meeting, the initial members shall draw lots for  
35 staggered terms so that three (3) members serve three-year terms, two (2)  
36 members serve two-year terms, and two (2) member serve one-year terms.



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SECTION 4. Arkansas Code §§ 25-15-101 and 25-15-102 are amended to read as follows:

25-15-101. Interpreters ~~generally between a hearing individual and an individual who is deaf, deafblind, hard of hearing, or oral deaf.~~

(a) As used in this section, "interpreter" means an interpreter as defined in § 25-15-102;

~~(a)(b)~~ Every A person who cannot speak or understand the English language or who because of hearing, speaking, or other impairment has difficulty in communicating with other persons, and who is a party to ~~any a~~ civil proceeding or a witness ~~therein, shall be~~ in a civil proceeding is entitled to an interpreter to assist that person throughout the proceeding.

~~(b)(c)(1)~~ An interpreter may be retained by the party or witness himself or herself, or, if the person is unable to pay for an interpreter, may be appointed by the administrative board or agency before which the proceeding is pending.

(2) If an interpreter is appointed by the board or agency, the fee for the services of the interpreter shall be set by the board or agency and be paid from ~~any~~ funds available to the board or agency or be paid in any other manner ordered by the board or agency.

~~(c)(d)~~ Any An administrative agency may inquire into the qualifications and integrity of ~~any an~~ interpreter and may disqualify any person for cause from serving as an interpreter.

~~(d)(e)~~ Every An interpreter for another person who is either a party or a witness in an administrative proceeding ~~as referred to in~~ under this section shall take the following oath:  
 "Do you solemnly swear (or affirm) that you will justly, truly, and impartially interpret to . . . . the oath about to be administered to him (her), and the questions which may be asked him (her), and the answers that he (she) shall give to such questions, relative to the cause now under consideration before this board (agency), so help you God (or under the pains and penalties of perjury)?"

25-15-102. Interpreters ~~for the deaf~~ between a hearing individual and an individual who is deaf, deafblind, hard of hearing, or oral deaf.

(a) For the purpose of appointing an interpreter ~~for deaf persons,~~

1 ~~deafblind persons, hard of hearing persons, and oral deaf persons~~ between a  
2 hearing individual and an individual who is deaf, deafblind, hard of hearing,  
3 or oral deaf under § 25-15-101:

4 (1) ~~“Any administrative~~ Administrative proceeding” means ~~any a~~  
5 proceeding of ~~any a~~ department, board, commission, agency, committee, or  
6 licensing authority of the state or of ~~any a~~ political subdivision or  
7 municipality, ~~and it shall appoint a qualified interpreter to interpret the~~  
8 ~~proceedings to the deaf person and to interpret his or her testimony or~~  
9 ~~statements;~~

10 (2) “Deaf individual” means an individual who has a documented  
11 hearing loss so severe that the individual is unable to process speech and  
12 language through hearing, with or without amplification;

13 (3) “Deafblind individual” means an individual who has a  
14 combined loss of vision and hearing that prevents the individual’s vision or  
15 hearing from being used as a primary source for accessing information;

16 (4) “Hard of hearing individual” means an individual who has a  
17 hearing loss, may primarily use visual communication, and may use assistive  
18 devices;

19 (5) “Interpreter” means a licensed qualified interpreter or a  
20 licensed provisional interpreter licensed by the Department of Health under §  
21 20-14-801 et seq.;

22 (6) “Oral deaf individual” means an individual whose sense of  
23 hearing is nonfunctional for the purpose of communication and whose primary  
24 communication is by speech reading and spoken English; and

25 ~~(2)(A)(7)~~ “Oral interpreter” means a person who interprets  
26 language through facial and lip movements only and who does not use manual  
27 communication licensed qualified interpreter or a licensed provisional  
28 interpreter who interprets language through facial and lip movements only and  
29 who does not use manual communication.

30 ~~(B) An oral interpreter shall be provided upon the request~~  
31 ~~of a deaf person who does not communicate in sign language.~~

32 ~~(C) The right of a deaf person to an interpreter may not~~  
33 ~~be waived except by a deaf person who does not use sign language and who~~  
34 ~~initiates the request for waiver in writing. The waiver is subject to~~  
35 ~~approval of counsel to the deaf person, if existent, and is subject to~~  
36 ~~approval of the appointing authority; and~~

1           ~~(3)(A) “Qualified interpreter” means an interpreter certified by~~  
2 ~~the National Registry of Interpreters for the Deaf, Arkansas Registry of~~  
3 ~~Interpreters for the Deaf, or, in the event an interpreter so certified is~~  
4 ~~not available, an interpreter who is otherwise qualified~~

5           ~~(B) Efforts to obtain the services of a qualified~~  
6 ~~interpreter certified with a Legal Skills Certificate or a Comprehensive~~  
7 ~~Skills Certificate will be made prior to accepting services of an interpreter~~  
8 ~~with lesser certification.~~

9           ~~(C)(b)(1) No~~ An ~~qualified~~ interpreter shall not be appointed unless  
10 the appointing authority and the ~~deaf person~~ make individual who is deaf,  
11 deafblind, hard of hearing, or oral deaf makes a preliminary determination  
12 that the interpreter is able to readily communicate with the ~~deaf person~~  
13 individual who is deaf, deafblind, hard of hearing, or oral deaf and is able  
14 to accurately interpret the statements of the ~~deaf person~~ individual who is  
15 deaf, deafblind, hard of hearing, or oral deaf and interpret the proceedings  
16 in which ~~a deaf person~~ an individual who is deaf, deafblind, hard of hearing,  
17 or oral deaf may be involved.

