

<p><b>Regulatory Analysis Form</b> (Completed by Promulgating Agency)</p> <p><b>(All Comments submitted on this regulation will appear on IRRC’s website)</b></p>	<p style="text-align: center;"><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p> <p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center;">Independent Regulatory Review Commission September 18, 2024</p> <p>IRRC Number: 3415</p>
<p>(1) Agency</p> <p>Department of Labor and Industry</p>	
<p>(2) Agency Number: 12</p> <p>Identification Number: 119</p>	
<p>(3) PA Code Cite : 34 Pa. Code § 501 (relating to registration) adopted under the Sign Language Interpreter and Transliterator State Registration Act (63 P. S. § § 1725.1—1725.11)</p>	
<p>(4) Short Title: Examinations, Fees, and Provisional Registration Process for Sign Language Interpreters and Transliterators</p>	
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Melissa A Hawkins, Director, Office for the Deaf &amp; Hard of Hearing – 800-233-3008 – <a href="mailto:mehawkins@pa.gov">mehawkins@pa.gov</a></p> <p>Secondary Contact: Robert C. Schramm, Esq., Deputy Chief Counsel, OCC – 717-787-4186 – <a href="mailto:rschramm@pa.gov">rschramm@pa.gov</a></p>	
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>	<p><input type="checkbox"/> Emergency Certification Regulation</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>The proposed rulemaking amends Chapter 501 (relating to Registration of Sign Language Interpreters and Transliterators) to delete the identified examinations which are no longer offered and to add a requirement that the Office publish annually a list of examinations approved by the Office to test knowledge and proficiency in interpreting and transliterating, which will expand the number of examinations available for Sign Language Interpreters and Transliterators. Additionally, the proposed rulemaking includes amendments to provide for provisional registration and to set initial and annual renewal fees for the provisional registration, consistent with the fees set by statute.</p>	
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p>	

L&I proposes these amendments under the authority contained in section 3 of the Sign Language Interpreter and Transliterator State Registration Act (Act) (63 P.S. § 1725.3). In addition, Section 5.1 of the Act, introduced by Act 124 of 2010, sets forth various requirements for provisional registration to be a sign language interpreter or transliterator, and therefore, this rulemaking provides for provisional registration.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case, or regulation as well as, any deadlines for action.

Section 3 of the Act provides that the Office shall promulgate regulations necessary to carry out the provisions of the Act. 63 P.S. § 1725.3. There are no court orders or federal laws or regulations mandating this rulemaking.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The proposed amendments to Chapter 501 are needed because the current regulations identify examinations testing knowledge and proficiency offered by the National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) as the approved examinations. However, these examinations are no longer offered. In addition, the current regulations do not include a comprehensive list of examinations testing knowledge and proficiency that the Office would approve. More examinations are now available than when the regulations were previously published. For these reasons, L&I seeks to (1) remove the names of the NAD and RID examinations, and (2) require the Office to publish annually a list of examinations that are approved by the Office to test knowledge and proficiency in interpreting and transliterating.

The proposed amendments to section 501.4 (related to registration) and 501.2 (related to fees) update the regulation to reflect changes made by Act 124 of 2010. Specifically, the proposed amendments provide for a provisional registration process and set initial and annual renewal fees for a provisional registration, consistent with the fees set forth by statute.

The proposed regulation is in the public interest because it will allow L&I to create and maintain a list of approved examinations that test knowledge and proficiency of sign language interpreters and transliterators who wish to register with the Office. The availability of more approved tests will increase the number of registered sign language interpreters and transliterators needed to serve the deaf and hard of hearing communities. Further, the proposed amendments relating to the provisional registration are in the public interest because they provide consistency with the regulation and Act 124 of 2010, thereby preventing confusion between the regulations and corresponding statute.

The proposed amendments will benefit the deaf and hard of hearing communities in Pennsylvania, which consist of approximately 1.5 million people. Community members will be able to more easily and readily receive interpreter and transliterator services from State-registered interpreters and transliterators in critical situations, for example, medical appointments, legal proceedings, etc.

<p>(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.</p> <p>The proposed amendments do not add any provisions that are more stringent than federal standards.</p>
<p>(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania’s ability to compete with other states?</p> <p>Although courts in nearly all states are required to use certified sign language interpreters and transliterators, many states do not have certification requirements or registration requirements when interpreting for organizations other than the courts. Among neighboring states, for example, Maryland, New York, and New Jersey do not have requirements for certification, other than certified court interpreters. Delaware and Ohio have registration requirements for legal interpreters and certification requirements for interpreters working in educational settings. Similar to Pennsylvania, West Virginia requires all interpreters working in the state to register with the West Virginia Commission for the Deaf and Hard of Hearing and meet certain qualifications in order to register.</p> <p>The provisions being added or amended in this rulemaking are largely required by statute, so this rulemaking will not negatively impact Pennsylvania’s ability to compete with other states. Under Act 124 of 2010, the areas under the Department’s purview include fee amounts and approval of examinations. Here, the Department has not changed the provisional application fee from the \$50 cost set by statute. In addition, expanding the list of available tests through these amendments will ensure that Pennsylvania can compete with states that have minimal or no certification or registration requirements for interpreters and transliterators, and it will increase protections for the deaf community.</p>
<p>(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.</p> <p>No, the proposed amendments will not affect any other L&amp;I regulations or other state agencies.</p>
<p>(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses, and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)</p> <p>L&amp;I engaged in a 30-day public and stakeholder outreach period during the drafting process. On August 9, 2022, L&amp;I sought comment from small businesses, sign language interpreters, certifying organizations, private, public and non-profit organizations that use sign language interpreters, citizens</p>

with disabilities and the general public by sending an email to a list of all known stakeholders and posting a notice of the changes to the regulations and an accessible video online on L&I's website. The public comment period was open until September 9, 2022.

The following groups and individuals provided feedback to L&I during its process of developing this proposed regulation:

The Language Group LLC, Virginia Beach, VA

Joanne Sharer, Sign Language Interpreters Professionals - Pittsburgh, PA

Danielle Filip, Sign Language Interpreters Professionals - Pittsburgh, PA

Interpreters and Transliterators Inc., Glastonbury, CT

Dr. Jessica Bentley, Sassaman, Bloomsburg Interpreter Training Program (ITP)

Ellie Brokeshire, Provisional Interpreter

Charity Khesghi, Deaf Interpreter (Not Certified)

Heather Gray, State Registered Interpreter

PA Society for Advancement of the Deaf (PSAD)

Neil McDevit, Deaf Hearing Communications Center (DHCC)

Meghan Aitkin, Community College of Allegheny County (CCAC) ITP

Amanda Fischer, Interpreter

Brinna Feustel, Interpreter

Kay Tyberg, Deaf and Hard of Hearing Advocate

Emily Pearson-Syre, Interpreter

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The amendments will not result in increased costs to persons, businesses, small businesses or organizations in the public or private sectors. The current regulations limit access to examinations to only those that are offered by NAD and RID. The proposed amendments to Chapter 501.3 are designed to provide greater access to examinations by giving the Office authority to annually publish a list of approved examinations. Further, the proposed amendments to Section 501.4 (related to registration) and Section 501.2 (related to fees) will not affect any persons, businesses, small businesses, or organizations, as they are designed to conform the regulations to the Act.

Section 501.3 is amended to delete obsolete references to examinations that are no longer offered and to require the Office to annually publish a list of examinations that are approved by the Office to test knowledge and proficiency in interpreting and transliterating. As such, this will broaden the list of available examinations and make becoming a State-registered interpreter or transliterator more accessible. Therefore, the proposed amendments will affect the 1.5 million people who have an identified hearing loss, because they will more easily be able to receive interpreter or transliterator services because of the increase in available State-registered interpreters and transliterators.

