

**PROPOSED REGULATION OF
OFFICE OF DISABILITY SERVICES**

LCB File No. R210-08

September 6, 2008

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

AUTHORITY: NRS 656A.082 AND 656A.084.

A REGULATION relating to interpreters and realtime captioning providers; prescribing the requirements for engaging in practice; establishing the scope of practice and ethical standards for providers; and providing other matters properly relating thereto.

Section 1. Chapter 656A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 54, inclusive, of this regulation.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 36, inclusive, have the meanings ascribed to them in those sections.*

Sec. 3. *“Associate Continuing Education Tracking program” means the program through which Registry of Interpreters for the Deaf Associate Members’ skill development is documented to exhibit the individual’s commitment to and participation in the field of interpreting.*

Sec. 4. *“American Sign Language” means the complete, complex language that employs signs made with the hands and other movements, including facial expressions and postures of the body which is one of several communication options available to deaf people.*

Sec. 5. *“Broadcast captioning” means sending real-time captions through the telephone line to Line 21 of a caption encoder housed at a TV Broadcast Station.*

Sec. 6. *“Certification maintenance program” means a program through which the skill development of the certified members of the Registry of Interpreters for the Deaf is tracked.*

Sec. 7. *“Certified interpreter” means a person who achieved a minimum standard on a national certification evaluation that addresses both knowledge and skills.*

Sec. 8. *“Certified communication access real-time translation provider” means a person who achieved a minimum standard on a national certification evaluation that addresses both knowledge and skills.*

Sec. 9. *“Certified deaf interpreter” means an interpreter who is deaf or hard of hearing and has completed a program of language proficiency including a written and performance test and has received training in ethics and general interpreting methodologies.*

Sec. 10. *“Communication access real-time translation” means a word-for-word translation process using a stenotype machine or voice recognition, together with computer software, to translate everything said in a venue, which is then displayed on a computer, a screen, the internet or broadcast through a satellite.*

Sec. 11. *“Community setting” means any setting that is not a pre-kindergarten through 12th grade educational setting. The term includes, without limitation, a legal or medical setting or any other setting that can be accessed by the public at large, regardless of the number of participants.*

Sec. 12. *“Computerized note-taking systems” means systems utilizing programs and equipment for the purpose of taking notes in non-legal settings.*

Sec. 13. *“Contact hour” means not less than 50 minutes and not more than 60 minutes.*

Sec. 14. *“Continuing education unit” means a unit of measurement for educational activities that meet established criteria for increasing knowledge and competency in which one*

unit is equal to 10 contact hours of participation in an organized continuing education experience, which is grounded in responsible sponsorship, capable direction and qualified instruction.

Sec. 15. *“Cued speech” means a system of handshapes and placements which when combined with information from the mouth and face render English as a visual language and make the phonemes of the language look different from each other.*

Sec. 16. *“Educational interpreters knowledge assessment” means the written portion of the assessment administered by Boys Town National Research Hospital.*

Sec. 17. *“Educational interpreters performance assessment” means the knowledge and skill performance assessment administered by Boys Town National Research Hospital located in Omaha, Nebraska, which specifically addresses the knowledge and skills of interpreters working in kindergarten through 12th grade educational settings and employing any of the following languages or language modalities:*

- 1. American Sign Language;*
- 2. Manually coded English; or*
- 3. Pidgin sign English.*

Sec. 18. *“Educational setting” means a public school, private school or charter school in this State and includes only kindergarten through the 12th grade. This also includes the pre-kindergarten levels in public school settings.*

Sec. 19. *“Good standing” means being a current member, and being in compliance with the continuing education requirements, of the certifying body.*

Sec. 20. *“Interpreter referral agency” means any contractual agency which refers interpretive services for a fee.*

Sec. 21. *“Legal setting” means:*

- 1. Communication with a law enforcement officer that relates to a criminal investigation;*
- 2. Communication with an attorney acting in his professional capacity;*
- 3. Negotiation for a contract for which the estimated amount required to perform the contract is \$1,000 or more;*
- 4. Any judicial proceeding, including, without limitation:*
 - (a) A grand jury proceeding;*
 - (b) A court proceeding;*
 - (c) A pretrial examination, deposition, motion and related proceedings of like character; or*
 - (d) The proceedings of any administrative agency.*

