

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

LCB File No. R004-20

October 7, 2020

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

AUTHORITY: §§1-9, NRS 656A.090 and 656A.110; §10, NRS 656A.090; §11, NRS 656A.090, 656A.400 and 656A.410; §§12-17, NRS 656A.090, 656A.100 and 656A.110; §§18, 20 and 21, NRS 656A.090, 656A.110 and 656A.410; §19, NRS 656A.090, 656A.515 and 656A.520.

A REGULATION relating to persons with disabilities; revising certain information that certain interpreters and Communication Access Realtime Translation providers are required to report; prescribing ethical standards for interpreters; revising requirements relating to the registration and practice of interpreters and Communication Access Realtime Translation providers; revising provisions relating to complaints concerning interpreters and Communication Access Realtime Translation providers; repealing certain definitions and professional classification of interpreters; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Aging and Disability Services Division of the Department of Health and Human Services to adopt regulations to carry out provisions of law governing interpreters and realtime captioning providers. (NRS 656A.090) Existing regulations require each interpreter or Communication Access Realtime Translation provider who provides services for a school district in this State to report certain information to the Division. (NAC 656A.225) **Section 10** of this regulation removes the requirement that each such interpreter or Communication Access Realtime Translation provider report the modality that he or she uses to provide services.

Existing law requires the Division to establish ethical standards for persons who engage in the practice of interpreting. (NRS 656A.110) **Section 6** of this regulation prescribes those ethical standards.

Existing law requires the Division to prescribe for each professional classification of interpreters the level of education and professional training, experience and certification required to engage in the practice of interpreting in that classification. (NRS 656A.110) Existing law establishes the following classifications of interpreters: (1) for a community setting, apprentice

level interpreters, skilled interpreters and advanced certified interpreters; and (2) for an educational setting, apprentice level interpreters, intermediate interpreters and advanced interpreters. (NRS 656A.100) Existing regulations require a person to have at least a high school diploma or a general equivalency diploma in order to apply for and maintain registration as a Communication Access Realtime Translation provider or interpreter. (NAC 656A.230-656A.310) **Sections 11-18** of this regulation clarify that a person must meet the applicable educational requirements in order to renew registration as a Communication Access Realtime Translation provider or interpreter. **Sections 12-18** of this regulation require an interpreter to hold: (1) on or after July 1, 2025 but before July 1, 2030, an associate's degree; and (2) on or after July 1, 2030, a bachelor's degree.

Existing regulations require an apprentice level interpreter in a community or educational setting or an intermediate interpreter in an educational setting to participate in a plan of mentoring. (NAC 656A.240, 656A.290, 656A.300) **Sections 12, 15 and 16** of this regulation remove that requirement and instead require each such interpreter to receive at least 20 hours of mentoring per year. **Section 2** of this regulation defines the term "mentoring," and **section 4** of this regulation establishes the qualifications of a mentor. **Sections 12-18** also revise certain requirements governing testing, certification and professional development for interpreters. **Section 3** of this regulation prescribes the requirements a recognized signed language interpreter or transliterator certification must meet in order to be approved by the Division as an appropriate certification for an interpreter. **Section 5** of this regulation prescribes requirements for professional development for interpreters. **Sections 12 and 15** prohibit the renewal of registration as an apprentice level interpreter more than twice. **Sections 13 and 14** of this regulation remove certain limitations on the practice of interpreting in a legal setting by a skilled interpreter or advanced interpreter who does not hold supplemental certification to engage in such interpreting.

Existing regulations prohibit an apprentice level interpreter or intermediate interpreter in an educational setting from serving for more than 10 consecutive working days as a substitute interpreter in a grade level for which he or she is not assessed. (NAC 656A.290, 656A.300) **Sections 15 and 16** instead prohibit: (1) an apprentice level interpreter from serving for more than 10 total days during an academic year as a substitute interpreter in a grade level for which he or she is not assessed; and (2) an intermediate interpreter from serving for more than 15 total days during an academic year as a substitute interpreter in a grade level for which he or she is not assessed. **Sections 15-17** of this regulation remove prohibitions on an interpreter in an educational setting engaging in the practice of interpreting in a modality for which the interpreter is not assessed or certified.

Existing regulations require registration as an interpreter or Communications Access Realtime Translation provider to be renewed: (1) every 5 years if the registrant is certified; or (2) every 3 years if the registrant is not certified. (NAC 656A.320) **Section 18** of this regulation instead requires such registration to be renewed not later than August 1 of each year. **Section 20** of this regulation requires existing registrations to be renewed on or before that date.

If the Division receives a complaint concerning an interpreter or Communications Access Realtime Translation provider and determines that the complaint has merit, existing regulations require the Division to: (1) forward the complaint to the complainant's certification body; (2) utilize the services of a mediator to resolve the complaint; or (3) take certain other actions.