The amendments will also benefit the individuals with a provisional registration (currently, there are 52 provisionally registered individuals in PA), who have passed a knowledge exam but not yet passed the skills exam, because they will have access to more examination options and thus greater opportunity to meet the standards to become a State-registered interpreter. Likewise, individuals

seeking to become State-registered will be affected in the same manner. The 705 State-registered interpreters and transliterators will not be affected by the amendments because they have already passed their required examinations.

Finally, businesses, small businesses, and organizations who use interpreters and transliterators will also benefit from the increased access to examinations because of the potential increase in State-registered interpreters and transliterators. However, the Office cannot reasonably estimate the number of entities that use interpreters and transliterators since we do not have adequate data to arrive at a good faith estimate.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

The current regulations limit access to examinations to only those that are offered by NAD and RID. The proposed amendments to Chapter 501.3 are designed to provide greater access to examinations. The entity that is required to comply is the Office, since the Office is required to annually publish a list of approved examinations that test knowledge and proficiency in interpreting and transliterating.

Interpreters and transliterators who seek to become State-registered, including those who are provisionally registered (currently there are 52 provisionally registered interpreters in Pennsylvania), will be required to comply by submitting proof that they have passed an examination approved by the Office. In other words, those seeking to become a State-registered interpreter or transliterator will have access to a broader list of examinations to take to secure registration. There are currently approximately 700 registered sign language interpreters and transliterators in Pennsylvania.

The proposed amendments to section 501.4 (related to registration) and 501.2 (related to fees) will not impact any persons, groups or entities as these amendments are designed to conform the regulations to the Act. If an interpreter or transliterator qualifies for an exemption under section 501.5, that interpreter or transliterator is not otherwise required to comply with this rulemaking. The Office does not anticipate that this rulemaking will cause an increase or decrease in the number of interpreters or transliterators, because the proposed amendments to section 501.5 mirror the exemptions already provided in the Act, 43 P.S. § 1725.4.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The proposed amendments will not result in increased costs to any public or private sector business, labor community or other organization. The proposed amendments to Chapter 501.3 are designed to provide greater access to examinations. The current regulations limit access to examinations by specifying that examinations offered by NAD and RID are the only approved examinations. Increasing access to examinations will allow more individuals to become State-registered interpreters, engage in gainful employment and provide critical services to the community of individuals who are deaf and hard of hearing. This will benefit businesses, small businesses, and other public and private organizations who use interpreters and transliterators because of the potential increase in State-registered interpreters and transliterators.

The proposed amendments to section 501.4 (related to registration) and 501.2 (related to fees) will not result in increased cost to any public or private sector business, labor community or other organization, as they are designed to conform the regulations to the Act.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The benefits of the regulation outweigh any cost and adverse effects because there are no additional costs to the state, the regulated community and public for expanding the list of testing providers, other than those costs that already exist under the limited testing availability and the registration fees already provided in the Act. For the same costs, the proposed regulation will have the following added and significant benefits:

- A significant expected increase in the number of interpreters and transliterators as more candidates get access to tests;
- A significant increase in available tests, especially important since NAD and RID no longer provide needed approved testing; and
- A significant increase in the provision of services for people who are deaf or hard of hearing and need and have the right to accessible communications.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The proposed amendments will not result in increased costs to individuals seeking to become State-registered interpreters and transliterators. As required under the Act, individuals who want to become State-registered interpreters and transliterators are required to submit proof that they have passed an examination approved by the Office. Under the current regulations, the examinations are limited to only those that are offered by NAD and RID. These examinations are no longer being offered. As such, the amendments to section 501.3 delete obsolete references to specific examinations and the names of the certifications associated with those specific examinations, and the amendments allow the Office to annually publish a list of examinations that are approved by the Office to test knowledge and proficiency in interpreting and transliterating.

The proposed amendments to section 501.4 (related to registration) and 501.2 (related to fees) will not impact the regulated community as these amendments are designed to conform the regulations to the Act.

The costs for registration and for approved examinations are to be paid by the candidates who apply and do not account for any candidate or interpreter travel and pre-test course fees but are associated with registration and testing. Currently, the cost for registration and testing ranges from \$140 to \$450, depending on the specific course and testing administrator.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no costs or savings to the local governments as a result of the proposed amendments to the regulation.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no additional costs to the state government as a result of these changes to the regulation. The Commonwealth will receive additional fees from those who desire to receive provisional registration. The Commonwealth receives approximately \$75,000 from fees for each interpreter registration year. L&I anticipates that the Commonwealth will receive approximately an additional \$5,000 from fees for provisional registrations. The increase in fees is based on the Office's estimate that it may have approximately 75-100 more provisional registrants per year (including both new and renewals) due to the increase in the number of available examinations.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping, or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

This proposed rulemaking does not require the creation of new forms or reporting requirements. However, the Office has updated four of its current forms to reflect the deletion of the NAD and RID examinations and to account for the Office's annual approval of available examinations. These four updated forms, which are attached, include the following: (1) Application for Registration, (2) Application for Provisional Registration, (3) Invoice for Registration, and (4) Invoice for Provisional Registration.

(22a) Are forms required for implementation of the regulation?

The Office is not required to create any new forms to implement this proposed rulemaking. However, the Office has updated four of its current forms to reflect the deletion of the NAD and RID examinations and to account for the Office's annual approval of available examinations. These four forms, which are attached, include the following: (1) the Interpreter Registration Application, (2) the Provisional Registration Application, (3) the Provisional Registration Renewal Application, and (4) the Provisional and State Registration Invoice.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here.** If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

The four updated forms referenced above are attached to this proposed rulemaking.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

There are no fiscal savings associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years. There is a de minimis cost for individuals to obtain a provisional registration from the office of \$50 and two renewals at \$50 each. However, the \$50 cost for provisional registration and renewal is not an additional cost resulting from this rulemaking, because the \$50 fee is already set forth in the Act, and this rulemaking is not changing this cost.

	<b>Current FY Year</b>	<b>FY +1 Year</b>	<b>FY +2 Year</b>	<b>FY +3 Year</b>	<b>FY +4 Year</b>	<b>FY +5 Year</b>
<b>SAVINGS:</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Regulated Community</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Local Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>State Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Savings</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>COSTS:</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Regulated Community</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Local Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>State Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Costs</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>REVENUE LOSSES:</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Regulated Community</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Local Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>State Government</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Revenue Losses</b>	\$0	\$0	\$0	\$0	\$0	\$0

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

<b>Program</b>	<b>FY 20/21 -3</b>	<b>FY 21/22 -2</b>	<b>FY 22/23 -1</b>	<b>Current FY</b>
Office for the Deaf and Hard of Hearing Budget	\$510,000	\$510,000	\$510,000	\$510,000




(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

The Office has identified approximately 61 interpreters and transliterators who have incorporated in Pennsylvania. However, this proposed rulemaking has no adverse impact to these small businesses.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

The proposed regulatory changes will not adversely impact groups or persons including, but not limited to, minorities, the elderly, small business, and farmers. Therefore, no special provisions have been developed.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

There are no alternative regulatory provisions which have been considered and rejected. The proposed amendments are designed to allow L&I to create and maintain a sufficient list of examinations to increase the number of certified sign language interpreters and transliterators. The Office has deemed annual publication of a list of approved examinations to be the least burdensome acceptable alternative.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;

- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

The proposed regulation will not create any adverse impact on small businesses.

(28) If data are the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

Data was not the basis for this regulation.