Sec. 22. *“Manually coded English” means a signed message that employs English syntax and grammar and is dependent upon a language lexicon borrowed from American Sign Language.*

Sec. 23. *“Mentor” means a skilled interpreter who guides a novice interpreter in gaining skills, techniques, and knowledge in the practice of interpreting.*

Sec. 24. *“Modality” for the purpose of this regulation, means the communication system a provider may use or English signed systems.*

Sec. 25. *“Pidgin signed English” means signing which contains a mix of American Sign Language rules and English grammar.*

Sec. 26. *“Professional development plan” means a plan which addresses individual needs to improve performance in work-related activities focused on improving knowledge and skills. The plan includes documentation of the timeframe, measurement indicators and desired outcomes of the professional development activities.*

Sec. 27. *“Professional membership” means membership in a professional organization which provides quality standards, professional development, opportunities for peer support and networking in order to provide relevant and current information to its members.*

Sec. 28. *“Program of continuing education” means courses, programs or organized learning activities which sustain a member’s professional competence by keeping the member informed of, and able to comply with, developments of professional standards.*

Sec. 29. *“Provisional interpreter” means an interpreter who has recently completed study in an interpreter preparation program and has not taken any formal national certification assessment.*

Sec. 30. *“Real-time captioning” means the simultaneous word-for-word translation process through which spoken English is displayed on a computer monitor, television screen, video or overhead projector or other type of audiovisual device.*

Sec. 31. *“Registry of Interpreters for the Deaf” is a national membership organization that:*

1. Represents professionals who make communication possible between people who are deaf 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.

Sec. 32. *“Signing exact English” or “signing essential English” means an English language based signing system utilizing English language patterns in conjunction with initialized signs.*

Sec. 33. *“Service provider” means a communication access real-time translation provider, real-time caption provider, interpreter, certified deaf interpreter or educational interpreter.*

Sec. 34. *“Student of interpreting or real-time captioning” means a person who is enrolled in a formal course of study to become an interpreter or provider of real-time captioning.*

Sec. 35. *“TECUnit” means a non-profit testing, evaluation and certification unit responsible for establishing and maintaining national standards for the profession of cued language transliteration.*

Sec. 36. *“Voir dire” means the process by which any judge will select, or reject, a sign language interpreter to provide interpretation for any matter before a court of their jurisdiction.*

Sec. 37. 1. *Any person, agency, firm or company, who provides sign language interpreting or communication access real-time translation services, unless a social situation that does not require a qualified interpreter as provided in subsection 4 of NRS 656A.070 in this State shall:*

- (a) Register with the Office of Disability Services utilizing forms provided by the Office;*
- (b) Provide proof of compliance with the specified requirements for each classification outlined in this regulation under which the applicant will be engaged;*
- (c) Operate only within those classifications for which they are registered;*
- (d) Comply with the conditions, restrictions and limitations outlined herein; and*
- (e) Comply with the ethical codes of conduct of their certifying organization or organizations.*

2. This regulation may be temporarily waived by the Office of Disability Services when an emergency has been declared by a governmental entity.

Sec. 38. *1. Real-time captioning and communication access real-time translation providers must comply with the following:*

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from:

(1) Certified Court Reports Board of Nevada;

(2) Registered professional reporter;

(3) Certified communication access real-time translation provider;

(4) Certified broadcast captioner;

(5) National Court Reporter's Association as a certified real-time reporter; or

(6) Certification from any other state licensing board with a minimum of 200 words per minute or higher skills assessment.

2. A communication access real-time translation provider shall accept any assignment with due caution and care commensurate with the provider's skills and experience.

3. Those providers who work only as broadcast captioners are not required to register with the Office of Disability Services or comply with this regulation.

4. All providers shall comply with the ethical codes of conduct of their certifying organization.

Sec. 39. *1. Interpreters in a community setting at an apprentice level must comply with the following:*

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from:

(1) National Association for the Deaf at Level 2;

(2) American Consortium of Certified Interpreters at Level 2; or

(3) Educational Interpreter Performance Assessment between levels 3.5 and 3.9.

