

**PROPOSED REGULATION OF THE
AGING AND DISABILITY SERVICES DIVISION OF
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R014-12

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-15, NRS 656A.082 and 656A.084.

NAC 656A is hereby amended to read as follows:

NAC 656A.320 Period for renewal of registration; expiration; revocation; restoration of registration after revocation. (NRS 656A.082, 656A.084, 656A.090)

1. Registration with the Division as an interpreter or Communication Access Realtime Translation provider must be renewed:

(a) If the person is certified as an interpreter or Communication Access Realtime Translation provider, every 5 years on a form prescribed by the Division.

(b) If the person is not certified as an interpreter or Communication Access Realtime Translation provider, every 3 years on a form prescribed by the Division.

2. If a person fails to renew his or her registration pursuant to subsection 1 not later than 90 days after the end of the period prescribed in subsection 1, the registration expires.

3. An interpreter and Communication Access Realtime Translation provider shall inform the Division of any changes in contact information or in his or her assessment or certification status. The Division may revoke the registration of an interpreter or Communication Access Realtime Translation provider whose certification is revoked by his or her certifying body.

4. An interpreter or Communication Access Realtime Translation provider may, within 2 years after revocation of his or her registration pursuant to this section, request that the Division restore the registration.

5. All School Districts in the State of Nevada shall report, in a form prescribed by the Division, the following information for all sign language interpreters or CART providers serving students in their district:

- a. the name of each such employee;*
- b. the modality in which they work;*
- c. the school grade levels in which they work; and,*
- d. the name, phone number and email address of their direct supervisor.*

Such report will be made by October 31st of each year. If a new sign language interpreter or CART provider begins serving students before the next annual report is due, the information for that individual shall be reported to the Division within 30 days of their first date of service.

NAC 656A.610 Complaints: Filing; duties of Division; assignment to investigative committee; evaluation and recommendations of investigative committee; determination by Division after investigation; report of violation to Attorney General. (NRS 656A.086, 656A.090, 656A.520)

1. If the Division or a recipient of services from an interpreter or Communication Access Realtime Translation provider, who is party to and aware of any act or circumstance that

constitutes grounds for disciplinary action against an interpreter or Communication Access Realtime Translation provider, desires to pursue disciplinary action against that interpreter or Communication Access Realtime Translation provider, the person must file a complaint with the Division specifying the charge against the interpreter or Communication Access Realtime Translation provider. A complaint may not be accepted from a recipient of interpreting or Communication Access Realtime Translation services who knowingly and willingly used an unregistered interpreter or Communication Access Realtime Translation provider.

2. Unless the Division determines that a complaint is without merit, the Division will:

(a) Direct the complaint to the complainant's certifying body;

(b) Assign an investigative committee to determine whether a charge against an interpreter or Communication Access Realtime Translation provider justifies disciplinary action. The investigative committee will be composed of ~~[not less than three members of the Communication Access Council or its designees, at least one of whom is an interpreter or Communication Access Realtime Translation provider]~~ *one Division Program Specialist, one Deaf or Hard of Hearing community member, and one registered service provider. All members will sign confidentiality statements and must not have a conflict of interest in the outcome of the investigation;*

(c) Utilize the services of a mediator certified by the Registry of Interpreters for the Deaf to resolve complaints between parties; or

(d) Intervene on behalf of the complainant and the interpreter or Communication Access Realtime Translation provider, as appropriate, if they agree to the intervention.

3. Before assigning the complaint to an investigative committee, the Division must provide the interpreter or Communication Access Realtime Translation provider, as applicable, with a copy of the complaint. If the Division determines that a complaint is without merit, the Division may provide the interpreter or Communication Access Realtime Translation provider with a copy of the complaint, including the name of the person who filed the complaint.

4. Following an investigation, the investigative committee will present its evaluation and recommendations to the Division. The Division will review the findings of the committee to determine whether to take further action against the interpreter or Communication Access Realtime Translation provider.

5. If the Division determines after investigation that an interpreter or Communication Access Realtime Translation provider has violated the provisions of this chapter or chapter 656A of NRS, and there is no certifying body to report to, the Division will notify the Attorney General of its findings and any disciplinary action taken.

6. A member of the Division who participates in an investigation will not participate in the review conducted or in a subsequent hearing or action which is related to the investigation.