(29) Include a schedule for review of the regulation including:

- |   |   |
|---|---|
| A. The length of the public comment period:   | <u>30 days</u>                                  |
| B. The date or dates on which any public meetings or hearings will be held:                   | <u>N/A</u>                                      |
| C. The expected date of delivery of the final-form regulation:                                | <u>Fall 2024</u>                                |
| D. The expected effective date of the final-form regulation:                                  | <u>60 days after publication in PA Bulletin</u> |
| E. The expected date by which compliance with the final form regulation will be required:     | <u>Fall 2024</u>                                |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u>                                      |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

L&I will closely review the testing and registration process for sign language interpreters and transliterators, and annually create a list of approved tests to ensure sufficient tests. Also, L&I will monitor the amended regulations via the Office's day-to-day operations and enforcement of the Act.



[Insert date field]

Dear Interpreter Registration Applicant:

The Office for the Deaf & Hard of Hearing (ODHH) implemented the interpreter registration program in 2005 with the passing of the Sign Language Interpreter & Transliterators State Registration Act (Act). The Act is a PA State registration that requires all sign language interpreters working in Pennsylvania onsite or remotely to be State registered.

To complete your registration, please submit a prorated payment of [enter text field for payment amount] (exact amount), check or money order, payable to the **\*\*The Commonwealth of Pennsylvania\*\***, along with the attached, completed invoice. Beginning January 1<sup>st</sup> of each odd numbered year, the full two-year registration is \$100.00.

Please also submit (1) proof of your certification with the Registry of Interpreters for the Deaf, Inc. (RID) (for example – Credly badge indicating your certification or verification letter), (2) the attached, completed application, and (3) your payment. **\*\*Please send payment, documentation and application in one envelope.\*\***

**\*\*ODHH will not accept faxed or emailed applications\*\***

**Mail your application, required documentation and payment to:**

Office for the Deaf & Hard of Hearing  
Attention: Interpreter Registration Program  
651 Boas Street, Room 700  
Harrisburg, PA 17121

**Please direct any questions to ODHH at:**

v/tty: 717.783.4912  
videophone: 717.831.1928  
email: [odhh@pa.gov](mailto:odhh@pa.gov)

**Confirmation:** After your interpreter registration application is processed, you will receive an email with an attached letter stating your registration confirmation. That letter will include an embedded ID card for your records.

Department of Labor & Industry | Office for the Deaf & Hard of Hearing  
651 Boas Street, Room 700 | Harrisburg, PA 17121  
717.783.4912 (v/tty) | 717.831.1928 (videophone) | 800.233.3008 (v/tty in PA only) 717.705.9345 (fax)  
[dli.pa.gov/odhh](http://dli.pa.gov/odhh)

Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program



## **Sign Language Interpreter & Transliterators State Registration Act Application for Interpreter Registration**

**Application Date:**

### **CONTACT INFORMATION**

**Name:**

**Home Address:**

**Phone Number:**

**Email Address**

Department of Labor & Industry | Office for the Deaf & Hard of Hearing  
651 Boas Street, Room 700 | Harrisburg, PA 17121  
717.783.4912 (v/tty) | 717.831.1928 (videophone) | 800.233.3008 (v/tty in PA only) 717.705.9345 (fax)  
[dli.pa.gov/odhh](http://dli.pa.gov/odhh)

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## Invoice

**Date:**

<input type="checkbox"/>	<b>Provisional Registration for 12 Months – \$50.00</b>
<input type="checkbox"/>	<b>Provisional Registration Renewal for 12 Months – \$50.00</b>
<input type="checkbox"/>	<b>State Interpreter Registration (one year) – [insert text field for amount]</b>
<input type="checkbox"/>	<b>State Interpreter Registration (two year) – \$100.00</b>
<b>Total</b>	

**Payment Instructions:**

- Please make checks payable to the **Commonwealth of Pennsylvania**.
- Mail payment, application and required documentation to:  
 Office for the Deaf & Hard of Hearing  
 Attention: Interpreter Registration Program  
 651 Boas Street, Room 700  
 Harrisburg, PA 17121

[Insert date field]

Dear Provisional Registration Applicant:

The Office for the Deaf & Hard of Hearing (ODHH) implemented the interpreter registration program in 2005 with the passing of the Sign Language Interpreter & Transliterators State Registration Act (Act). The Act requires eligible interpreters to register with ODHH. Interpreters can apply for state registration or provisional registration.

In 2010, the Act was amended by Act 124 of 2010 to allow for provisional registration. As of now, ODHH does not have a web-based system in place to monitor provisional registrations. Until a web-based system is implemented, eligible interpreters for provisional registration are required to apply for registration via a paper application.

Applicants who satisfy the following criteria may apply for provisional registration:

- Graduated within five years of the date of application from an Interpreter Education Program (IEP) with an associate degree or higher from an accredited institution of higher education.
- Passed a written examination approved by ODHH.
- Eligible to take and pass the appropriate Registry of Interpreters for the Deaf (RID) performance test within five years of the date of the results letter.

Please note the following helpful tips when completing the **work information** section of the application:

- **Counties:** List the individual counties in which you are willing to work. If you will work in all 67 counties, then answer with “all counties.”
- **Settings:** List settings in which you have experience, such as K-12, post-secondary, medical appointments, etc.
- **Skills:** List skills you wish to highlight, such as tactile interpreting, and/or list knowledge you have on specific topics, such as accounting or drafting, that make you an effective interpreter.

Department of Labor & Industry | Office for the Deaf & Hard of Hearing  
651 Boas Street, Room 700 | Harrisburg, PA 17121  
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[dli.pa.gov/odhh](http://dli.pa.gov/odhh)

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Equal Opportunity Employer/Program

**Please include the following with your application:**

- Documentation that within five years prior to the date of the application the applicant graduated from an IEP with an associate degree or higher from an accredited institution of higher education. Acceptable documentation is a copy of your diploma. Include a college transcript if IEP is not indicated on the diploma.
- Documentation that the applicant passed a written examination approved by ODHH.
- Documentation that the applicant is eligible to take and pass the appropriate RID performance test within five years of the date of the results letter. Acceptable documentation is your RID letter stating you are a “candidate for certification.”
- Copy of your RID verification letter or Credly Badge indicating your certification.
- The attached, completed invoice.
- \$50.00 registration fee. Please make your check or money order payable to the **Commonwealth of Pennsylvania**.

**\*\*ODHH will not accept faxed or emailed application\*\***

**Mail your application, required documentation and payment to:**

Office for the Deaf & Hard of Hearing  
Attention: Interpreter Registration Program  
651 Boas Street, Room 700  
Harrisburg, PA 17121

**Please direct any questions to ODHH at:**

v/tty: 717.783.4912  
videophone: 717.831.1928  
email: [odhh@pa.gov](mailto:odhh@pa.gov)

**Confirmation:** After your application for provisional registration is processed, you will receive a confirmation letter via email.

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717.783.4912 (v/tty) | 717.831.1928 (videophone) | 800.233.3008 (v/tty in PA only) 717.705.9345 (fax)  
[dli.pa.gov/odhh](http://dli.pa.gov/odhh)

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Equal Opportunity Employer/Program



## Sign Language Interpreter & Transliterators State Registration Act Application for Provisional Registration

Initial Application:

Renewal Application:

Application Date:

### CONTACT INFORMATION

Name:

Address:

Phone Number:

Email Address

### WORK INFORMATION

Counties you are willing to work:

Settings:

Skills:

Department of Labor & Industry | Office for the Deaf & Hard of Hearing  
651 Boas Street, Room 700 | Harrisburg, PA 17121  
717.783.4912 (v/tty) | 717.831.1928 (videophone) | 800.233.3008 (v/tty in PA only) 717.705.9345 (fax)  
[dli.pa.gov/odhh](http://dli.pa.gov/odhh)

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Equal Opportunity Employer/Program

[Insert date field]

Dear Provisionally Registered Interpreter:

According to our records, your provisional registration is set to expire [insert date field]. Section 5.1 (C) of the Sign Language Interpreter & Transliterators State Registration Act (Act), 63 P.S. § 1725.1, *et. seq.*, as amended by Act 124 of 2010, allows provisionally registered interpreters to renew their yearly registration twice **consecutively**.