(c) Be an associate member of Registry of Interpreters for the Deaf and participate in their Associate Continuing Education Tracking program with at least 75 hours of continuing education hours per three year period.

(d) Scope of practice, conditions, restrictions and limitations:

(1) The interpreter shall not interpret in a medical or legal setting;

(2) The interpreter must have a mentor with a classification level of advanced or higher as defined in this regulation; and

(3) The interpreter shall accept assignments commensurate with their skills and experience.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 40. 1. Interpreters in a community setting at the skilled level must comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from:

(1) National Association for the Deaf at Level 3;

(2) American Consortium of Certified Interpreters at Level 3; or

(3) Educational Interpreter Performance Assessment between levels 4.0-4.7 and be a “Certified Educational Interpreter” with Registry of Interpreters for the Deaf.

(c) Scope of practice, conditions, restrictions and limitations:

(1) The interpreter shall accept assignments in a legal setting with due caution and care commensurate with their skills and experience. Interpreters in a community setting without specialized legal certifications may be used only in situations involving misdemeanor infractions.

(2) Any interpreter who is not certified to interpret in a legal setting is subject to voir dire by the Court.

(3) The interpreter shall accept assignments in a medical setting with due caution and care commensurate with their skills and experience.

(4) The interpreter shall accept assignments in a post-secondary educational setting with due caution and care commensurate with their skills and experience.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 41. 1. Interpreters in a community setting at an advanced level must comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from:

(1) Registry of Interpreters for the Deaf:

(I) Certificate of Interpretation, a Certificate of Transliteration or a Comprehensive Skills Certificate; or

(II) National Interpreter Certification;

(2) National Association for the Deaf at Level 4;

(3) American Consortium Of Certified Interpreters at Level 4; or

(4) Educational Interpreter Performance Assessment between levels 4.8-5.0 and be a “Certified Educational Interpreter” with Registry of Interpreters for the Deaf.

(c) Scope of practice, conditions, restrictions and limitations:

(1) The interpreter shall accept assignments in a legal setting with due caution and care commensurate with their skills and experience. Any interpreter who is not certified to interpret in a legal setting is subject to voir dire by the Court.

(2) The interpreter shall accept assignments in a medical setting with due caution and care commensurate with their skills and experience.

(3) The interpreter shall accept assignments in a post-secondary educational setting with due caution and care commensurate with their skills and experience.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 42. 1. Interpreters in a community setting at a Master level shall comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from:

(1) Registry of Interpreters for the Deaf:

(I) National Interpreter Certification Advanced or Master; or

(II) Master Comprehensive Skills Certificate; or

(III) Specialist Certificate: Legal; or

(2) National Association for the Deaf at Level 5; or

(3) American Consortium of Certified Interpreters at Level 5.

(c) Scope of practice, conditions, restrictions and limitations:

(1) The interpreter shall accept assignments in a legal setting with due caution and care commensurate with their skills and experience. A Master level interpreter in a legal setting must have proof of certification level or is subject to voir dire by the Court.

(2) The interpreter shall accept assignments in a medical setting with due caution and care commensurate with their skills and experience.

(3) The interpreter shall accept assignments in an educational setting with due caution and care commensurate with their skills and experience.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 43. 1. Certified Deaf Interpreters in a community setting must comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Certification in good standing from the Registry of Interpreters for the Deaf in the process of training to become a certified deaf interpreter:

(1) Be an associate member of the Registry of Interpreters for the Deaf.

(2) Participate in the Associate Continuing Education Tracking program with at least 75 hours per three year period of continuing education hours.

(c) Scope of practice, conditions, restrictions and limitations:

(1) The interpreter shall accept assignments in a legal setting with due caution and care commensurate with their skills and experience. For legal situations which are above a misdemeanor, the certified deaf interpreter should have a legal specialist certification. If the court has made a documented effort to find a certified deaf interpreter and is unable to secure such, the certified deaf interpreter is subject to voir dire by the Court.