Section 19 of this regulation requires the Division to advise the complainant to direct the complaint to the certifying body of the registrant instead of directing the complaint to the complainant's certification body. (NAC 656A.610) **Section 19** also removes authorization for the Division to utilize the services of a mediator to resolve the complaint. **Section 21** of this regulation repeals: (1) certain unnecessary definitions; and (2) certain professional classifications that are not prescribed by statute. Sections 7-9 of this regulation make conforming changes.

Section 1. Chapter 656A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. *“Mentoring” means activities facilitated by a mentor that are designed to improve the skills and knowledge of a mentee.*

Sec. 3. *The Division may approve a recognized signed language interpreter or transliterator certification for the purposes of NAC 656A.250, 656A.260 or 656A.310 if the organization that issues the certification:*

1. Requires, as a condition of certification, that a person:

(a) Achieve a passing score on:

(1) An examination of knowledge and ethics; and

(2) An examination of interpreting performance or transliterating performance, as applicable; and

(b) Receive an average of at least 20 hours of continuing education or professional development each year; and

2. Prescribes a process by which a person may submit a grievance against the holder of a certification.

Sec. 4. *A mentor must have completed at least 6 hours of training in the education of interpreters during the immediately preceding 5 years and:*

1. Be registered as an interpreter in a community setting as a skilled interpreter pursuant to NAC 656A.250, an interpreter in a community setting as an advanced interpreter pursuant

to NAC 656A.260 or an interpreter in an educational setting as an advanced interpreter pursuant to NAC 656A.310; or

2. Hold an associate's degree or higher in interpreting, American Sign Language, English or a related field.

Sec. 5. Professional development must:

1. Consist of educational activities designed to improve the work performance of an interpreter; and

2. Be related to language, linguistics, culture, ethics, theory of interpreting, skills for interpreting or a topic specific to the work of the interpreter.

Sec. 6. 1. An interpreter shall:

(a) Maintain the confidentiality of communication with persons to whom the interpreter provides services;

(b) Engage in the practice of interpreting only in situations for which the interpreter possesses the necessary professional skills and knowledge;

(c) Conduct himself or herself in a manner appropriate for each situation in which the interpreter engages in the practice of interpreting;

(d) Demonstrate respect for persons to whom the interpreter provides services, colleagues, interns and students; and

(e) Engage in ethical business practices.

2. An interpreter shall not engage in the practice of interpreting in:

(a) A community setting unless the interpreter is registered as an interpreter in a community setting pursuant to NAC 656.240, 656.250 or 656.260.

(b) An educational setting unless the interpreter is registered as an interpreter in an educational setting pursuant to NAC 656A.290, 656A.300 or 656A.310.

Sec. 7. NAC 656A.010 is hereby amended to read as follows:

656A.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 656A.020 to ~~656A.205,~~ *656A.185*, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 8. NAC 656A.100 is hereby amended to read as follows:

656A.100 “Educational ~~Interpreters~~ *Interpreter Performance Assessment Written Test and Knowledge Assessment² Standards*” means the ~~written portion of the~~ *Educational Interpreter Performance Assessment Written Test and Knowledge Standards* assessment administered by the Boys Town National Research Hospital in Omaha, Nebraska.

Sec. 9. NAC 656A.140 is hereby amended to read as follows:

656A.140 “Mentor” means a person ~~approved by the Division who guides an interpreter with less experience in gaining the skills, techniques and knowledge required to engage in the practice of interpreting. A mentor shall meet the requirements for registration as set forth in NAC 656A.300 or 656A.310, as appropriate.~~ *who facilitates mentoring and meets the requirements of section 4 of this regulation.*

Sec. 10. NAC 656A.225 is hereby amended to read as follows:

656A.225 1. Each interpreter or Communication Access Realtime Translation provider who provides services for a school district in this State shall report to the Division:

- (a) His or her name;
- (b) ~~The modality he or she uses to provide services;~~
- ~~(c)~~ Each grade level he or she serves;

~~(c)~~ (c) The name, telephone number and electronic mail address of his or her direct supervisor; and

~~(d)~~ (d) Any other information requested by the Division.

2. Each interpreter or Communication Access Realtime Translation provider required to submit a report pursuant to subsection 1 shall submit the report on a form prescribed by the Division within 30 days after the date on which the interpreter or Communication Access Realtime Translation provider begins serving pupils in the school district.

3. Each interpreter or Communication Access Realtime Translation provider required to submit a report pursuant to subsection 1 shall report, on a form prescribed by the Division, any changes in the information required to be reported pursuant to subsection 1 within 30 days after the change occurs.

