

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

LCB File No. R016-22

May 3, 2022

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

AUTHORITY: §§ 1-7, 10, 11, 16 and 17, 656A.090 and 656A.110; §§ 8, 9, 12-14, 18 and 26, NRS 656A.090, 656A.110 and 656A.410; § 15, NRS 656A.090 and 656A.410; §§ 19-22, NRS 656A.090 and 656A.500; §§ 23 and 24, NRS 656A.090 and 656A.510; § 25, NRS 656A.090 and section 18 of Senate Bill No. 179, chapter 285, Statutes of Nevada 2021, at page 1544.

A REGULATION relating to disability services; revising provisions governing mentoring, professional development, education, training, credentialing and scope of practice for sign language interpreting; revising certain terminology; revising the process to apply for or renew registration as a sign language interpreter or Communication Access Realtime Translation provider; revising provisions governing certain reports; revising qualifications for registration as a Communication Access Realtime Translation provider; revising the procedure for responding to a complaint against a sign language interpreter or Communication Access Realtime Translation provider; 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 prescribing for each professional classification of sign language interpreters: (1) the required education and professional training, experience and credentialing; (2) the authorized scope of practice; and (3) ethical standards. (NRS 656A.110) Existing law requires an applicant for provisional registration to engage in the practice of sign language interpreting to be engaged with a professional mentor. (NRS 656A.100) **Section 2** of this regulation defines the term “professional mentoring” for that purpose. **Section 6** of this regulation prescribes qualifications for such professional mentors, and **section 7** of this regulation prescribes ethical standards for the practice of sign language interpreting. **Sections 9-12** of this regulation make minor revisions to certain definitions. **Section 26** of this regulation repeals certain unnecessary definitions, and **section 8** of this regulation removes references to repealed sections.

Existing law prescribes requirements to register or provisionally register to engage in the practice of sign language interpreting in: (1) a community setting; and (2) a primary or secondary

educational setting. Existing law requires an applicant who wishes to provisionally register to engage in the practice of sign language interpreting in a community setting or an applicant who wishes to register or provisionally register to engage in the practice of sign language interpreting in a primary or secondary educational setting to provide proof that he or she is participating in a program for the professional development of interpreters. (NRS 656A.100) **Section 3** of this regulation prescribes requirements governing such professional development.

Existing law requires an applicant for registration to engage in the practice of sign language interpreting in a community setting to hold a nationally recognized sign language interpreter or transliterator certification approved by the Division. Existing law also requires an applicant for registration or provisional registration to engage in the practice of sign language interpreting in a primary or secondary educational setting to have completed the Educational Interpreter Performance Assessment or hold another credential, approved by the Division, for interpreters in a primary or secondary educational setting. (NRS 656A.100) **Section 4** of this regulation prescribes the conditions under which the Division may approve such a certification. **Sections 5, 16 and 17** of this regulation prescribe the requirements governing education, training, credentialing and scope of practice for student sign language interpreters and the types of sign language interpreters described in existing law. **Section 26** of this regulation repeals provisions relating to other types of sign language interpreters.

Senate Bill No. 179 of the 2021 Legislative Session (S.B. 179) revised references to the “practice of interpreting” to instead refer to the “practice of sign language interpreting.” (Chapter 285, Statutes of Nevada 2021, at page 1532) **Sections 9, 13, 14 and 16-24** of this regulation accordingly revise terminology used in existing regulations in the same manner. **Section 13** requires an application for registration as a sign language interpreter, Communication Access Realtime Translation provider or realtime captioning provider to be submitted electronically.

Existing regulations require an 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 14** of this regulation: (1) revises the contents of the report; and (2) requires the report to be submitted electronically.

Existing law defines the terms “Communication Access Realtime Translation” and “realtime captioning” to both refer to the immediate, verbatim translation of the spoken word into English text using a stenographic machine or voice recognition software, and a computer and realtime captioning software. (NRS 656A.025) Existing regulations require an applicant for registration as a Communication Access Realtime Translation provider or realtime captioning provider to be certified by certain organizations. (NAC 656A.230) **Section 15** of this regulation revises the acceptable certifications for such an applicant.