(2) The interpreter shall accept assignments in a medical setting with due caution and care commensurate with their skills and experience.

(3) The interpreter shall accept assignments in an educational setting with due caution and care commensurate with their skills and experience.

(d) Pre-certified certified deaf interpreters must have an individualized plan for professional development, which includes specific goals for professional development as an interpreter, and includes 75 hours per three year period of continuing education hours on a form provided by the Office of Disability Services.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 44. *Transliterators in an educational setting trained in the use of cued speech must comply with the following:*

1. *Level of education:*
 - (a) *High school diploma; or*
 - (b) *General Equivalency Diploma.*
2. *Certification in good standing from TECUnit.*
3. *Pass the written generalist test of the Registry of Interpreters for the Deaf for educational situations requiring a cued speech transliterator.*
4. *Have an individualized plan for professional development, which includes specific goals for professional development as a translator, and includes 75 hours per three year period of continuing education hours on a form prescribed by their local school district and approved in writing by their supervisor.*
5. *Scope of practice, conditions, restrictions and limitations:*
 - (a) *The cued speech transliterator shall accept assignments in a legal setting with due caution and care commensurate with their skills and experience. Cued speech transliterators in a community setting without specialized legal certifications may be used only in situations involving misdemeanor infractions.*
 - (b) *Any cued speech transliterator who is not certified to transliterate in a legal setting is subject to voir dire by the Court.*
 - (c) *The cued speech transliterator shall accept assignments in a medical setting with due caution and care commensurate with their skills and experience.*
 - (d) *The cued speech transliterator shall accept assignments in a post-secondary educational setting with due caution and care commensurate with their skills and experience.*

Sec. 45. 1. *Interpreters in an educational setting at an apprentice level must comply with the following:*

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Assessment in good standing from the Educational Interpreter Performance

Assessment at level 3.0.

(c) Participate in a plan of mentoring with an interpreter who is registered at the advanced level or above. If the mentor does not reside in Nevada, they need not be registered but must possess the certification status required for the intermediate level or above. The plan shall be signed by the mentor and the mentee.

(d) Have an individualized plan for professional development, which includes specific goals for professional development as an interpreter, and includes 75 hours per three year period of continuing education hours on a form prescribed by their local school district, and approved in writing by their supervisor.

(e) Scope of practice, conditions, restrictions and limitations:

(1) Educational interpreters at this level are not qualified to interpret in community settings without holding the appropriate professional certification.

(2) Educational interpreters may only regularly interpret in the grade levels for which they are assessed. Exceptions include absences and substitute interpreters. Substitute interpreters may not work outside of their grade level for more than 10 consecutive working days. Exceptions include requests in an individualized education plan or if the school has made a reasonable attempt to find services for the student or students.

(3) Educational interpreters may only interpret in the language modalities for which they are assessed. Exceptions include absences and substitute interpreters. Substitute interpreters may not work outside of their modality for more than 5 consecutive working days.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 46. 1. Interpreters in an educational setting at an intermediate level must comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Assessment in good standing from Educational Interpreter Performance Assessment at level 3.1 to 3.9.

(c) Participate in a plan of mentoring with an interpreter who is registered at the advanced level or above. If the mentor does not reside in Nevada, they need not be registered but must possess the certification status required for the advanced level or above. The plan shall be signed by the mentor and the mentee.

(d) Have an individualized plan for professional development, which includes specific goals for professional development as an interpreter, and includes 75 hours per three year period of continuing education hours on a form prescribed by their local school district and approved in writing by their supervisor.

(e) Scope of practice, conditions, restrictions and limitations:

(1) Educational interpreters at this level are not qualified to interpret in community settings without holding the appropriate professional certification.

(2) Educational interpreters may only regularly interpret in the grade levels for which they are assessed. Exceptions include absences and substitute interpreters. Substitute interpreters may not work outside of their grade level for more than 10 consecutive working days. Exceptions include requests in an individualized education plan or if the school has made a reasonable attempt to find services for the student or students.