Sec. 11. NAC 656A.230 is hereby amended to read as follows:

656A.230 1. To apply for ~~and maintain~~ *or renew* registration as a Communication Access Realtime Translation provider or realtime captioning provider, a person must:

- (a) Have at least a high school diploma or a general equivalency diploma.
- (b) Hold certification in good standing from:
 - (1) The Certified Court Reporters' Board of Nevada pursuant to chapter 656 of NRS;
 - (2) The National Court Reporters Association as a:
 - (I) Registered Professional Reporter;
 - (II) Certified Communication Access Realtime Translation Provider;
 - (III) Certified Broadcast Captioner; or
 - (IV) Certified Realtime Reporter; or

(3) Any other state licensing board with a minimum of skills assessment of 200 words per minute or more.

2. A Communication Access Realtime Translation provider or realtime captioning provider shall accept each assignment with due caution and care commensurate with his or her skills and experience.

3. A Communication Access Realtime Translation provider or realtime captioning provider who works solely as a broadcast captioner is not required to register with the Division or comply with the provisions of this chapter or chapter 656A of NRS.

Sec. 12. NAC 656A.240 is hereby amended to read as follows:

656A.240 1. To apply for ~~and maintain~~ *or renew* registration as an interpreter in a community setting as an apprentice level interpreter, a person must:

(a) Have at least ~~a high school diploma or a general equivalency diploma.~~

~~(b) Hold in good standing;~~

~~(1) Level 2 certification from the National Association of the Deaf;~~

~~(2) Level II certification from the American Consortium of Certified Interpreters; or~~

~~(3) the following education:~~

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate's degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, 2030, a bachelor's degree from an accredited institution approved by the Division.

(b) Have achieved:

~~(1) A score of 3.5 to 3.9 on the Educational Interpreter Performance Assessment †~~

~~—(c) Be a person who is deaf or hard of hearing in the process of becoming a certified deaf interpreter through the Registry of Interpreters for the Deaf or have successfully completed an accredited interpreter preparation program.~~

~~—(d) Participate in the Associate Continuing Education Tracking program, with at least 75 contact hours of continuing education every 3 years, or maintain a professional development plan provided by the Division.~~

~~—(e) Except as otherwise provided in this paragraph, participate in a plan of mentoring, with at least 40 hours of mentoring every 3 years, with a mentor who is certified with the Registry of Interpreters for the Deaf. A person who is not certified with the Registry of Interpreters for the Deaf but who is deemed by the Division to be competent in American Sign Language and to be knowledgeable about the deaf culture may serve as a mentor if he or she has passed the written portion of the Educational Interpreter Performance Assessment or the exam provided by the Registry of Interpreters for the Deaf, is able to show proof of completion of a course in mentorship training which has been approved by the Division or holds an associate’s degree or a higher degree in interpretation, English or a related field from an accredited college or university. A mentor must have a working knowledge of English, American Sign Language and any other relevant languages, and a working knowledge of interpreting methodologies, the interpreter code of ethics and other skills salient to the mentoring relationship. The plan of mentoring must be signed by the apprentice level interpreter and his or her mentor. Any hours of mentoring which exceed the 40 hours of mentoring required pursuant to this paragraph may be applied toward the hours of continuing education the apprentice level interpreter is required to complete.~~

~~—2.— If an apprentice level interpreter is not required to have continuing education units by his or her certifying body, the interpreter must participate in a professional development plan provided by the Division.} ; or~~

(2) A passing score on a nationally recognized examination of knowledge relating to sign language interpreting not more than 5 years before the date of the application and have completed all of the requirements of an academic program for the preparation of sign language interpreters for which a degree is awarded.

2. An application to renew registration as an interpreter in a community setting as an apprentice level interpreter must include, without limitation, proof that the applicant has:

(a) Completed at least 20 contact hours of professional development during the immediately preceding year; and

(b) Received at least 20 hours of mentoring during the immediately preceding year from a mentor who meets the requirements prescribed by section 4 of this regulation.

3. An apprentice level interpreter shall not engage in the practice of interpreting in a medical or legal setting.

4. An apprentice level interpreter shall only accept assignments:

(a) In which the apprentice is teamed with or accompanied by a ~~certified~~ *registered* interpreter at the skilled level or above; and

(b) With due caution and care commensurate with his or her skills and experience.

5. Registration as an as an interpreter in a community setting as an apprentice level interpreter may not be renewed more than two times.

Sec. 13. NAC 656A.250 is hereby amended to read as follows:

656A.250 1. To apply for ~~and maintain~~ *or renew* registration as an interpreter in a community setting as a skilled interpreter, a person must:

(a) Have at least ~~a high school diploma or a general equivalency diploma.~~ *the following education:*

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate's degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, 2030, a bachelor's degree from an accredited institution approved by the Division.