To renew your provisional registration, please submit the following documentation to the Office for the Deaf & Hard of Hearing (ODHH):

- Completed attached application form to ensure contact information on file is current.
- A copy of your Associate Continuing Education Tracking (ACET) transcript, or certificates of completion, proving the completion of at least 20 hours or 2 Continuing Education Units (CEUs) of professional development in the area of professional studies during your registration timeframe.
- A copy of your RID verification letter or Credly Badge indicating your certification.
- The attached, completed invoice.
- \$50 registration fee. Please make checks payable to the **Commonwealth of Pennsylvania**.

**\*\*ODHH will not accept faxed and emailed renewal packets\*\***

**Mail your renewal packet to:**

Office for the Deaf & Hard of Hearing  
Attention: Interpreter Registration Program  
651 Boas Street, Room 700  
Harrisburg, PA 17121

**Please direct any questions to ODHH at:**

v/tty: 717.783.4912  
videophone: 717.831.1928  
email: [odhh@pa.gov](mailto:odhh@pa.gov)

**Confirmation:** After your application for renewal is processed and approved, you will receive a confirmation letter via email.

Department of Labor & Industry | Office for the Deaf & Hard of Hearing  
651 Boas Street, Room 700 | Harrisburg, PA 17121  
717.783.4912 (v/tty) | 717.831.1928 (videophone) | 800.233.3008 (v/tty in PA only) 717.705.9345 (fax)  
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## Sign Language Interpreter & Transliterator State Registration Act Application for Provisional Registration

Initial Application:

Renewal Application:

Application Date:

### CONTACT INFORMATION

Name:

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CDL-1

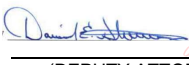


**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU  
(Pursuant to Commonwealth Documents Law)**

**RECEIVED**

Independent Regulatory  
Review Commission

September 18, 2024

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>BY:  Digitally signed by David E. Stover, Assistant Chief Deputy Attorney General Date: 2024.09.04 14:56:03 -04'00'</p> <p>(DEPUTY ATTORNEY GENERAL)</p> <p><u>09/04/2024</u> DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy below is here by certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p><u>Department of Labor &amp; Industry</u> (AGENCY)</p> <p>DOCUMENT/FISCAL NOTE NO. <u>12-119</u></p> <p>DATE OF ADOPTION: _____</p> <p></p> <p>BY: _____ Nancy A. Walker</p> <p>Title: <u>Secretary</u></p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p>BY: </p> <p><u>8/6/2024</u> DATE OF APPROVAL</p> <p>(Chief Counsel, Independent Agency) (Strike inapplicable title)</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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**Notice of Proposed Rulemaking**

**Title 34 Labor and Industry**

**Part XV. Office Of the Deaf and Hard of Hearing**

**Chapter 501. Registration of Sign Language Interpreters and Transliterators**

**Examinations, Fees, and Provisional Registration Process  
for Sign Language Interpreters and Transliterators**

## **PROPOSED RULEMAKING**

### Title 34 Labor and Industry

#### Part XV. Office of the Deaf and Hard of Hearing

#### Chapter 501. Registration of Sign Language Interpreters and Translitterators

Under Section 3(4) of the Sign Language Interpreters and Translitterators State Registration Act (Act), 63 P.S. § 1725.3(4), the Office for the Deaf & Hard of Hearing (Office) within the Department of Labor and Industry (Department) is submitting this proposed rulemaking for the registration of sign language interpreters and translitterators.

The Department proposes amendments to 34 Pa. Code Chapter 501 (relating to Registration of Sign Language Interpreters and Translitterators), as set forth in Annex A.

#### *Statutory Authority*

The Office is empowered to promulgate regulations that are necessary to carry out the Act's provisions. 63 P.S. § 1725.3(4). The Act also provides specific authority to approve a registration examination and to promulgate rulemaking addressing fees, disciplinary violations and registration reactivation. 63 P.S. §§ 1725.5(a)(1)(iii), (d), 1725.8(a)(6), 1725.9(c)(1).

#### *Background*

The Act requires the Office to register sign language interpreters and translitterators who meet the Act's testing requirements. Registration renewal is required every two years. The Act also allows the Office to charge fees, initiate discipline, impose administrative fines for violations, suspend, deny or revoke registrations, and hold hearings concerning alleged violations. The

Department may seek an injunction or pursue criminal action against unregistered persons engaged in sign language interpretation or transliterator services or representing themselves as being registered under the Act.

The regulations in 34 Pa. Code Chapter 501 currently provide specific names of examinations that test skill and proficiency. Through this rulemaking, the Department seeks to remove the specific names of these examinations because they are no longer being offered. This rulemaking will allow the Office to publish annually the names of the available examinations. In addition, Act 124 of 2010 (Act 124) amended the Act to allow for provisional registration, and accordingly, the Department seeks to amend 34 Pa. Code Chapter 501 to provide for provisional registration.

The Department engaged in a 30-day public and stakeholder outreach period during the drafting process. On August 9, 2022, the Department sought comment from small businesses, sign language interpreters, certifying organizations, private, public and non-profit organizations, citizens with disabilities and the general public by sending an email to a list of all known stakeholders and posting a notice of the proposed changes to the regulations and an accessible video online on the Department's web site. The Department requested feedback from stakeholders on desired changes to the regulations. The public comment period was open until September 9, 2022, and the Department received feedback from various stakeholders as a result of this request.

### *Purpose*

The rulemaking amends Chapter 501 to delete the identified examinations that test knowledge and proficiency, which are no longer offered. The amended language will expand the number of examinations available for Sign Language Interpreters and Transliterators by requiring the Office to

publish an annual list of approved examinations. Additionally, the proposed rulemaking adds section 501.4.1 (related to provisional registration) to provide for a provisional registration and amends section 501.2 (related to fees) to set initial and annual renewal fees for the provisional registration.

### *Summary of Proposed Rulemaking*

#### Part XV

The heading for Part XV of Title 34 is amended to correct a minor error. The heading currently states “Office of the Deaf and Hard of Hearing;” however, the proper name for the Office is the “Office for the Deaf and Hard of Hearing.”

#### 34 Pa. Code § 501.1

This section is amended to remove (1) the names of examinations previously offered by the Registry of Interpreters for the Deaf, Inc. (RID) and the National Association of the Deaf (NAD), because RID and NAD no longer offer examinations, and (2) the names of the certifications associated with those specific examinations. The Office will now publish an annual list of approved examinations. Because neither the Office nor the Department controls how long specific interpreting and transliterating examinations are provided, this change is necessary in order to keep the list of examinations current. This section is also amended to provide definitions for “interpreter education program,” “legal setting,” “medical setting,” and “mental health setting,” as those terms are used in Section 501.4.1 (provisional registration) and Section 501.5 (exemptions).

#### 34 Pa. Code § 501.2

This section is amended to add an annual provisional registration fee of \$50 that is renewable for the same amount. Section 5.1(d) of the Act establishes the provisional registration fee of \$50. 63 P.S. § 1725.5.1(d). The Office currently charges registration and renewal fees for interpreters and transliterators and has not observed that these fees are a barrier to individuals seeking to register.