18           ~~(D)(2) Every deaf person~~ An individual who is deaf, deafblind,  
19 hard of hearing, or oral deaf entitled to an interpreter under § 25-15-101  
20 ~~shall be is~~ entitled to a ~~qualified~~ an interpreter as defined by this  
21 subsection.

22           (c)(1) An oral interpreter shall be provided upon the request of an  
23 individual who is deaf, deafblind, hard of hearing, or oral deaf who does not  
24 communicate in sign language.

25           (2)(A) The right of an individual who is oral deaf to an  
26 interpreter may not be waived except by an individual who is oral deaf who  
27 does not use sign language and who initiates the request for a waiver in  
28 writing.

29           (B) The waiver is subject to approval of counsel to the  
30 individual who is oral deaf, if existent, and is subject to approval of the  
31 appointing authority.

32           (d) A department, board, commission, agency, committee, or licensing  
33 authority of the state or of a political subdivision or municipality shall  
34 appoint an interpreter to interpret an administrative proceeding to an  
35 individual who is deaf, deafblind, hard of hearing, or oral deaf and to  
36 interpret the testimony or statements of the individual who is deaf,

1 deafblind, hard of hearing, or oral deaf.

2 ~~(b)(e)(1) Every deaf person~~ An individual who is deaf, deafblind, hard  
3 of hearing, or oral deaf whose appearance before a proceeding entitles him or  
4 her to an interpreter ~~should~~ shall notify the appointing authority of ~~his or~~  
5 ~~her need prior to any~~ the need of the individual who is deaf, deafblind, hard  
6 of hearing, or oral deaf before an appearance and ~~should~~ shall request at  
7 that time the services of an interpreter.

8 (2)(A) When ~~If a deaf person~~ an individual who is deaf,  
9 deafblind, hard of hearing, or oral deaf reasonably expects the need for an  
10 interpreter to be for a period greater than a single day, ~~he or she should~~  
11 the individual who is deaf, deafblind, hard of hearing, or oral deaf shall  
12 notify the appointing authority.

13 (B) This notification shall be sufficient for the duration  
14 of ~~his or her~~ the participation of the individual who is deaf, deafblind,  
15 hard of hearing, or oral deaf in the proceedings.

16 ~~(e)(f)~~ An appointing authority may require a person requesting the  
17 appointment of an interpreter to furnish reasonable proof of ~~his or her~~ the  
18 deafness of the individual who is deaf, deafblind, hard of hearing, or oral  
19 deaf when the appointing authority has reason to believe that the ~~person~~ deaf  
20 person, deafblind person, hard of hearing person, or oral deaf person is not  
21 deaf, deafblind, hard of hearing, or oral deaf.

22 ~~(d)(g) It shall be the responsibility of the~~ The appointing authority  
23 ~~to~~ shall channel requests for qualified interpreters through the Department  
24 of Health;

25 ~~(1) The Arkansas Registry of Interpreters for the Deaf;~~

26 ~~(2) The Office for the Deaf and Hearing Impaired of the Arkansas~~  
27 ~~Rehabilitation Services of the Department of Career Education;~~

28 ~~(3) The University of Arkansas at Little Rock Interpreter~~  
29 ~~Education Program; or~~

30 ~~(4) Any community resource wherein the appointing authority or~~  
31 ~~the deaf person is knowledgeable that qualified interpreters can be found.~~

32 ~~(e)(h)~~ Before a ~~qualified~~ an interpreter participates in any  
33 proceedings subsequent to an appointment under ~~the provisions of~~ this  
34 section, the interpreter shall make an oath or affirmation that the  
35 interpreter will:

36 (1) make Make a true interpretation in an understandable manner

1 to the ~~deaf person~~ individual who is deaf, deafblind, hard of hearing, or  
2 oral deaf for whom ~~he or she~~ the interpreter is appointed; and

3 (2) that the interpreter will interpret Interpret the statements  
4 of the ~~deaf person~~ individual who is deaf, deafblind, hard of hearing, or  
5 oral deaf desiring that statements be made, in the ~~English language to the~~  
6 ~~best of the interpreter's skill and judgment~~ language best suited to the  
7 needs of the individual who is deaf, deafblind, hard of hearing, or oral  
8 deaf.

9 ~~(f)(i)~~ (i) The appointing authority shall provide recess periods as  
10 necessary for the interpreter when the interpreter ~~so indicates~~ requests a  
11 recess period.

12 ~~(g)(j)~~ (j) All ~~information~~ Information that the interpreter gathers,  
13 learns from, or relays to the ~~deaf person or person who is unable to~~  
14 ~~communicate in English~~ individual who is deaf, deafblind, hard of hearing, or  
15 oral deaf pertaining to ~~any~~ an administrative, civil, or criminal proceeding  
16 shall at all times remain confidential and privileged, on an equal basis with  
17 the attorney-client privilege, unless ~~the deaf person or person who is unable~~  
18 ~~to communicate in English~~ the individual who is deaf, deafblind, hard of  
19 hearing, or oral deaf desires that ~~such~~ the information be communicated to  
20 other persons.

21 ~~(h)(k)(1)~~ (k)(1) An interpreter appointed under ~~the provisions of this~~  
22 section ~~shall be~~ is entitled to a reasonable fee for his or her services.

23 (2) The fee shall be in accordance with standards established by  
24 the ~~Arkansas Registry of Interpreters for the Deaf~~ Department of Health and  
25 in addition to actual expenses for travel and transportation.

26 (3)(A) ~~When~~ If the interpreter is appointed by a court, the fee  
27 shall be paid out of general county funds.

28 (B) ~~When~~ If the interpreter is otherwise appointed, the  
29 fee shall be paid out of funds available to the appointing authority.

30  
31 *SECTION 5. EFFECTIVE DATE. Section 20-14-805 is effective on and after*  
32 *November 1, 2013.*

33  
34 /s/B. King