

Nebraska Sign Language Interpreter Review Board Meeting

May 1, 2015, 1-3 p.m.

Conference Room 227

1313 Farnam On The Mall, Omaha NE

I. **Call to Order**

The meeting of the Nebraska Interpreter Review Board was called to order at 1:03pm by Chairperson Mr. Jerry Siders in Conference Room 227, Omaha NE.

Board Members Present: Mr. Pat Bracken (joined the meeting at 1:07 pm)
Ms. Pamela Duncan, Ms. Bethany Koubsky, Ms. Cheryl Poff, Mr. Jerry Siders, Mr. John Wyvill,

Interpreters: Ms. Kelly Brakenhoff, Ms. Katrina Watton

CART: Margaret "Mydge" Heaney

Staff: Ms. Crystal Pierce, Ms. Cindy Woldt

Members Absent: Ms. Vonda Apking

II. **Approval of Agenda**

Approval of the agenda was approved by Ms. Poff and seconded by Ms. Duncan

III. **Approval of Minutes from February 6, 2015**

Mr. Siders requested that we add an "s" to his name. This this noted change, Ms. Koubsky approved the minutes and Ms. Poff seconded.

IV. **Public Comments**

No Public Comments

V. **Old Business**

A. **Title 96, Rules and Regulations – Update**

Ms. Pierce commented that the public hearing is next week, and that the paperwork has been provided to the Secretary of State's office. After the public hearing (May 11, 2015 from 2pm – 4pm) is held, if there are any comments that need to be addressed; the comments will need to go to the full board in June. If that is the case, this board will have to hold an emergency meeting to review the comments that were made at the public hearing. Ms. Pierce noted that she would notify the group if there are any public comments presented to us at the public hearing. If there are no public comments, Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) will process, it then goes to the Governor, Secretary of State, and the Attorney General. Once that is done we can move forward with the changes.

Mr. Siders commented that this board could get together for an emergency meeting if that is needed.

B. Proof of education requirements letters update

Ms. Pierce shared with the group that these letters have gone out to each licensed interpreter currently. NCDHH had one concern of official documentation with the mailing of the education letters, after NCDHH contacted the Attorney General's office. Per the Attorney General, "official documentation" had to be directly from the college / high school with a raised seal. This increased the amount of interpreters that we had to reach out to so that we would be able to have the needed documentation in their files. Ms. Pierce noted that we have probably received back a little over half of the requests for documentation. Another issue is that a third of the interpreters mailed to are no longer licensed. Needless to say that these interpreters do not have an incentive to turn in the needed documentation. If the non-licensed interpreters choose to get re-licensed in the future NCDHH will have to request the needed documentation at that time. The next step is for this board to decide how we are going to address the interpreters who have not responded to the request for a certified copy of their transcript. Ms. Duncan clarified that the proof of education is only for licensed interpreters that are listed on the Commission's directory. Ms. Pierce responded that this came up because of the license rules and regulations that the interpreter is required to show that they have at least a high school diploma, or equivalent. Ms. Duncan clarified that we are talking about a license regulation and that we don't need to be concerned about interpreters who is no longer licensed. Ms. Duncan noted from experience that this can request can be fulfilled, however it may take few phone calls. Ms. Pierce pointed out that if NCDHH is audited and we do not have the necessary transcripts in the interpreter's files, this will come back on NCDHH. Ms. Duncan added that we should focus on the interpreters who are licensed with the State of Nebraska. Then we can continue to address the issue with the non-licensed interpreters. Can the Interpreter Review Board force compliance? Ms. Pierce noted in the certified letter that the interpreters received, it was noted that if they reapply for another license starting on June 1st, NCDHH can deny the license until the transcript is turned in. Mr. Siders asked for suggestions from the Board on how to proceed with this. Ms. Koubsky commented that she agreed with Ms. Duncan that we need to focus on the list of current licensed interpreters. From there we can attempt to work with the list of non-licensed interpreters. Ms. Koubsky gave reference to how we have to get our driver's license renewed, noting that we have to adhere to the requests that are made to fulfill our need to get a license. Ms. Koubsky added that there needs to be stricter level of accountability, we are referring to a state license. Mr. Siders asked on the number of transcripts that have been returned to the Commission. Ms. Pierce commented that she did not have an accurate count. Ms. Pierce shared with the group about her tracking method for this need. Mr. Siders added that we need to mail a formal letter warning that NCDHH needs to receive a copy of their transcript. If we do not hear from the