#### 34 Pa. Code § 501.3

This section is amended to provide for an annual list of examinations that are approved by the Office to test knowledge and proficiency in interpreting and transliterating. This section also includes a requirement that the examinations approved by the Office shall include, but not be limited to, a test to determine ethical decision-making. This will provide the Office with greater flexibility in approving examinations so that there are approved examinations for individuals wishing to register as sign language interpreters and transliterators. It will also allow for an expanded number of examinations available for Sign Language Interpreters and Translitterators.

#### 34 Pa. Code § 501.4

Because the Office will publish an annual list of approved examinations, this section is amended to remove the requirement to receive proof of certification from only RID and NAD, though other registration and application criteria will remain the same, with future certifying organizations recognized by the Office. This section is also amended to remove the specific web address for the Office's web site, since the specific web address has changed and may change again in the future. This section also clarifies that, if the Office denies an application for registration, the applicant may file a request for reconsideration with the Office in accordance with



the procedures contained in § 501.9 (relating to request for reconsideration of registration denial). Finally, this section is amended to capitalize “Office” to be consistent with this defined term.

#### 34 Pa. Code § 501.4.1

Act 124 amended the Act to allow for provisional registration. In Pennsylvania, an interpreter must pass an examination, approved by the Office, that tests knowledge and interpreting or transliterating skills. The examinations are given in two parts. The first part of the examination tests the interpreter’s knowledge, which includes ethical decision making. The second part of the examination is the skills examination. A provisionally registered interpreter has passed only the knowledge portion of the examination, whereas a State-registered interpreter has passed both the knowledge examination and the skills examination. Due to Act 124’s amendment to the Act to allow for provisional registration, this section is added to provide the definition, procedure and requirements of an annual provisional registration and a required fee of \$50 that is renewable for the same amount. This amount was set by Act 124, and the Department is not using its authority to change this amount at this time. See, e.g., 63 P.S. § 1725.5.1(d). This section references that an application for a provisional registration may be obtained from the Office or the Department’s web site. Currently, a person seeking an application needs to contact the Office, but the Office is working on changes to its web site to (1) make this application available via the web site, and (2) allow an applicant to complete the application through the web site. This section also provides procedural steps if provisional registration is denied, including the applicant’s right to file a request for reconsideration with the Office, in accordance with the procedures contained in § 501.9 (relating to request for reconsideration of registration denial).

34 Pa. Code § 501.5

This section is amended to update the language of the exemption for “interpreting or transliterating as part of a supervised internship or practicum at an accredited college or university,” to be consistent with the language for the corresponding exemption found in Section 4(b)(3) of the Act, 63 P.S. § 1725.4(b)(3). This section is also amended to remove the specific web address for the Office’s web site and to correct a typographical error.

34 Pa. Code § 501.7

Due to Act 124’s amendment to the Act to allow for provisional registration, this section is amended to include a provisional registration as a circumstance where a violation can occur. This section is also amended to capitalize “Office” to be consistent with this defined term.

34 Pa. Code § 501.9

Due to Act 124’s amendment to the Act to allow for provisional registration, this section is amended to allow the Office to deny an application for provisional registration and to allow an applicant to seek reconsideration of a denial for a provisional registration.

34 Pa. Code § 501.12

Due to Act 124’s amendment to the Act to allow for provisional registration, this section is amended to require provisional registrants to notify the Office in writing within 10 days if the provisional registrant’s name or mailing address changes, or if disciplinary action has been taken against the provisional registrant’s “registration, certification or license to provide interpreting or transliterating services by another state or government agency.”

### *Affected Persons*

The types and numbers of persons, businesses, small businesses, and organizations affected include 1.5 million people who are deaf or hard of hearing, interpreters, and interpreter education programs.

### *Fiscal Impact*

There is no cost to people who are deaf or hard of hearing. The costs for registration and for approved examinations are to be paid by the candidates who apply and do not account for any candidate or interpreter travel and pre-test course fees but are associated with registration and testing. Currently, the cost for registration and testing ranges from \$140 to \$450, depending on the specific course and testing administrator.

There are no fiscal savings or costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

### *Reporting, Recordkeeping and Paperwork Requirements*

To implement this rulemaking, the Department has prepared four updated forms, including (1) the Interpreter Registration Application, (2) the Provisional Registration Application, (3) the Provisional Registration Renewal Application, and (4) the Provisional and State Registration Invoice. Updates to these forms were required to remove the names of specific examinations in accordance with the changes in the proposed rulemaking. These four updated forms are attached to this proposed rulemaking. The Department does not anticipate any other changes to the reporting, recordkeeping and paperwork requirements as a result of this proposed rulemaking.

### *Sunset Date*

A sunset date is not appropriate for this proposed rulemaking. The Office will periodically monitor this proposed rulemaking and submit amendments as needed.

### *Effective Date*

This proposed rulemaking will be effective 60 days after publication of a final-form rulemaking in the *Pennsylvania Bulletin*.

### *Contact Person*

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendments to Melissa A. Hawkins, Director, Office for the Deaf & Hard of Hearing, 7<sup>th</sup> Floor, 651 Boas Street, Harrisburg, Pennsylvania, 17121, or by E-mail: [ODHHpubliccomments@pa.gov](mailto:ODHHpubliccomments@pa.gov) within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. If you wish to provide a comment, suggestion, or objection in an alternative format, please contact the Office for the Deaf & Hard of Hearing for assistance.

### *Regulatory Review*

Under Section 5(a) of the Regulatory Review Act, 71 P.S. § 745.5(a), on September 18, 2024, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Labor and Industry Committees. A copy of this material is available to the public upon request.

Under Section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the proposed regulations, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Nancy A. Walker  
Secretary

*Fiscal Note*

**Annex A**

**Title 34 Labor and Industry**

**Part XV. Office [of] for the Deaf and Hard of Hearing**

**Chapter 501. Registration of Sign Language Interpreters and Transliterators**

**§ 501.1. Definitions.**

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Sign Language Interpreter and Transliterators State Registration Act (63 P. S.

§ § 1725.1—1725.12).

[*CDI*—*Certified Deaf Interpreter*—A certification issued by RID.

*CI*—Certificate of Interpretation issued by RID.

*CSC*—Comprehensive Skills Certificate issued by RID.

*CT*—Certificate of Transliteration issued by RID.]

*Department*—The Department of Labor and Industry of the Commonwealth.

***Interpreter Education Program*—A postsecondary program that leads to professional licensure or certification as a qualified sign language interpreter and meets statutory**

**requirements for state registration of individuals providing sign language interpreting and transliterating services to individuals who are deaf or hard of hearing.**

***Legal Setting*—Any court proceedings, including, but not limited to, any criminal prosecution, civil suit, attorney-client conferences, case settlement negotiations, investigations by law enforcement, depositions, witness interviews, real estate settlements, or related proceeding in any court; and any judicial or quasi-judicial proceeding before any administrative, legislative, or regulatory board, agency, or tribunal.**

***Medical Setting*—Anywhere healthcare occurs, including, but not limited to, acute care hospitals, urgent care centers, outpatient clinics, dental offices, birthing centers, emergency medical care facilities, short-term care facilities, long-term care facilities, home healthcare services, nursing homes, medical provider offices, and emergency medical situations that involve imminent danger to a person’s health, whether occurring within or outside of a healthcare facility.**

***Mental Health Setting*—Anywhere in which the diagnosis and treatment of mental and emotional disorders is the primary task of the mental health professional, including, but not limited to, a clinic, hospital, social service agency, private professional service provider, residential facility, mental health center, or other entity in which a mental health professional provides diagnosis and treatment of mental and emotional disorders.**

[MCSC—Master Comprehensive Skills Certificate issued by RID.]