Existing regulations require the renewal of: (1) the registration of a person certified as an interpreter or Communication Access Realtime Translation provider every 5 years; and (2) the registration of any other person as an interpreter or Communication Access Realtime Translation provider every 3 years. (NAC 656A.320) **Section 18** of this regulation instead requires the registration or provisional registration as a sign language interpreter or registration as a Communication Access Realtime Translation provider to be renewed annually, regardless of whether the registrant is also certified. **Section 18** also requires an applicant to renew the registration or provisional registration as a sign language interpreter to submit certain documentation to the Division.

Section 20 of this regulation revises the procedure the Division must follow after receiving a complaint against a sign language interpreter or Communication Access Realtime Translation provider.

S.B. 179 of the 2021 Legislative Session revised the requirements for registration for persons engaged in the practice of interpreting in a community setting or an educational setting, and provided that the registration of any person who failed to meet the revised requirements as of July 1, 2021, expired on that date. (Sections 9 and 18 of Senate Bill No. 179, chapter 285, Statutes of Nevada 2021, at pages 1535 and 1544) Notwithstanding the revised requirements, the bill also directed the Division to issue provisional registrations to engage in the practice of sign language interpreting to all such persons. The bill provided that those provisional registrations expire on July 1, 2026. (Section 18 of Senate Bill No. 178, chapter 285, Statutes of Nevada 2021, at page 1544) **Section 25** of this regulation exempts this class of provisional registrations from the amendatory provisions of **sections 16, 17 and 18**, which otherwise establish requirements to maintain a provisional registration and provide that a provisional registration expires 1 year after the date of its issuance.

Section 1. Chapter 656A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *“Professional mentoring” means professional activities facilitated by another person that are individually tailored to improve the skills and knowledge of a sign language interpreter.*

Sec. 3. *Professional development obtained for the purposes of NRS 656A.100 and section 4 of this regulation must:*

1. Consist of educational activities designed to improve the performance of a sign language interpreter; and

2. Be related to language, linguistics, culture, ethics, theory of interpreting, skills for interpreting or another topic specific to the work of the sign language interpreter participating in the professional development.

Sec. 4. *The Division will approve a nationally recognized sign language interpreter or transliterator certification for the purposes of NRS 656A.100 and NAC 656A.240 and 656A.290 if:*

1. The organization that issues the certification prescribes a process by which a person may submit a grievance against a holder of a certification; and

2. As conditions of receiving the certification, a person is required to:

(a) Achieve passing scores on:

(1) An examination of knowledge and ethics that is psychometrically valid and reliable; and

(2) An examination of performance in the practice of sign language interpreting or transliterating, as applicable, that is psychometrically valid and reliable; and

(b) Complete an average of at least 20 contact hours of professional development each year.

Sec. 5. 1. To apply for registration as a student sign language interpreter, a person must:

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

(b) Be currently enrolled in a course that includes supervised experience providing sign language interpreting services in the field.

2. A student sign language interpreter shall not engage in the practice of sign language interpreting:

(a) In a legal setting; or

(b) Unless the student sign language interpreter is directly supervised by a registered sign language interpreter, other than a student sign language interpreter, who is professionally engaged in the practice of sign language interpreting.

3. Registration as a student sign language interpreter:

(a) Expires upon completion of or withdrawal from the course described in paragraph (b) of subsection 1; and

(b) May be renewed if the holder of the registration enrolls in another such course.

Sec. 6. 1. A professional mentor must be a person who is:

(a) Registered to engage in the practice of sign language interpreting in this State or meets the requirements prescribed by NRS 656A.100 to obtain such registration; or

(b) Approved by the Division to serve as a professional mentor.