(b) Hold in good standing ~~†~~

~~— (1) One of the following certifications from the Registry of Interpreters for the Deaf:~~

~~— (I) National Interpreter certification;~~

~~— (II) Certification of Interpretation; or~~

~~— (III) Certification of Transliteration;~~

~~— (2) Level III certification from the National Association of the Deaf;~~

~~— (3) Level III certification from the American Consortium of Certified Interpreters; or~~

~~— (4) A] a recognized signed language interpreter or transliterator certification approved by the Division or have achieved:~~

(1) A score of at least 4.0 to 4.7 on the Educational Interpreter Performance Assessment ; and ~~hold an Educational Certificate: K-12, issued by the Registry of Interpreters for the Deaf.~~

(2) A passing score on the Educational Interpreter Performance Assessment Written Test and Knowledge Standards.

2. *An application to renew registration as an interpreter in a community setting as a skilled interpreter must include, without limitation, proof that the applicant:*

(a) Has completed at least 20 contact hours of professional development during the immediately preceding year; or

(b) Holds a recognized signed language interpreter or transliterator certification issued by an organization that requires the holder to complete professional development.

3. A skilled interpreter shall accept each assignment in a:

(a) Legal setting with due caution and care commensurate with his or her skills and experience. ~~}[A skilled interpreter who does not hold supplemental certification to engage in the practice of interpreting in a legal setting may be used only in situations involving misdemeanors and is subject to voir dire by the court.]~~

(b) Medical setting with due caution and care commensurate with his or her skills and experience.

(c) Postsecondary educational institution, as defined in NRS 394.099, with due caution and care commensurate with his or her skills and experience.

Sec. 14. NAC 656A.260 is hereby amended to read as follows:

656A.260 1. To apply for ~~}[and maintain]~~ *or renew* registration as an interpreter in a community setting as an advanced certified interpreter, a person must:

(a) Have at least ~~}[a high school diploma or a general equivalency diploma.]~~ *the following education:*

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate's degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, 2030, a bachelor's degree from an accredited institution approved by the Division.

(b) Hold in good standing †

~~— (1) From the Registry of Interpreters for the Deaf:~~

~~— (I) National Interpreter Certification Advanced;~~

~~— (II) A Certificate of Interpretation and a Certificate of Transliteration;~~

~~— (III) Comprehensive Skills Certificate; or~~

~~— (IV) A certification as a Certified Deaf Interpreter;~~

~~— (2) Level IV certification from the National Association of the Deaf;~~

~~— (3) Level IV certification from the American Consortium of Certified Interpreters; or~~

~~— (4) A score of 4.8 to 5.0 on the Educational Interpreter Performance Assessment and an~~

~~Educational Certificate: K-12, issued by the Registry of Interpreters for the Deaf.] *a recognized*~~

~~*signed language interpreter or transliterator certification approved by the Division and a*~~

~~*specialist interpreter or transliterator certification approved by the Division.*~~

2. An advanced certified interpreter shall accept each assignment in a:

(a) Legal setting with due caution and care commensurate with his or her skills and experience. ~~[An advanced certified interpreter who does not hold supplemental certification to~~

~~engage in the practice of interpreting in a legal setting is subject to voir dire by the court.]~~

(b) Medical setting with due caution and care commensurate with his or her skills and experience.

(c) Postsecondary educational institution, as defined in NRS 394.099, with due caution and care commensurate with his or her skills and experience.

3. As used in this section, “specialist interpreter or transliterator certification” means a certification conferred to an interpreter who has demonstrated advanced knowledge and skill in a specialized setting.

Sec. 15. NAC 656A.290 is hereby amended to read as follows:

656A.290 1. To apply for ~~and maintain~~ *or renew* registration as an interpreter in an educational setting as an apprentice level interpreter, a person must:

(a) Have at least ~~a high school diploma or a general equivalency diploma.~~ *the following education:*

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate’s degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, 2030, a bachelor’s degree from an accredited institution approved by the Division.

(b) ~~Hold in good standing~~ *Have achieved* a score of 3.0 *to 3.4* on the Educational Interpreter Performance Assessment ~~for achieve a comprehension skill level of 3 on the Educational Sign Skills Evaluation which is valid for 1 year after registration.~~

~~—(c) On or after August 13, 2012, have passed the written portion of the Educational Interpreter Performance Assessment.~~

~~—(d) Except as otherwise provided in this paragraph, participate in a plan of mentoring, with at least 40 hours of mentoring every 3 years, with a mentor who is registered at an advanced level~~

~~pursuant to NAC 656A.310. If the mentor does not reside in this State, he or she is not required to be registered pursuant to this chapter and chapter 656A of NRS, but he or she must possess the appropriate certification status as an intermediate interpreter pursuant to NAC 656A.300 or an advanced interpreter pursuant to NAC 656A.310. A person who is not certified with the Registry of Interpreters for the Deaf but who is deemed by the Division to be competent in American Sign Language and to be knowledgeable about the deaf culture may serve as a mentor if he or she has passed the written portion of the Educational Interpreter Performance Assessment or the exam provided by the Registry of Interpreters for the Deaf, is able to show proof of completion of a course in mentorship training which has been approved by the Division or holds an associate's degree or a higher degree in interpretation, English or a related field from an accredited college or university. A mentor must have a working knowledge of English, American Sign Language and any other relevant languages, and a working knowledge of interpreting methodologies, the interpreter code of ethics and other skills salient to the mentoring relationship. The plan of mentoring must be signed by the apprentice level interpreter and the mentor. Any hours of mentoring which exceed the 40 hours of mentoring required pursuant to this paragraph may be applied toward the hours of continuing education the apprentice level interpreter is required to complete.~~