NAD—National Association of the Deaf, an advocacy group for deaf and hard of hearing

individuals which previously offered certification in sign language interpreting and transliterating.

*[NAD National Interpreter Certification Test*—The former performance examinations conducted by the NAD for Level IV (Master) or V (Advanced) certification as a sign language interpreter or transliterator.

*NIC*—The National Interpreter Certification test which is the knowledge and proficiency examination conducted for RID’s National Interpreter Certification as a sign language interpreter or transliterator.]

*Office*—The Office for the Deaf and Hard of Hearing within the Department [, 1521 North 6th Street, Harrisburg, PA 17102].

*[OIC:C*—Oral Interpreting Certificate: Comprehensive issued by RID.

*OTC*—Oral Transliteration Certificate issued by RID.]

*RID*—Registry of Interpreters for the Deaf, Inc. A National membership organization of professionals and its state [affiliates] **affiliates** that provides certification for sign language interpreters and transliterators.

*[RID Generalist examinations*—The knowledge and proficiency examinations which are conducted by RID for CI/CT, CDI and OTC certifications in sign language interpreting or



transliterating and which were formerly conducted by RID for CSC, MCSC and OIC:C certifications in sign language interpreting and transliterating.]

*Secretary*—The Secretary of the Department or the Secretary’s designee.

*Year*—A calendar year.

**§ 501.2. Fees.**

The Office will charge the following nonrefundable fees:

(1) Registration	\$100.
(2) Biennial renewal of existing registration	\$100.
(3) Surcharge for late renewal of biennial registration.	\$50.
(4) Reactivation following suspension.	\$100.
(5) Registration identification card replacement.	\$10.
<b><u>(6) Provisional Registration</u></b>	<b><u>\$50.</u></b>
<b><u>(7) Annual renewal of provisional registration</u></b>	<b><u>\$50.</u></b>

**§ 501.3. Examination.**

(a) [The following examinations are approved as the examination which tests knowledge and proficiency under section 5(a)(1)(iii) of the act (63 P. S. § 1725.5(a)(1)(iii)):] **The Office will annually publish a list of examinations that are approved by the Office to test knowledge and proficiency in interpreting and transliterating.**

[(1) NAD National Interpreter Certification.

(2) RID Generalist Examinations.

(3) NIC.]

(1) **The Department will publish the list on its web site and in the *Pennsylvania Bulletin*.**

(2) **The examinations approved by the Office shall include, but not be limited to, a test to determine ethical decision-making.**

(b) An applicant for any of the approved examinations shall obtain applications directly from and pay the required examination fee directly to the examination provider.

#### **§ 501.4. Registration.**

(a) An applicant for registration shall submit the following to the Office:

(1) Proof of receiving a passing score on any of the approved examinations. [This may include proof of current certification by NAD or RID.]

(2) A completed registration application. Applications may be obtained from the [office] **Office** or the Department's web site [[www.dli.state.pa.us/odhh](http://www.dli.state.pa.us/odhh)].

(3) The required registration fee under § 501.2 (relating to fees). Checks shall be made payable to the Commonwealth of Pennsylvania.

(b) The Office will issue a paper or electronic registration to an applicant within 60 days of the date of receipt of the application if the applicant complies with subsection (a) and meets the following criteria:

(1) Is 18 years of age or older.

(2) Has passed the examination required by subsection (a).

(3) Has paid applicable fees.

(4) Possesses the general fitness, competence and reliability sufficient to satisfy the [office] **Office** that the applicant is worthy of State registration.

(c) The Office may deny an application for registration if the applicant:

(1) Does not comply with this section.

(2) Fails to meet the requirements of section 5(a) of the act (63 P. S. § 1725.5(a)).

(3) Committed a violation enumerated in section 8(a) of the act (63 P. S. § 1725.8(a)) and § 501.7 (relating to violations).

(d) [The Office will comply with the procedures contained in § 501.9 (relating to request for reconsideration of registration denial) if an application for registration is denied.] **If the Office denies an application for registration, the applicant may file a request for reconsideration with the Office in accordance with the procedures contained in § 501.9 (relating to request for reconsideration of registration denial).**

#### **§ 501.4.1. Provisional Registration**

**(a) An applicant for provisional registration shall submit the following to the Office:**

**(1) A completed provisional registration application. Applications may be obtained from the Office or the Department's web site.**

**(2) The required provisional registration fee under § 501.2 (relating to fees). Checks shall be made payable to the Commonwealth of Pennsylvania.**

**(3) Proof of graduation from an interpreter education program with an associate degree or higher from an accredited institution of higher education within five years prior to the date of application for provisional registration.**

**(4) Proof that the applicant has passed a written examination approved by the Office.**

**(b) The Office will issue a paper or electronic provisional registration valid for one year to an applicant within 60 days of the date of receipt of the application if the applicant complies with subsection (a) and meets the following criteria:**

**(1) Is 18 years of age or older.**

**(2) Has graduated from an interpreter education program with an associate degree or higher.**

**(3) Has paid applicable fees.**

**(4) Possesses the general fitness, competence and reliability sufficient to satisfy the Office that the applicant is worthy of State provisional registration.**

**(c) An individual who holds provisional registration may not provide interpreter or transliterator services in the following settings:**

**(1) a legal setting.**

**(2) a mental health setting unless accompanied by a qualified sign language interpreter or qualified transliterator.**

**(3) a physician's office, unless the patient is informed that:**

**(i) The individual engaged in interpreting or transliterating has obtained a provisional registration and is not State registered under the act.**

**(ii) The patient has the right to be provided upon request a qualified sign language interpreter or qualified transliterator.**

**(4) a critical care or emergency setting.**

**(d) The Office may deny an application for provisional registration if the applicant:**

**(1) Does not comply with this section.**

**(2) Fails to meet the requirements of section 5.1(a) of the act (63 P. S. § 1725.5.1(a)).**

**(3) Committed a violation enumerated in section 8(a) of the act (63 P. S. § 1725.8(a)) and § 501.7 (relating to violations).**

**(e) If the Office denies an application for provisional registration, the applicant may file a request for reconsideration with the Office in accordance with the procedures contained in § 501.9 (relating to request for reconsideration of registration denial).**

**(f) Renewal – An individual may annually renew a provisional registration by submitting the following to the Office:**

**(1) The information required by subsection (a).**

**(2) Proof of completion of at least 20 hours of professional development approved by the Office.**

**(3) The applicable fee.**

**(g) The Office may approve only two consecutive renewals under subsection (f).**

**§ 501.5. Exemptions.**

\* \* \* \* \*

(b) An individual engaged in sign language interpreting or transliterating during an emergency when a delay in obtaining a State-registered interpreter or transliterator might lead to injury or loss to the individual requiring the services is exempt.

(c) An individual engaged in interpreting or transliterating as part of a supervised internship or practicum at an accredited college or university[, RID or NAD if it is not in a legal, medical or mental health setting is exempt.] **is exempt if the engagement is not in any of the following:**

**(1) A legal setting.**

**(2) A medical or mental health setting, unless accompanied by a qualified sign language interpreter or qualified transliterator.**

(d) An individual who does not reside in this Commonwealth is exempt from registration under section 4(b)(4) of the act in accordance with the following:

(1) The individual possesses current certification from NAD or RID.

(2) The individual provides interpreting or transliterating services in this Commonwealth for no longer than 14 days each year.

(3) The individual provides the following to the Office within 5 business days of providing the interpreting or transliterating service:

(i) Written notice of the date and duration of each sign language or transliterating service that the individual provides or intends to provide within this Commonwealth. Forms may be obtained from the Office or the Department's web site [[www.dli.state.pa.us/odhh](http://www.dli.state.pa.us/odhh)].

(ii) Proof of current certification.