2. The Division may approve a person to serve as a professional mentor pursuant to paragraph (b) of subsection 1 if the Division determines that the person:

(a) Will provide individualized professional mentoring in the field of sign language interpreting;

(b) Has identified specific goals and outcomes of the mentoring relationship; and

(c) Will use instructional materials and other resources when necessary to further the goals and outcomes identified in paragraph (b) of this subsection.

Sec. 7. 1. A sign language interpreter shall:

(a) Maintain the confidentiality of communications with each person to whom the sign language interpreter provides sign language interpreting services;

(b) Accept each sign language interpreting assignment with due caution and care commensurate with his or her skills and experience;

(c) When engaging in the practice of sign language interpreting, conduct himself or herself in a manner appropriate for the situation;

(d) Demonstrate respect for each person to whom the sign language interpreter provides services and each colleague, intern or student with whom the sign language interpreter interacts;

(e) Accurately represent his or her qualifications, including, without limitation, certification, educational background and experience, and provide documentation of those qualifications when requested;

(f) Honor professional commitments and terminate sign language interpreting assignments only when reasonable grounds for termination exist;

(g) Promote conditions for sign language interpreting that are conducive to effective communication and, when such conditions do not exist, inform each person involved in the sign language interpreting assignment and take appropriate measures to remedy the conditions;

(h) Inform appropriate persons in a timely manner when the sign language interpreter will be delayed or unable to fulfill a sign language interpreting assignment;

(i) Reserve the option to decline or discontinue a sign language interpreting assignment if conditions are unsafe, unhealthy or not conducive to sign language interpreting;

(j) Refrain from harassment and coercion at all times;

(k) If the sign language interpreter engages in sign language interpreting without charge, provide such sign language interpreting in a fair and reasonable manner;

(l) Charge fair and reasonable fees for sign language interpreting and arrange for payment in a professional and judicious manner; and

(m) Comply with all applicable requirements concerning the licensure of businesses prescribed by chapter 76 of NRS.

2. *A sign language interpreter shall not engage in the practice of sign language interpreting in a community setting or a primary or secondary educational setting unless the sign language interpreter is registered or provisionally registered to practice sign language interpreting in that setting.*

3. *A community sign language interpreter who is provisionally registered shall not engage in the practice of sign language interpreting in a legal setting.*

Sec. 8. 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}~~ 656A.030 to ~~{656A.205.}~~ 656A.115, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 9. NAC 656A.055 is hereby amended to read as follows:

656A.055 “Certifying body” means ~~{the state or national}~~ *an* organization that certifies *sign language* interpreters , *transliterators* or Communication Access Realtime Translation providers.

Sec. 10. NAC 656A.075 is hereby amended to read as follows:

656A.075 “Contact hour” means not less than 50 minutes and not more than 60 minutes of participation in ~~{continuing education.}~~ *professional development.*

Sec. 11. NAC 656A.095 is hereby amended to read as follows:

656A.095 “Educational Interpreter Performance Assessment” means the assessment administered by the Boys Town National Research Hospital ~~{located in Omaha, Nebraska.}~~ which specifically addresses the knowledge and skills of *sign language* interpreters working in ~~{an}~~ *a primary or secondary* educational setting . ~~{and employing:~~
~~—1.— American Sign Language;~~

~~—2.— Manually Coded English; or~~

~~—3.— Pidgin Signed English.]~~

Sec. 12. NAC 656A.115 is hereby amended to read as follows:

656A.115 “Good standing” means being ~~{a current member and being}~~ in compliance with the ~~{continuing education}~~ requirements *to maintain the certification* of a certifying body.

Sec. 13. NAC 656A.220 is hereby amended to read as follows:

656A.220 1. Except as otherwise provided in subsection 2 and NRS 656A.070, any person who provides *sign language* interpreting, Communication Access Realtime Translation or realtime captioning services in this State shall:

(a) Register with the Division ~~{on a form provided}~~ *using the electronic platform prescribed* by the Division ; ~~{pursuant to NRS 656A.100 or 656A.400, as appropriate;}~~

(b) Provide proof of compliance with the requirements for each professional classification set forth in NAC 656A.230 ~~{to 656A.310, inclusive,}~~ *656A.240 and 656A.290, as applicable,* pursuant to which the applicant will be engaged;

(c) Operate only within the professional classifications for which he or she is registered;

(d) Comply with the provisions of this chapter and chapter 656A of NRS; and

(e) Comply with the *requirements of section 7, where applicable, or, if section 7 is not applicable, the* code of ethics of the appropriate certifying body.