interpreter we will consider their license suspended. Ms. Pierce added that the board would have to approve if we could suspend an interpreters license until they turn in the needed transcript. Mr. Bracken added for those that are currently licensed, maybe we should send a notice that we are initiating the process to remove their license, which will go to the board in June. If the transcript is not received prior to then we will suspend the interpreters license. This may spur a few of the interpreters to get the paperwork turned in. Mr. Wyvill noted that the Commission would have to meet with legal counsel to see if we can deny a license renewal without have a copy of their transcript. Ms. Duncan made a motion that the Interpreter Review Board does not take need to take to the Full Commission Board to consider suspending an interpreter's license for not submitting their transcript. Ms. Poff seconded the motion. Ms. Koubsky asked for clarification on the suspension will only take place until they turn in the needed transcript so that they are compliant. Mr. Bracken asked for clarification on if an interpreter turns in an incomplete application, the application is returned to them it is not processed. Mr. Siders asked that we vote on Ms. Duncan's motion that the Interpreter Review Board does not take need to take to the Full Commission Board to consider suspending an interpreter's license for not submitting their transcript. Ms. Poff seconded the motion. Mr. Bracken, yes; Ms. Koubsky, yes; Ms. Duncan, yes; Ms. Poff, no; Mr. Siders, yes; Mr. Wyvill, yes.

C. Interpreter Complaint – Board Update

Case # 1408 – Ms. Pierce presented the update to the board members. This case was suggested for the full commission board to address with the Attorney General. The Attorney General reviewed the case, he then asked NCDHH to contact the person who initially filed the complaint to see if they would be willing to file a written statement. The person who filed the complaint decided to withdraw her complaint due to the amount of time that has lapsed. The Attorney General did not feel that NCDHH had a case to proceed. The interpreter had been moved to a lower call group for 30 days. This closes the case.

Case #1409 – Ms. Pierce commented that this was reviewed by the Interpreter Review Board at the previous board meeting. The Full Commission board did not feel that we could take this to the Attorney General's office. The Full Commission Board decided to do it administratively through the referral service, with the first penalty being a written letter. Ms. Duncan asked for clarification on who is supervising this. Ms. Pierce explained that she received the notification from Traci Cooney and Cindy Woldt who assist with doing referrals in the office. Ms. Pierce then is the one who decides what issues to address with the board. Ms. Duncan asked for clarification giving various examples. Ms. Pierce gave a synopsis of this case. The interpreter was arranged by another Dr's office that was referring the patient, the Dr's office did not have a way to contact the interpreter to notify of cancellation. The second time that the deaf person called dr office through the interpreter to arrange an appointment and the same interpreter to interpret for the

appointment, the appointment was cancelled the day before. The interpreter charged the Dr's office anyway. Another deaf person called the Dr's office through the interpreter to set an appointment. Dr.'s office set appointment, but did not hire that interpreter for appointment. Dr's office unable to confirm appointment contacted hired interpreter. Hired interpreter contacted deaf person, but the deaf person said they already completed appointment at another office with first interpreter. On another occasion another deaf person contacted Dr.'s office to set appointment through interpreter. Dr's office stated they would not hire interpreter, conversation became heated. Board did not feel we had enough evidence – not a lot of control on NCDHH end unless we have documented evidence.

Mr. Wyvill gave Ms. Pierce credit for handling the complaints.

Mr. Bracken asked if NCDHH has a survey to mail to participating businesses to gauge customer satisfaction. Ms. Piece explained that NCDHH mails a survey to businesses / people who have requested a sign language interpreter utilizing the referral service.

D. Interpreter Review Board Deaf Position – vacant

Discussion on names of possible people who would be interested.

VI. Executive Director Report – Legislative Update

Mr. Wyvill commented that the legislative session is currently in session, with changes happening daily.

- A. The initial budget recommendations for the legislature to give NCDHH funding for a Scottsbluff position and office. They have also allowed for us to keep \$100,000 in carryover funding for one time expenditures.
- B. LB 287 is the community licensure bill
- C. Interpreter Licensing update – discussion on the responses received

VII. Public Comments

VIII. Announcements

Comment was made about the NeAD (Nebraska Association of the Deaf) Conference that will be held June 4 – 7, 2015.

IX. 2015 Meeting Reminders

- The decision was made to change the next meeting date to July 31, 2015 in Lincoln due to a conflict with the RID (Registry of Interpreters for the Deaf) Conference.
- November 6, 2015 – Omaha

Motion to adjourn meeting at 2:05pm