(4) The Office will provide notice to a sign language interpreter or transliterator that he has provided 14 days of services during the year and that the individual is prohibited from providing any further interpreting or transliterating services within this Commonwealth during the year unless the individual registers with the Office in accordance with section 5 of the act (63 P. S. § 1725.5).

(e) An individual engaged in interpreting or transliterating at the request of a client who is deaf or hard of hearing is exempt from registration under section 4(b)(5) of the act in accordance with the following:

(1) The interpreter or transliterator notifies the client that the individual is not registered with the Office.

(2) The client signs a written confirmation acknowledging that the individual is not registered and acknowledging that the client desires the individual's services. Forms may be obtained from the Office or the Department's web site [at [www.dli.state.pa.us/odhh](http://www.dli.state.pa.us/odhh)].

(3) The individual providing services shall provide a copy of the confirmation to the client and maintain a copy of the client's signed statement for 2 years.

(f) An individual who engages in interpreting or transliterating strictly as a volunteer is exempt.

(g) An individual is exempt from registration under section 4(b)(7) of the act for a school-related activity if the individual complies with the State Board of Education regulations establishing criteria for persons providing sign language and interpreting services for a school-related activity. See 22 Pa. Code §§ 14.105 and 711.5 (relating to personnel).

(h) If a sign language interpreter or transliterator is required for effective communication at a physician's office, an individual is exempt from registration under section 4(b)(8) of the act if the individual provides sign language interpreting or transliterating services to a patient who is deaf or hard of hearing in accordance with the following:

(1) The patient signs a written confirmation acknowledging that the individual providing the interpreting or transliterating services is not registered, that the patient has the right to request or provide an interpreter or transliterator who is registered with the Office and the patient desires the services of the unregistered individual. This confirmation must be completed during every office visit. Forms may be obtained from the Office or the Department's web site [at [www.dli.state.pa.us/odhh](http://www.dli.state.pa.us/odhh)].

(2) The individual providing sign language interpreting or transliterating services informs the patient in writing that a request for a registered interpreter or transliterator made after the commencement of the office visit may result in a delay of physician services.

\* \* \* \* \*

(4) The interpreter or transliterator shall maintain a copy of the signed statement for 2 years from the date of service.

(5) A copy of the signed statement shall be provided to the patient.

(i) An individual engaged in interpreting or transliterating in a judicial or in an administrative proceeding is exempt from [registration] **registration** if the individual is providing services under 42 Pa.C.S. Subchapter C (relating to court interpreters for the deaf) or 2 Pa.C.S. Subchapter D (relating to administrative proceeding interpreters for persons who are deaf).



**§ 501.7. Violations.**

The Department may impose disciplinary or corrective measures under section 9(a) of the act (63 P. S. § 1725.9(a)) or levy administrative fines of up to \$500 under section 8(b) of the act (63 P. S. § 1725.8(b)) on a registrant **or provisional registrant** for doing one or more of the following:

- (1) Obtaining a State registration, **provisional registration**, or renewal of a registration through fraud, deceit or misrepresentation.
- (2) Being convicted of a felony or a crime in this Commonwealth or other jurisdiction relating to the provision of interpreter or transliterator services.
- (3) Being the subject of a disciplinary or other administrative action taken against this registration, **provisional registration**, certificate or license to provide interpreting or transliterating services in another state by a government agency.
- (4) Committing fraud, gross negligence or misconduct relating to the provision of interpreting or transliterating services as determined by the [office] **Office**.

\* \* \* \* \*

**§ 501.9. Request for reconsideration of registration denial.**

(a) The Office may deny an application for registration **or provisional registration** if an applicant does not meet the registration requirements of [section] **sections** 5(a) **or 5.1(a)** of the act (63 P. S. § 1725.5(a) **and § 1725.5.1(a)**) or for the grounds contained in section 8(a) of the act (63 P. S. § 1725.8(a)). The Office will provide the applicant with written notification of the denial which states the statutory and regulatory reasons for the denial and sets forth the procedure for requesting reconsideration.

(b) An applicant for registration **or provisional registration** whose application was denied by the Office may file a request for reconsideration with the Office within 30 days of the date of the notice of denial.

(c) The request for reconsideration must be in writing and include the following:

(1) The applicant's name and address.

(2) The facts supporting the applicant's request for reconsideration.

(3) Supporting documentation demonstrating that the applicant meets the requirements for registration **or provisional registration** under section 5(a)(2) **or 5.1(a)** of the act.

(d) The Office will review the request for reconsideration and issue a written determination containing its decision. If reconsideration is denied, the Office will provide a summary of the reasons in the determination.

(e) If the request is granted, the Office will issue a registration **or provisional registration** to the applicant if the applicant pays the renewal fee and completes the application under section 5(a)(1) **or 5.1(a)** of the act.

(f) An applicant may seek a hearing and appeal the denial of registration **or provisional registration** under sections 10 and 11 of the act (63 P. S. § § 1725.10 and 1725.11). The Office and Department will conduct hearings and resolve appeals under § 501.8 (relating to hearings/appeals).

#### **§ 501.12. Change of address/name/information.**

A registrant **or provisional registrant** shall notify the Office in writing of the following within 10 days:

(1) Any change of name or mailing address

(2) Disciplinary action taken against the registrant's **or provisional registrant's** registration, certification or license to provide interpreting or transliterating services by another state or government agency.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF LABOR AND INDUSTRY

September 18, 2024

George D. Bedwick, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

**Re: Notice of Proposed Rulemaking**  
Department of Labor and Industry  
34 Pa. Code, Part XV, Ch. 501; No. 12-119

Dear Chairman Bedwick:

Enclosed is a proposed rulemaking package consisting of a Face Sheet, Preamble, Annex A and Regulatory Analysis Form.

The Department of Labor and Industry is submitting this rulemaking to amend Part XV, Chapter 501 of 34 Pa. Code to update regulations regarding Registration of Sign Language Interpreters and Translitterators.

Written comments, recommendations or objections should be directed to Melissa A. Hawkins, Director, Office for the Deaf & Hard of Hearing, 651 Boas Street, 7<sup>th</sup> Floor, Harrisburg, PA 17121, email address [ODHHpubliccomments@pa.gov](mailto:ODHHpubliccomments@pa.gov).

The Department's staff will provide your staff with any assistance required to facilitate your review of this proposal.

Sincerely,

A handwritten signature in black ink that reads "Nancy A. Walker". The signature is written in a cursive style with a large, sweeping flourish at the end.

Nancy A. Walker  
Secretary

cc w/encl: The Honorable Akbar Hossain, Secretary of Planning and Policy  
William L. Trusky, Executive Deputy Secretary  
Ryan E. Hyde, Executive Director, Office of Vocational Rehabilitation  
Joshua Towzey, Director of Legislative Affairs  
Haley M. Salera, Policy Director  
Benjamin C. Holt, Chief Counsel  
Emily J. Rodriguez, Executive Deputy Chief Counsel  
Robert C. Schramm, Deputy Chief Counsel  
Melissa A. Hawkins, Director, Office for the Deaf & Hard of Hearing

RECEIVED

**From:** [Detrick, Johnathan](#)  
**To:** [Mueller, Janet \(LI-OCC\)](#)  
**Cc:** [Giovanis, Christopher \(LI-OCC\)](#)  
**Subject:** Re: L&I Proposed Rulemaking #12-119  
**Date:** Wednesday, September 18, 2024 9:25:33 AM  
**Attachments:** [image001.png](#)

Independent Regulatory  
Review Commission  
September 18, 2024

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Thank you! I have received the draft!