2. The provisions of this section may be temporarily waived by the Division when an emergency has been declared by a governmental entity or for good cause.

Sec. 14. NAC 656A.225 is hereby amended to read as follows:

656A.225 1. Each *sign language* 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;~~
 - ~~—(d)} The name, telephone number and electronic mail address of his or her direct supervisor;~~
- and
- ~~{(e)}~~ (c) Any other information requested by the Division.

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

3. Each *sign language* interpreter or Communication Access Realtime Translation provider required to submit a report pursuant to subsection 1 shall report, ~~{on a form}~~ *using the electronic platform* 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. 15. 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; *or*

(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 *or national organization* with a minimum ~~{e}}~~ 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. 16. NAC 656A.240 is hereby amended to read as follows:

656A.240 1. ~~{To}~~ *The education required pursuant to paragraph (c) of subsection 1 of NRS 656A.100 to apply for and maintain registration ~~{as an interpreter} to practice sign language interpreting~~ in a community setting ~~{as an apprentice level interpreter, a person must:} consists of at least:~~*

(a) ~~{Have at least}~~ *If the person submitted his or her initial application for registration, including, without limitation, an initial application for provisional registration, before August 1, 2023, 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) 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.~~

~~—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 interpreter at the skilled level or above; and~~

~~—(b) With due caution and care commensurate with his or her skills and experience.] *If the person submitted his or her initial application for registration, including, without limitation, an initial application for provisional registration, on or after August 1, 2023, a bachelor's degree from an accredited institution.*~~

2. The education required pursuant to paragraph (c) of subsection 1 of NRS 656A.100 to apply for and maintain provisional registration to practice sign language interpreting in a community setting consists of at least:

(a) If the person submitted his or her initial application for registration, including, without limitation, provisional registration, before August 1, 2023, a high school diploma or a general equivalency diploma.

(b) If the person submitted his or her initial application for registration, including, without limitation, provisional registration, on or after August 1, 2023, an associate's degree from an accredited institution.

3. *For the purposes of subparagraph (1) of paragraph (e) of subsection 1 of NRS 656A.100, the Division will deem an applicant for provisional registration to practice sign language interpreting in a community setting to possess the skills necessary to practice interpreting at an intermediate level if the applicant has achieved a passing score on an examination of knowledge relating to the practice of sign language interpreting offered by a nationally recognized organization that certifies sign language interpreters and:*

(a) Has achieved a score of at least 3.5 or its equivalent on the Educational Interpreter Performance Assessment;

(b) Holds a nationally recognized sign language interpreter or transliterator certification in good standing; or

(c) Holds a degree or certificate evidencing successful completion of an accredited program for the training of sign language interpreters that is approved by the Division.

4. *The Division may approve a program for the training of sign language interpreters for the purposes of paragraph (c) of subsection 3 if:*

(a) The program is offered by an accredited college or university; and

(b) As a condition of completing the program, a person is required to obtain experience providing sign language interpreting services in the field under supervision.

Sec. 17. NAC 656A.290 is hereby amended to read as follows:

656A.290 1. ~~Te~~ *The education required pursuant to paragraph (c) of subsection 1 of NRS 656A.100 to apply for and maintain registration as ~~an~~ a sign language interpreter in ~~an~~ a primary or secondary educational setting ~~as an apprentice level interpreter, a person must:~~ consists of at least:*

(a) ~~Have at least~~ *If the person submitted his or her initial application for registration, including, without limitation, an initial application for provisional registration, before August 1, 2023,* a high school diploma or a general equivalency diploma.