~~—(e) Have a professional development plan, prepared on a form provided by his or her local school district and approved in writing by his or her supervisor, which includes specific goals for professional development as an interpreter and includes 75 contact hours of continuing education every 3 years.~~

~~—2.— If an apprentice level interpreter is not required to have continuing education units by his or her certifying body, the interpreter must participate in a professional development plan provided by the Division.~~

~~—3.— An apprentice level interpreter is not qualified to engage in the practice of interpreting in a community setting without holding the appropriate professional certification as set forth in NAC 656A.240 to 656A.270, inclusive.~~

~~—4.—~~ *and a passing score on the Educational Interpreter Performance Assessment Written Test and Knowledge Standards.*

2. An application to renew registration as an interpreter in an educational setting as an apprentice level interpreter must include, without limitation, proof that the applicant has:

(a) Completed at least 20 contact hours of professional development during the immediately preceding year; and

(b) Received at least 20 hours of mentoring during the immediately preceding year from a mentor who meets the requirements prescribed by section 4 of this regulation.

3. Except as otherwise provided in this subsection, an apprentice level interpreter may only engage in the practice of interpreting in the grade levels for which he or she is assessed. An apprentice level interpreter may engage in the practice of interpreting in a grade level for which he or she is not assessed if:

(a) The apprentice level interpreter is acting as a substitute interpreter, but he or she may not ~~do so~~ *engage in the practice of interpreting in a grade level for which he or she is not assessed* for more than 10 ~~consecutive working~~ *days* ~~+~~ *in an academic year.*

(b) An interpreter is required pursuant to a pupil's individualized education program, as defined in NRS ~~388.524,~~ **388.417**, and if the school has documentation showing that a reasonable attempt to find interpreting services for the pupil was made.

~~{5. Except as otherwise provided in this subsection, an apprentice level interpreter may only engage in the practice of interpreting in a modality for which he or she is assessed. An apprentice level interpreter may engage in the practice of interpreting in a modality for which he or she is not assessed if:~~

~~—(a) The apprentice level interpreter is acting as a substitute interpreter, but he or she may not do so for more than 5 consecutive working days.~~

~~—(b) An interpreter is required pursuant to a pupil's individualized education program, as defined in NRS 388.524, and if the school has documentation showing that a reasonable attempt to find interpreting services for the pupil was made.}~~

4. Registration as an as an interpreter in an educational setting as an apprentice level interpreter may not be renewed more than two times.

Sec. 16. NAC 656A.300 is hereby amended to read as follows:

656A.300 1. To apply for ~~{and maintain}~~ ***or renew*** registration as an interpreter in an educational setting as an intermediate interpreter, a person must:

(a) Have at least ~~{a high school diploma or a general equivalency diploma.}~~ ***the following education:***

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate's degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, a bachelor's degree from an accredited institution approved by the Division.

(b) ~~{Hold in good standing}~~ *Have achieved* a score of ~~{3.1}~~ *3.5* to 3.9 on the Educational Interpreter Performance Assessment ~~{or achieve a comprehension skill level of 4 on the Educational Sign Skills Evaluation which is valid for 1 year after registration.}~~

~~—(c) On or after August 13, 2012, have passed the written portion of the Educational Interpreter Performance Assessment.~~

~~—(d) Except as otherwise provided in this paragraph, participate in a plan of mentoring, with at least 40 hours of mentoring every 3 years, with a mentor who is registered as an advanced interpreter pursuant to NAC 656A.310. If the mentor does not reside in this State, he or she is not required to be registered pursuant to this chapter and chapter 656A of NRS, but he or she must possess the appropriate certification status as an advanced interpreter pursuant to NAC 656A.310. A person who is not certified with the Registry of Interpreters for the Deaf but who is deemed by the Division to be competent in American Sign Language and to be knowledgeable about the deaf culture may serve as a mentor if he or she has passed the written portion of the Educational Interpreter Performance Assessment or the exam provided by the Registry of Interpreters for the Deaf, is able to show proof of completion of a course in mentorship training which has been approved by the Division or holds an associate's degree or a higher degree in interpretation, English or a related field from an accredited college or university. A mentor must have a working knowledge of English, American Sign Language and any other relevant languages, and a working knowledge of interpreting methodologies, the interpreter code of ethics and other skills salient to the mentoring relationship. The plan of mentoring must be signed by the intermediate interpreter and the mentor. Any hours of mentoring which exceed the 40 hours~~