(3) Educational interpreters may only interpret in the language modalities for which they are assessed. Exceptions include absences and substitute interpreters. Substitute interpreters may not work outside of their modality for more than 5 consecutive working days.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 47. 1. Interpreters in an educational setting at an advanced level must comply with the following:

(a) Level of education:

(1) High school diploma; or

(2) General Equivalency Diploma.

(b) Assessment in good standing from Educational Interpreter Performance Assessment at level 4 or above; or be registered with the Office of Disability Services as a skilled or advanced interpreter in a community setting and apply with Registry of Interpreters for the Deaf to become a certified educational interpreter and participate in the Certification Maintenance Program administered by Registry of Interpreters for the Deaf.

(c) Scope of practice, conditions, restrictions and limitations:

(1) Advanced educational interpreters may interpret in any grade levels.

(2) Educational interpreters may only interpret in the language modalities for which they are assessed, if assessed only by Educational Interpreter Performance Assessment.

(3) Educational interpreters may only interpret in the language modalities for which they are certified. Exceptions include absences and substitute interpreters. Substitute interpreters may not work outside of their modality for more than 5 consecutive working days.

(d) Have an individualized plan for professional development, which includes specific goals for professional development as an interpreter, approved in writing by their supervisor.

2. Each interpreter shall comply with the ethical codes of conduct of their certifying organization or organizations.

Sec. 48. *1. Registration with the Office of Disability Services to practice as an interpreter or communication access real-time translation provider must be renewed annually on a form prescribed by the Office. Interpreters or communication access real-time translation providers are required to inform the Office of any changes in contact information or certification status. The Office may revoke the registration of an interpreter or communication access real-time translation provider whose certificate is revoked by their certifying body.*

2. The interpreter or communication access real-time translation provider may request, within 2 years after revocation, that the Office restore the registration.

Sec. 49. *The Office of Disability Services may initiate disciplinary action against an interpreter or communication access real-time translation provider, or may deny the issuance or renewal of registration if the Office finds, after providing notice and a hearing, that the interpreter or communication access real-time translation provider:*

1. Willfully and intentionally made a false or fraudulent statement or submitted a forged or false document to the Office;

2. *Performed services which were not delivered properly according to their classification, as registered;*
3. *Provided services when he did not have the ability to provide such services with reasonable skill and safety;*
4. *Provided services in a negligent manner;*
5. *Failed to obey an order or regulation of the Office or an investigative committee of the Office, which related to the provision of interpreting or captioning;*
6. *Is not competent to provide the services required of an interpreter or communication access real-time translation provider;*
7. *Has been convicted of a felony in the past 10 year period or any offense involving moral turpitude;*
8. *Has had disciplinary action taken against him in another jurisdiction or by another board that regulates interpreting or communication access real-time translation if the disciplinary action was taken against the interpreter or communication access real-time translation provider in his capacity as the holder of certificates which authorizes him to provide interpretive or communication access real-time translation services.*

Sec. 50. 1. *If the Office of Disability Services or a recipient of services from an interpreter or communication access real-time 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 real-time translation provider, desires to pursue disciplinary action against that registered interpreter or communication access real-time translation provider, the person must file a complaint with the Office specifying the charge against the interpreter or communication access real-time translation provider. Complaints*

may not be accepted from service recipients knowingly and willingly using unregistered interpreters or communication access real-time translation providers.

2. Unless the Office determines that the complaint is without merit, in response to a complaint filed against an interpreter or communication access real-time translation provider or on its own initiative, the Office will:

(a) Direct the complaint to the certifying body;

(b) Assign an investigative committee to determine whether a charge against an interpreter or communication access real-time translation provider justifies disciplinary action. The investigative committee will be composed of not less than three members of the Communication Access Council subcommittee or its designees, at least one of whom is a certified interpreter or communication access real-time translation provider; or

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

3. Following an investigation, the investigative committee will present its evaluation and recommendations to the Office. The Office will review the findings of the committee to determine whether to take further action.

4. If the Office determines after investigation that an interpreter or communication access real-time translation provider has violated the provisions of this chapter and there is not a certifying body to report to, the Office will notify the Attorney General of its findings and any disciplinary action taken.