(b) ~~Hold in good standing a score of 3.0 on the Educational Interpreter Performance Assessment or 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.~~

~~—(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 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.— 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 for more than 10 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.~~

~~—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.} *If the person submitted his or her initial application for registration, including, without limitation, an initial application for provisional registration, on or after August 1, 2023, a bachelor’s degree from an accredited institution.*~~

2. For the purposes of sub-subparagraph (II) of subparagraph (1) of paragraph (f) of subsection 1 of NRS 656A.100, the Division will deem holding a nationally recognized sign language interpreter or transliterator certification in good standing to be equivalent to having received a rating of proficiency in providing interpreting services at least at level 4.0.

3. The education required pursuant to paragraph (c) of subsection 1 of NRS 656A.100 to apply for and maintain provisional registration to practice sign language interpreting in a primary or secondary educational setting consists of at least:

(a) If the person submitted his or her initial application for registration before August 1, 2023, a high school diploma or a general equivalency diploma.

(b) If the person submitted his or her initial application for registration on or after August 1, 2023, an associate’s degree from an accredited institution.

4. For the purposes of sub-subparagraph (II) of subparagraph (1) of paragraph (g) of subsection 1 of NRS 656A.100, the Division will deem holding a nationally recognized sign language interpreter or transliterator certification in good standing to be equivalent to having received a rating of proficiency in providing interpreting services at least at level 3.5.

5. In addition to the other requirements prescribed by NRS 656A.100, an applicant for registration or provisional registration to engage in the practice of sign language interpreting in a primary or secondary educational setting must have passed the assessment of knowledge portion of the Educational Interpreter Performance Assessment.

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

656A.320 1. Registration with the Division as ~~an~~ *a sign language* 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.†~~ *on or before August 1 of each year.* 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.†~~ *on or before August 31*, the registration expires.

~~†3.—An interpreter and†~~

2. A sign language interpreter may renew his or her registration by submitting to the Division proof that he or she has:

(a) Maintained certification by a certifying body that requires a holder of certification to receive an average of at least 20 contact hours of professional development annually; or

(b) Received at least 20 contact hours of professional development within the immediately preceding year.

3. Provisional registration with the Division as a sign language interpreter is valid for 1 year from the date of issuance.

4. Except as otherwise provided in NRS 656A.100, a sign language interpreter who is provisionally registered may renew his or her provisional registration by submitting to the Division proof that he or she has, within the immediately preceding year, participated in at least:

(a) Twenty contact hours of professional development; and

(b) Twenty hours of professional mentoring.

5. A sign language interpreter 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}~~ *a sign language* 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.600 is hereby amended to read as follows:

656A.600 The Division may initiate disciplinary action against ~~{an}~~ *a sign language* interpreter or Communication Access Realtime Translation provider, or may deny the issuance or renewal of his or her registration if the Division finds, after providing notice and a hearing, that the *sign language* interpreter or Communication Access Realtime Translation provider:

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document to the Division;
2. Performed *sign language* interpreting or Communication Access Realtime Translation services which were not delivered properly according to the classification pursuant to which he or she is registered;
3. Provided *sign language* interpreting or Communication Access Realtime Translation services when he or she did not have the ability to provide such services with reasonable skill and safety;
4. Provided *sign language* interpreting ~~and~~ or Communication Access Realtime Translation services in a negligent manner;
5. Failed to obey an order or regulation of the Division or an investigative committee of the Division, which related to the provision of *sign language* interpreting or Communication Access Realtime Translation;
6. Is not competent to provide the services required of ~~an~~ a *sign language* interpreter or Communication Access Realtime Translation provider;
7. Has been convicted of a felony or any offense involving moral turpitude in the past 10-year period;
8. Failed to submit any report required pursuant to NAC 656A.225; or
9. Has had disciplinary action taken against him or her in another jurisdiction or by another board that regulates the practice of *sign language* interpreting or Communication Access Realtime Translation if the disciplinary action was taken against the *sign language* interpreter or Communication Access Realtime Translation provider in his or her capacity as the holder of a

certification which authorizes him or her to provide *sign language* interpreting or Communication Access Realtime Translation services.