~~of mentoring required pursuant to this paragraph may be applied toward the hours of continuing education the intermediate interpreter is required to complete.~~

~~—(e) Have a professional development plan, prepared on a form provided by his or her local school district and approved in writing by his or her supervisor, which includes specific goals for professional development as an interpreter and includes 75 contact hours of continuing education every 3 years.~~

~~—2.— If an intermediate interpreter is not required to have continuing education units by his or her certifying body, the interpreter must participate in a professional development plan provided by the Division.~~

~~—3.— An intermediate interpreter is not qualified to engage in the practice of interpreting in a community setting without holding the appropriate professional certification as set forth in NAC 656A.240 to 656A.270, inclusive.~~

~~—4.} and a passing score on the Educational Interpreter Performance Assessment Written Test and Knowledge Standards.~~

2. An application to renew registration as an interpreter in an educational setting as an intermediate interpreter must include, without limitation, proof that the applicant has:

(a) Completed at least 20 contact hours of professional development during the immediately preceding year; and

(b) Received at least 20 hours of mentoring during the immediately preceding year from a mentor who meets the requirements prescribed by section 4 of this regulation.

3. Except as otherwise provided in this subsection, an intermediate interpreter may only engage in the practice of interpreting in the grade levels for which he or she is assessed. An

intermediate interpreter may engage in the practice of interpreting in a grade level for which he or she is not assessed if:

(a) The intermediate interpreter is acting as a substitute interpreter, but he or she may not ~~do so~~ *engage in the practice of interpreting in a grade level for which he or she is not assessed* for more than ~~10 consecutive working~~ *15* days ~~in~~ *in an academic year.*

(b) An interpreter is required pursuant to a pupil's individualized education program, as defined in NRS ~~388.524,~~ *388.417*, and if the school has documentation showing that a reasonable attempt to find interpreting services for the pupil was made.

~~5. Except as otherwise provided in this subsection, an intermediate interpreter may only engage in the practice of interpreting in a modality for which he or she is assessed. An intermediate interpreter may engage in the practice of interpreting in a modality for which he or she is not assessed if:~~

~~(a) The intermediate interpreter is acting as a substitute interpreter, but he or she may not do so for more than 5 consecutive working days.~~

~~(b) An interpreter is required pursuant to a pupil's individualized education program, as defined in NRS 388.524, and if the school has documentation showing that a reasonable attempt to find interpreting services for the pupil was made.~~

Sec. 17. NAC 656A.310 is hereby amended to read as follows:

656A.310 1. To apply for ~~and maintain~~ *or renew* registration as an interpreter in an educational setting as an advanced interpreter, a person must : ~~have at least a high school diploma or a general equivalency diploma and;~~

(a) ~~Hold in good standing~~ *Have at least the following education:*

(1) For an application filed before July 1, 2025, a high school diploma or general equivalency diploma from an accredited institution approved by the Division.

(2) For an application filed on or after July 1, 2025 but before July 1, 2030, an associate's degree from an accredited institution approved by the Division.

(3) For an application filed on or after July 1, a bachelor's degree from an accredited institution approved by the Division.

(b) Have achieved a score of ~~[4 or more]~~ at least 4.0 on the Educational Interpreter Performance Assessment or ~~[achieve a comprehension skill level of 5 on the Educational Sign Skills Evaluation which is valid for 1 year after registration;~~

~~—(b) Be registered as a skilled interpreter or an advanced interpreter in a community setting pursuant to NAC 656A.250 or 656A.260, as applicable, apply with the Registry of Interpreters for the Deaf to receive an Educational Certificate: K-12, and participate in the Certification Maintenance Program; or~~

~~—(c) Meet the certification requirements for community interpreters as set forth in NAC 656A.250, 656A.260 or 656A.270 and, on or after August 13, 2012, have passed the written portion of the Educational Interpreter Performance Assessment.~~

~~—2. Except as otherwise provided in this subsection, an advanced interpreter must have a professional development plan, prepared on a form provided by his or her local school district and approved in writing by his or her supervisor, which includes specific goals for professional development as an interpreter. An advanced interpreter is not required to have a professional development plan if the advanced interpreter is required by the Registry of Interpreters for the Deaf to maintain continuing education units.]~~ *hold in good standing a recognized signed language interpreter or transliterator certification approved by the Division.*

(c) Have achieved a passing score on the Educational Interpreter Performance Assessment Written Test and Knowledge Standards.

2. An application to renew registration as an interpreter in an educational setting as an advanced interpreter must include, without limitation, proof that the applicant:

(a) Has completed at least 20 contact hours of professional development during the immediately preceding year; or

(b) Holds a recognized signed language interpreter or transliterator certification issued by an organization that requires the holder to complete professional development.