5. A member of the Office 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.

6. Before assigning the complaint to an investigative committee, the Office must provide the interpreter or communication access real-time translation provider, as applicable, with a copy of the complaint. If the Office determines that a complaint is without merit, the Office may provide the interpreter or communication access real-time translation provider with a copy of the complaint, including the name of the person who filed the complaint.

Sec. 51. 1. If the Office of Disability Services proceeds with disciplinary action against an interpreter or communication access real-time translation provider, it will set a time and place for a disciplinary hearing. The Office will notify the interpreter or communication access real-time translation provider of:

- (a) The specific complaint against the provider;*
- (b) The time and place set for the disciplinary hearing; and*
- (c) The sanctions which the Office may impose for the conduct in which the interpreter or communication access real-time translation provider allegedly engaged.*

2. The Office 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 section 50 of this regulation.

- 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 Office will consider a certified copy of the record of a court or a certifying agency showing a conviction, plea of nolo contendere, or the suspension, revocation, limitation, modification, denial or surrender of a certification to practice as an interpreter or communication access real-time translation provider as conclusive evidence of its occurrence.*

Sec. 52. The Office of Disability Services will cause the notice to be made either in person or by registered or certified mail, return receipt requested, and addressed to the interpreter or communication access real-time translation provider and the school district in which he 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 undelivered, the Office will publish notice once a week for four consecutive weeks in a newspaper published in the county of the last known address of the interpreter or communication access real-time translation provider, or, if no newspaper is published in the county, in a newspaper widely distributed in that county.

Sec. 53. 1. If the Office of Disability Services determines that an interpreter or communication access real-time translation provider has engaged in an activity for which disciplinary action is authorized pursuant to section 49 of this regulation, the Office will issue an order:

(a) Placing him on probation with the Office for a specified period of time, according to any conditions set forth in the order;

(b) Placing a limitation on his registration;

(c) Suspending his registration for a specified period of time or until the Office orders his registration to be reinstated;

(d) Revoking his registration; or

(e) Requiring a signed plan of correction developed by the Office that:

(1) Describes the actions to be taken by the service provider to correct deficiencies; and

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

2. If the Office determines that an interpreter or communication access real-time translation provider has engaged in an activity for which disciplinary action is authorized

pursuant to section 49 of this regulation, the Office may issue an order imposing an administrative fine in according with section 49 of this regulation. If the Office determines that an interpreter or communication access real-time translation provider has engaged in an activity for which disciplinary action is required pursuant to section 49 of this regulation, the Office will issue an order imposing an administrative fine or suspending the registration of the interpreter or communication access real-time translation provider in accordance with section 49 of this regulation.

3. An order of the Office which limits the ability of an interpreter or communication access real-time translation provider to provide communication services or revokes his registration is effective from the date the Office certifies the order until the date the order is modified or reversed.

4. The Office may, in an emergency, impose a ban on a service provider and suspend the registration without notice or upon oral notice. In any case where sanctions are imposed without written notice, the Office shall provide written notice within 48 hours after the imposition of sanctions.

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

6. In addition to any other action, if the Office determines that an interpreter or communication access real-time translation provider is engaging in unlawful or unauthorized conduct, the Office will take any appropriate action authorized by law to prevent such conduct.

Sec. 54. 1. *An interpreter or communication access real-time translation provider whose registration to practice as an interpreter or communication access real-time translation provider has been limited, suspended or revoked pursuant to sections 52 and 53 of this*

regulation may apply to the Office of Disability Services to remove the limitation or restore his registration.

2. The applicant has the burden of proving by clear and convincing evidence that he has complied with all of the terms and conditions set forth in the final order of the Office and that he is capable of practicing as an interpreter or communication access real-time translation provider with reasonable skill. The Office will not remove a limitation or restore a registration until it is satisfied that the applicant has met this burden of proof.

3. In addition to the requirements of subsection 2, an interpreter or communication access real-time translation provider whose registration has been suspended pursuant to section 53 of this regulation or revoked must submit an application to the Office pursuant to section 37 of this regulation and successfully complete the application process required of new applicants.