Sec. 20. NAC 656A.610 is hereby amended to read as follows:

656A.610 1. If the Division or a recipient of services from ~~an~~ *a sign language* 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~~ *a sign language* interpreter or Communication Access Realtime Translation provider, desires to pursue disciplinary action against that *sign language* interpreter or Communication Access Realtime Translation provider, the person must file a complaint with the Division specifying the charge against the *sign language* interpreter or Communication Access Realtime Translation provider. A complaint may not be accepted from a recipient of *sign language* interpreting or Communication Access Realtime Translation services who knowingly and willingly used an unregistered *sign language* 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 sign language interpreter or Communication Access Realtime Translation provider, as applicable;~~

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

(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 *sign language* 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}~~ *employee of* the Division, one person who is deaf or hard of hearing and one ~~{service}~~ *sign language interpreter or Communication Access Realtime Translation* provider who is registered with the Division. 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 *sign language* 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 *sign language* 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 *sign language* interpreter or Communication Access Realtime Translation provider.

6. If the Division determines after investigation that ~~{an}~~ *a sign language* 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. 21. NAC 656A.620 is hereby amended to read as follows:

656A.620 1. If the Division proceeds with disciplinary action against ~~an~~ *a sign language* interpreter or Communication Access Realtime Translation provider, it will set a time and place for a disciplinary hearing. The Division will notify the *sign language* interpreter or Communication Access Realtime Translation provider of:

- (a) The specific complaint against the *sign language* interpreter or Communication Access Realtime Translation provider;
- (b) The time and place set for the disciplinary hearing;
- (c) The date set for resolution of the complaint; and
- (d) The sanctions which the Division may impose for the conduct in which the *sign language* interpreter or Communication Access Realtime Translation provider allegedly engaged.

2. The Division will serve the notice not less than 20 days before the date set for the disciplinary hearing, and will serve notice in the manner set forth in NAC 656A.630.

3. During a disciplinary hearing conducted pursuant to this section:

- (a) Formal rules of evidence will not be applied;
- (b) Proof of actual injury need not be established; and
- (c) The Division will consider a certified copy of the record of a court or a certifying body showing a conviction, plea of nolo contendere, or the suspension, revocation, limitation, modification, denial or surrender of certification to practice as ~~an~~ *a sign language* interpreter or Communication Access Realtime Translation provider as conclusive evidence of its occurrence.

Sec. 22. NAC 656A.630 is hereby amended to read as follows:

656A.630 The Division will cause the notice required pursuant to NAC 656A.620 to be made either in person or by registered or certified mail, return receipt requested, and addressed to the *sign language* interpreter or Communication Access Realtime Translation provider, and the school district in which he or she works, if applicable, at the last known address of each person. If service cannot be made in person and if notice by mail is returned as undelivered, the Division will publish notice once a week for 4 consecutive weeks in a newspaper published in the county of the last known address of the *sign language* interpreter or Communication Access Realtime Translation provider or, if no newspaper is published in the county, in a newspaper widely distributed in that county.

Sec. 23. NAC 656A.640 is hereby amended to read as follows:

656A.640 1. If the Division determines that ~~an~~ *a sign language* interpreter or Communication Access Realtime Translation provider has engaged in an activity for which disciplinary action is authorized pursuant to NAC 656A.600, the Division will issue an order:

(a) Placing the *sign language* interpreter or Communication Access Realtime Translation provider on probation with the Division for a specified period of time, according to any conditions set forth in the order;

(b) Placing a limitation on the registration of the *sign language* interpreter or Communication Access Realtime Translation provider;

(c) Suspending the registration of the *sign language* interpreter or Communication Access Realtime Translation provider for a specified period of time or until the Division orders his or her registration to be reinstated;

(d) Revoking the registration of the *sign language* interpreter or Communication Access Realtime Translation provider; or

(e) Requiring the *sign language* interpreter or Communication Access Realtime Translation provider to sign a plan of correction developed by the Division that:

(1) Describes the actions to be taken by the *sign language* interpreter or Communication Access Realtime Translation provider to correct deficiencies; and

(2) Specifies the date by which those deficiencies must be corrected.