3. An advanced interpreter may engage in the practice of interpreting in any grade level.

~~4. An advanced interpreter may only engage in the practice of interpreting:~~

~~—(a) In a modality for which he or she is assessed, if he or she is only assessed by the Educational Interpreter Performance Assessment.~~

~~—(b) Except as otherwise provided in this paragraph, in a modality for which he or she is certified. An advanced interpreter may engage in the practice of interpreting in a modality for which he or she is not certified if the advanced interpreter is acting as a substitute interpreter, but he or she may not do so for more than 5 consecutive working days.~~

Sec. 18. NAC 656A.320 is hereby amended to read as follows:

656A.320 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,]~~ *on or before August 1 of each year.*

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,]~~ *August 31*, the registration expires.

3. An interpreter ~~and]~~ *or* Communication Access Realtime Translation provider shall inform the Division of any changes in contact information or in his or her assessment *score* 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.

Sec. 19. NAC 656A.610 is hereby amended to read as follows:

656A.610 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}~~ *Advise the complainant to direct* the complaint to the ~~{complainant's}~~ certifying body ~~{;} of the interpreter or Communication Access Realtime Translation provider, as applicable;~~

(b) Assign an investigative committee to determine whether a charge against an interpreter or Communication Access Realtime Translation provider justifies disciplinary action;

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

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

3. The Division will assign to the investigative committee pursuant to paragraph (b) of subsection 2 one program specialist from the Division, one person who is deaf or hard of hearing and one ~~{service provider who is}~~ registered ~~{with the Division.}~~ *interpreter or Communication Access Realtime Translation Provider*. Each member of the investigative committee will be required to sign a confidentiality agreement and must not have a conflict of interest in the outcome of the investigation.

4. 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.

5. 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.

6. 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.

7. 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.

Sec. 20. Registration as an interpreter or Communication Access Realtime Translation provider issued before the effective date of this regulation must be renewed on or before August 1, 2020. If a person fails to renew his or her registration not later than August 31, 2020, the registration expires.

Sec. 21. NAC 656A.025, 656A.035, 656A.045, 656A.050, 656A.070, 656A.075, 656A.080, 656A.085, 656A.110, 656A.120, 656A.155, 656A.160, 656A.165, 656A.170, 656A.180, 656A.190, 656A.195, 656A.200, 656A.205, 656A.270 and 656A.280 are hereby repealed.

TEXT OF REPEALED SECTIONS

656A.025 “Associate Continuing Education Tracking program” defined. (NRS 656A.082, 656A.084, 656A.090) “Associate Continuing Education Tracking program” means the program administered by the Registry of Interpreters for the Deaf to document the skills development of its associate members.

656A.035 “Certification Maintenance Program” defined. (NRS 656A.082, 656A.084, 656A.090) “Certification Maintenance Program” means the program administered by the Registry of Interpreters for the Deaf to monitor the skills development of its certified members.

656A.045 “Certified deaf interpreter” defined. (NRS 656A.082, 656A.084, 656A.090) “Certified deaf interpreter” means an interpreter who is deaf or hard of hearing and who has completed a program of language proficiency, including a written and performance test, and has received training in ethics and general interpreting methodologies.

656A.050 “Certified interpreter” defined. (NRS 656A.082, 656A.084, 656A.090) “Certified interpreter” means a person who has achieved a minimum standard on a national certification evaluation that addresses the knowledge and skills required to engage in the practice of interpreting pursuant to this chapter.

656A.070 “Computerized note-taking system” defined. (NRS 656A.082, 656A.084, 656A.090) “Computerized note-taking system” means a system which utilizes programs and equipment for the purpose of taking notes in a setting other than a legal setting.

656A.075 “Contact hour” defined. (NRS 656A.082, 656A.084, 656A.090) “Contact hour” means not less than 50 minutes and not more than 60 minutes of participation in continuing education.

656A.080 “Continuing education unit” defined. (NRS 656A.082, 656A.084, 656A.090) “Continuing education unit” means a unit of measurement for educational activities that meet established criteria for increasing knowledge and competency. One continuing education unit is equal to 10 contact hours of participation in an organized continuing educational experience, which is grounded in responsible sponsorship, capable direction and qualified instruction.

656A.085 “Cued speech transliterator” defined. (NRS 656A.082, 656A.084, 656A.090) “Cued speech transliterator” means a person who uses a system of handshapes and placements which, when combined with information from a person’s mouth and face, render the English language as a visual language and distinguish the phonemes of the English language from each other.

656A.110 “Educational Sign Skills Evaluation” defined. (NRS 656A.082, 656A.084, 656A.090) “Educational Sign Skills Evaluation” means the assessment administered by the Signing Exact English (S.E.E.) Center for the Advancement of Deaf Children located in Los Alamitos, California.