Johnathan Detrick  
he/him/his  
Senior Legislative Assistant  
State Representative Jason Dawkins, 179<sup>th</sup> District  
Majority Chairman, Labor & Industry Committee  
150 Main Capitol  
717.787.1354 (x6018)  
[jdetrick@pahouse.net](mailto:jdetrick@pahouse.net)  
**Better Jobs, Better Schools, Better Communities**

---

**From:** Mueller, Janet (LI-OCC) <jamueller@pa.gov>  
**Sent:** Wednesday, September 18, 2024 9:22 AM  
**To:** Detrick, Johnathan <JDetrick@pahouse.net>  
**Cc:** Giovanis, Christopher (LI-OCC) <cgiovanis@pa.gov>  
**Subject:** L&I Proposed Rulemaking #12-119

Good morning,

Attached is the Proposed Rulemaking #12-119. Please respond to this email that you have received delivery.

Thank you!

Jan Mueller | Legal Office Administrator 1  
PA Department of Labor & Industry | Office of Chief Counsel  
651 Boas Street, 10<sup>th</sup> Floor  
Harrisburg, PA 17121  
Phone: 717.772.8291 | Fax: 717.787.1303  
[www.dli.pa.gov](http://www.dli.pa.gov)



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**From:** [John Scarpato](#)  
**To:** [Mueller, Janet \(LI-OCC\)](#)  
**Subject:** RE: [EXTERNAL]: L&I Proposed Rulemaking #12-119  
**Date:** Wednesday, September 18, 2024 9:46:01 AM  
**Attachments:** [image001.png](#)

Independent Regulatory  
Review Commission  
September 18, 2024

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Received. Thank you.

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**From:** Mueller, Janet (LI-OCC) <jamueller@pa.gov>  
**Sent:** Wednesday, September 18, 2024 9:27 AM  
**To:** Kendra Wiederhold <Kwiederh@pahousegop.com>; Ryan Mackenzie <Rmackenzie@pahousegop.com>; John Scarpato <Jscarpato@pahousegop.com>  
**Cc:** Giovanis, Christopher (LI-OCC) <cgiovanis@pa.gov>  
**Subject:** [EXTERNAL]: L&I Proposed Rulemaking #12-119

Good morning,

Attached is the Proposed Rulemaking #12-119. Please respond to this email that you have received delivery.

Thank you!

Jan Mueller | Legal Office Administrator 1  
PA Department of Labor & Industry | Office of Chief Counsel  
651 Boas Street, 10<sup>th</sup> Floor  
Harrisburg, PA 17121  
Phone: 717.772.8291 | Fax: 717.787.1303  
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**From:** [Bulletin](#)  
**To:** [Mueller, Janet \(LI-OCC\)](#)  
**Cc:** [Giovanis, Christopher \(LI-OCC\)](#); [Adeline E. Gaydosh](#); [Alyssa M. Burns](#)  
**Subject:** [External] Re: L&I Proposed Rulemaking  
**Date:** Wednesday, September 18, 2024 9:45:09 AM  
**Attachments:** [image001.png](#)

Independent Regulatory  
Review Commission

September 18, 2024

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Good morning, Jan,

Thank you for sending us this proposed rulemaking. It is scheduled for publication in the 10/5 issue of the *Pennsylvania Bulletin*.

Have a terrific day!

Adeline

**Adeline Gaydosh | Legal Assistant**

[agaydosh@palrb.us](mailto:agaydosh@palrb.us) | 717.783.3984

Legislative Reference Bureau

*Pennsylvania Code & Bulletin Office*

647 Main Capitol Building

Harrisburg, PA 17120

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**From:** Mueller, Janet (LI-OCC) <jamueller@pa.gov>  
**Sent:** Wednesday, September 18, 2024 9:30 AM  
**To:** Bulletin <bulletin@palrb.us>  
**Cc:** Giovanis, Christopher (LI-OCC) <cgiovanis@pa.gov>  
**Subject:** L&I Proposed Rulemaking

Good morning,

Attached is the Proposed Rulemaking #12-119. Please confirm publication on October 5, 2024.

Thank you!

Jan Mueller | Legal Office Administrator 1  
PA Department of Labor & Industry | Office of Chief Counsel  
651 Boas Street, 10<sup>th</sup> Floor  
Harrisburg, PA 17121  
Phone: 717.772.8291 | Fax: 717.787.1303  
[www.dli.pa.gov](http://www.dli.pa.gov)



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**From:** [Franchak, Matthew](#)  
**To:** [Mueller, Janet \(LI-OCC\)](#); [Updegraff, Cathy](#)  
**Cc:** [Giovanis, Christopher \(LI-OCC\)](#)  
**Subject:** RE: L&I Proposed Rulemaking # 12-119  
**Date:** Wednesday, September 18, 2024 10:18:34 AM  
**Attachments:** [image002.png](#)  
[image005.png](#)

Independent Regulatory  
Review Commission

September 18, 2024

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Thank you. Received.

Matt Franchak  
Policy Director  
Democratic Executive Director – Senate Labor and Industry Committee  
Office of Senator John Kane  
458 Main Capitol Building  
Harrisburg, PA 17120  
Harrisburg Office- 717-787-4712  
District Office- 610-510-8252  
Email – [matthew.franchak@pasenate.com](mailto:matthew.franchak@pasenate.com)  
[Senator John Kane \(pasenatorkane.com\)](http://SenatorJohnKane.com)



---

**From:** Mueller, Janet (LI-OCC) <jamueller@pa.gov>  
**Sent:** Wednesday, September 18, 2024 9:25 AM  
**To:** Updegraff, Cathy <Cathy.Updegraff@pasenate.com>; Franchak, Matthew <matthew.franchak@pasenate.com>  
**Cc:** Giovanis, Christopher (LI-OCC) <cgiovanis@pa.gov>  
**Subject:** L&I Proposed Rulemaking # 12-119

**EXTERNAL EMAIL**

---

Good morning,

Attached is the Proposed Rulemaking #12-119. Please respond to this email that you have received delivery.

Thank you!

Jan Mueller | Legal Office Administrator 1  
PA Department of Labor & Industry | Office of Chief Counsel  
651 Boas Street, 10<sup>th</sup> Floor  
Harrisburg, PA 17121  
Phone: 717.772.8291 | Fax: 717.787.1303  
[www.dli.pa.gov](http://www.dli.pa.gov)

**From:** [Kratz, Eric](#)  
**To:** [Mueller, Janet \(LI-OCC\)](#)  
**Subject:** RE: L&I Proposed Rulemaking #12-119  
**Date:** Wednesday, September 18, 2024 10:00:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

RECEIVED

Independent Regulatory  
Review Commission

September 18, 2024

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Jan,

Confirming that I received the proposed rulemaking.

Best,  
Eric

**Eric Kratz**

Executive Director | Senate Labor and Industry Committee  
Senator Devlin Robinson  
172 Main Capitol | Harrisburg, PA 17120  
Phone: 717.783.6832 | Cell: 717.215.1259  
[ekratz@pasen.gov](mailto:ekratz@pasen.gov)  
[www.senatorrobinson.com](http://www.senatorrobinson.com)



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**From:** Mueller, Janet (LI-OCC) <jamueller@pa.gov>  
**Sent:** Wednesday, September 18, 2024 9:27 AM  
**To:** Kratz, Eric <ekratz@pasen.gov>  
**Subject:** L&I Proposed Rulemaking #12-119

ⓘ CAUTION : External Email ⓘ

Good morning,

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Thank you!

Jan Mueller | Legal Office Administrator 1  
PA Department of Labor & Industry | Office of Chief Counsel  
651 Boas Street, 10<sup>th</sup> Floor  
Harrisburg, PA 17121  
Phone: 717.772.8291 | Fax: 717.787.1303  
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