2. If the Division determines that ~~an~~ a *sign language* interpreter or Communication Access Realtime Translation provider has engaged in an activity for which disciplinary action is authorized pursuant to NAC 656A.600, the Division may issue an order imposing an administrative fine in accordance with NAC 656A.600. If the Division determines that ~~an~~ a *sign language* interpreter or Communication Access Realtime Translation provider has engaged in an activity for which disciplinary action is required pursuant to NAC 656A.600, the Division will issue an order imposing an administrative fine or suspending the registration of the *sign language* interpreter or Communication Access Realtime Translation provider in accordance with NAC 656A.600.

3. An order of the Division which limits the ability of ~~an~~ a *sign language* interpreter or Communication Access Realtime Translation provider to provide *sign language* interpreting or Communication Access Realtime Translation services or revokes his or her registration is effective from the date the Division certifies the order until the date the order is modified or reversed by the Division.

4. The Division may, in an emergency, impose a ban on ~~an~~ a *sign language* interpreter or Communication Access Realtime Translation provider and suspend his or her registration

without notice or upon oral notice. In any case where sanctions are imposed without written notice, the Division shall provide written notice to the *sign language* interpreter or Communication Access Realtime Translation provider within 48 hours after the imposition of the sanctions.

5. For the purposes of chapter 233B of NRS, a decision of the Division pursuant to this section is a final decision.

6. In addition to any other action, if the Division determines that ~~an~~ *a sign language* interpreter or Communication Access Realtime Translation provider is engaging in unlawful or unauthorized conduct, the Division will take any appropriate action authorized by law to prevent such conduct.

Sec. 24. NAC 656A.650 is hereby amended to read as follows:

656A.650 1. ~~An~~ *A sign language* interpreter or realtime captioning provider whose registration to engage in the practice of *sign language* interpreting or Communication Access Realtime Translation has been limited, suspended or revoked pursuant to NAC 656A.640 may apply to the Division to remove the limitation or to restore or reinstate his or her registration.

2. Such an applicant has the burden of proving by clear and convincing evidence that the applicant has complied with all of the terms and conditions set forth in the final order of the Division and that the applicant is capable of practicing as ~~an~~ *a sign language* interpreter or realtime captioning provider with reasonable skill. The Division will not remove a limitation or restore or reinstate a registration pursuant to this section until it is satisfied that the applicant has met this burden of proof.

3. In addition to the requirements of subsection 2, ~~an~~ *a sign language* interpreter or Communication Access Realtime Translation provider whose registration has been suspended or

revoked pursuant to NAC 656A.640 must submit an application to the Division pursuant to NAC 656A.220 and successfully complete the application process required of new applicants.

Sec. 25. This regulation is hereby amended by adding thereto the following transitory language which has the force and effect of law but which will not be codified in the Nevada Administrative Code:

The amendatory provisions of sections 16, 17 and 18 of this regulation relating to the maintenance and expiration of a provisional registration to practice sign language interpreting do not apply to any provisional registration issued pursuant to section 18 of Senate Bill No. 179, chapter 285, Statutes of Nevada 2021, at page 1544.

Sec. 26. NAC 656A.020, 656A.025, 656A.035, 656A.040, 656A.045, 656A.050, 656A.060, 656A.065, 656A.070, 656A.080, 656A.085, 656A.090, 656A.100, 656A.105, 656A.110, 656A.120, 656A.125, 656A.130, 656A.135, 656A.140, 656A.145, 656A.150, 656A.155, 656A.160, 656A.165, 656A.170, 656A.175, 656A.180, 656A.185, 656A.190, 656A.195, 656A.200, 656A.205, 656A.250, 656A.260, 656A.270, 656A.280, 656A.300 and 656A.310 are hereby repealed.