656A.120 “Interpreter referral agency” defined. (NRS 656A.082, 656A.084, 656A.090) “Interpreter referral agency” means any contractual agency which refers interpreters for a fee.

656A.155 “Professional development plan” defined. (NRS 656A.082, 656A.084, 656A.090) “Professional development plan” means an individualized plan to improve the performance of a person in work-related activities by focusing on improving knowledge and

skills, and includes, without limitation, documentation of the time frames, measurement indicators and desired outcomes of the professional development activities.

656A.160 “Professional membership” defined. (NRS 656A.082, 656A.084, 656A.090)

“Professional membership” means membership in a professional organization which provides quality standards, professional development and opportunities for peer support and networking in order to provide relevant and current information to its members.

656A.165 “Program of continuing education” defined. (NRS 656A.082, 656A.084,

656A.090) “Program of continuing education” means courses, programs or organized learning activities which sustain a person’s professional competence by keeping the person informed of, and able to comply with, developments in professional standards.

656A.170 “Provisional interpreter” defined. (NRS 656A.082, 656A.084, 656A.090)

“Provisional interpreter” means an interpreter who has recently completed study in an interpreter preparation program and who has not been nationally certified.

656A.180 “Registry of Interpreters for the Deaf” defined. (NRS 656A.082, 656A.084,

656A.090) “Registry of Interpreters for the Deaf” is the national membership organization that:

1. Represents professionals who facilitate communication between people who are deaf, including, without limitation, people who are deaf and blind or hard of hearing, and people who can hear; and
2. Supports members by providing testing for national standards, educational opportunities, professional networking and relationships and resources.

656A.190 “Signing Exact English” and “Signing Essential English” defined. (NRS

656A.082, 656A.084, 656A.090) “Signing Exact English” or “Signing Essential English”

means a signing system based on the English language which utilizes English language patterns in conjunction with initialized signs.

656A.195 “Student of interpreting or Communication Access Realtime Translation” defined. (NRS 656A.082, 656A.084, 656A.090) “Student of interpreting or Communication Access Realtime Translation” means a person who is enrolled in a formal course of study to become an interpreter or Communication Access Realtime Translation provider.

656A.200 “TECUnit” defined. (NRS 656A.082, 656A.084, 656A.090) “TECUnit” means the Testing, Evaluation, and Certification Unit, Inc., which is responsible for establishing and maintaining national standards for the profession of cued speech transliteration.

656A.205 “Voir dire” defined. (NRS 656A.082, 656A.084, 656A.090) “Voir dire” means the process by which any judge will select or reject an interpreter to provide interpreting services for any matter before a court of their jurisdiction.

656A.270 Master level interpreter in community setting: Application; qualifications; requirements for acceptance of assignments. (NRS 656A.082, 656A.090)

1. To apply for and maintain registration as an interpreter in a community setting as a master level interpreter, a person must:

- (a) Have at least a high school diploma or a general equivalency diploma.
- (b) Hold in good standing:
 - (1) From the Registry of Interpreters for the Deaf:
 - (I) National Interpreter Certification-Master;
 - (II) A Master Comprehensive Skills Certificate;
 - (III) A Specialist Certificate: Legal; or

(IV) Certification as a Certified Deaf Interpreter with specialized legal or medical training;

(2) Level V certification from the American Consortium of Certified Interpreters; or

(3) Level V certification from the National Association for the Deaf.

2. A master level interpreter shall accept each assignment in a:

(a) Legal setting with due caution and care commensurate with his or her skills and experience. A master level interpreter in a legal setting must have proof of supplemental certification to engage in the practice of interpreting in a legal setting or is subject to voir dire by the court.

(b) Medical setting or an educational setting with due caution and care commensurate with his or her skills and experience.

656A.280 Cued speech transliterator in educational setting: Application; qualifications; preparation of professional development plan; requirements for acceptance of assignments. (NRS 656A.082, 656A.090)

1. To apply for and maintain registration as a cued speech transliterator in an educational setting, a person must:

(a) Have at least a high school diploma or a general equivalency diploma.

(b) Hold certification in good standing from the Testing, Evaluation, and Certification Unit, Inc.

(c) Have a professional development plan, prepared on a form provided by his or her local school district and approved in writing by his or her supervisor, which includes specific goals for professional development as a cued speech transliterator and includes 75 contact hours of continuing education every 3 years.

2. A cued speech transliterator shall accept each assignment in a:

(a) Legal setting with due caution and care commensurate with his or her skills and experience. A cued speech transliterator in a community setting without supplemental certification to engage in the practice of interpreting in a legal setting may be used only in situations involving misdemeanors and is subject to voir dire by the court.

(b) Medical setting with due caution and care commensurate with his or her skills and experience.

(c) Postsecondary educational institution, as defined in NRS 394.099, with due caution and care commensurate with his or her skills and experience.