TEXT OF REPEALED SECTIONS

656A.020 “American Sign Language” defined. “American Sign Language” means the complete, complex language that employs signs made with the hands and other movements, including, without limitation, facial expressions and postures of the body.

656A.025 “Associate Continuing Education Tracking program” defined. “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. “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.040 “Certified Communication Access Realtime Translation Provider” defined. “Certified Communication Access Realtime Translation Provider” means a person who achieved a minimum standard on a national certification evaluation that addresses the knowledge and skills required to engage in the practice of Communication Access Realtime Translation pursuant to this chapter.

656A.045 “Certified deaf interpreter” defined. “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. “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.060 “Communication Access Realtime Translation” and “realtime captioning” defined. “Communication Access Realtime Translation” or “realtime captioning” has the meaning ascribed to it in NRS 656A.025.

656A.065 “Community setting” defined. “Community setting” has the meaning ascribed to it in NRS 656A.027.

656A.070 “Computerized note-taking system” defined. “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.080 “Continuing education unit” defined. “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. “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.090 “Division” defined. “Division” means the Aging and Disability Services Division of the Department of Health and Human Services.

656A.100 “Educational Interpreters Knowledge Assessment” defined. “Educational Interpreters Knowledge Assessment” means the written portion of the assessment administered by the Boys Town National Research Hospital in Omaha, Nebraska.

656A.105 “Educational setting” defined. “Educational setting” has the meaning ascribed to it in NRS 656A.029. The term does not include a college or university. The term also includes a prekindergarten program in a public school.

656A.110 “Educational Sign Skills Evaluation” defined. “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. “Interpreter referral agency” means any contractual agency which refers interpreters for a fee.

656A.125 “Legal setting” defined. “Legal setting” has the meaning ascribed to it in NRS 656A.033.

656A.130 “Manually Coded English” defined. “Manually Coded English” means a signed message that employs the syntax and grammar of the English language and is dependent upon a language lexicon borrowed from American Sign Language.

656A.135 “Medical setting” defined. “Medical setting” has the meaning ascribed to it in NRS 656A.035.

656A.140 “Mentor” defined. “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.

656A.145 “Modality” defined. “Modality” means the communication system that an interpreter uses or any English signed system.

656A.150 “Pidgin Signed English” defined. “Pidgin Signed English” means signing which contains a mix of the rules of the American Sign Language and English grammar.

656A.155 “Professional development plan” defined. “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. “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. “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. “Provisional interpreter” means an interpreter who has recently completed study in an interpreter preparation program and who has not been nationally certified.

656A.175 “Realtime captioning” defined. “Realtime captioning” has the meaning ascribed to it in NRS 656A.025.

656A.180 “Registry of Interpreters for the Deaf” defined. “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.185 “Service provider” defined. “Service provider” means a Communication Access Realtime Translation provider, realtime captioning provider, an interpreter or a certified deaf interpreter.

656A.190 “Signing Exact English” and “Signing Essential English” defined. “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. “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. “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. “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.250 Skilled interpreter in community setting: Application; qualifications; requirements for acceptance of assignments.

1. To apply for and maintain 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.

(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 score of 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 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.

656A.260 Advanced certified interpreter in community setting: Application; qualifications; requirements for acceptance of assignments.

1. To apply for and maintain 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.

(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.

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.

656A.270 Master level interpreter in community setting: Application; qualifications; requirements for acceptance of assignments.

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.

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.

656A.300 Intermediate interpreter in educational setting: Application; qualifications; participation in plan of mentoring; preparation of professional development plan; prohibition on practice in certain settings; authorized areas of practice.

1. To apply for and maintain 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.

(b) Hold in good standing a score of 3.1 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. 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 for more than 10 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.

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.

656A.310 Advanced interpreter in educational setting: Application; qualifications; preparation of professional development plan; authorized areas of practice.

1. To apply for and maintain 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 a score of 4 or more 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.

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.