

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE  
SECRETARY OF STATE

CHERYL MYERS  
DEPUTY SECRETARY OF STATE  
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK  
DIRECTOR

800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 816  
OREGON HEALTH AUTHORITY  
HEALTH LICENSING OFFICE, STATE BOARD OF SIGN LANGUAGE INTERPRETERS

**FILED**

03/29/2024 9:40 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Sign language interpreters licensing requirements and board governance.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/28/2024 12:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

CONTACT: Samie Patnode  
503-373-1917  
samie.patnode@oha.oregon.gov

1430 Tandem Ave NE  
Suite 180  
Salem, OR 97301

Filed By:  
Samantha Patnode  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 04/16/2024

TIME: 10:00 AM - 1:30 PM

OFFICER: Samie Patnode

IN-PERSON HEARING DETAILS

ADDRESS: Health Licensing Office , 1430 Tandem Ave NE, Suite 180, Salem, OR 97301

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 669-254-5252

CONFERENCE ID: 1611863994

SPECIAL INSTRUCTIONS:

Passcode: 157164

NEED FOR THE RULE(S)

Rules are needed to continue to license sign language interpreters under the regulation of the State Board of Sign Language Interpreters (Board). The Board was established within the Health Licensing Office during the 2023 Legislative Session by passage of HB 2696. These rules make the Board operational by proposing Board approved minimum qualifications and licensing requirements for sign language interpreters in Oregon.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

HB 2696 (2023), HLO Oregon Revised Statutes (ORS), Oregon Department of Education (ODE) and Oregon Health Authority (OHA) Health Care Interpreter Program administrative rules, 2023 legislative documents, information from

professional organizations, Rules Advisory Committee information and financial and licensing documentation.

All documents are available at the HLO, 1430 Tandem Ave Suite 180, Salem, OR 97301-1287. To obtain information or copies of information please contact Samie Patnode, Policy Analyst, at 503-373-1917 or by email at samie.patnode@oha.oregon.com, during normal business hours Monday through Friday between 7 am to 2:30 pm.

---

#### STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The statutes require that all applicants meet minimum qualifications for licensing as determined by the Board. This law is carried out equally, fairly, and justly for anyone who applies for a sign language interpreter license in Oregon without bias treatment of people of different races.

---

#### FISCAL AND ECONOMIC IMPACT:

There will likely be a fiscal impact on the public, sign language interpreters in Oregon and outside of Oregon, businesses in Oregon including small businesses, several state agencies including Oregon Health Authority and Department of Education, and healthcare providers.

---

#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

There will be an impact on state agencies, units of local government and the public.

If sign language interpreters are considered the public as of June 8, 2024, they will be required to pay license and application fees to continue to provide interpretation services to Deaf, Hard of Hearing and DeafBlind people in Oregon.

Application and license fees are as follows:

Supervisory license fees: application - \$150, initial and renewal license - \$200

Generalist license fees: application - \$100, initial and renewal license – \$150 (2 renewals)

Provisional license fees: application - \$75, initial and renewal license - \$100 (up to 5 renewals)

Educational license fees: application - \$75, initial and renewal license - \$100 (up to 5 renewals)

Medical license fees: application - \$50, initial and renewal license - \$50

Legal license fees: application - \$50, initial and renewal license - \$50

Specialty training license fees: application - \$50, initial and renewal license - \$50 (up to 5 renewals)

The license fees are larger than the hourly rate of many sign language interpreters and may negatively impact available funds of sign language interpreters. According to a recent survey of sign language interpreters the following estimates exist in Oregon:

K-12 Educational sign language interpreters earn \$25 to \$40 per hour depending on where the Interpreter is located in Oregon.

Post secondary educational sign language interpreters earn \$25 to \$60 per hour depending on if the educational institution is private or public.

Freelance or community sign language interpreters earn \$35 to \$70 per hour.

From the same survey results, the average sign language interpreter currently pays approximately \$1000 annually for

certification and membership fees, continuing education, liability insurance, and testing for additional credentials annually.

Specialty training license will allow students and individuals in rural communities to continue training while they work towards fulfilling licensing requirements. There will be a cost to the specialty license of \$100 initially and \$50 annually for up to 5 years. Without the license these individuals may not be able to complete their education or fulfill training requirements for other sign language interpreter licenses, which could negatively impact those individuals.

Deaf, Hard of Hearing and DeafBlind individuals in Oregon may see cost of translation services increased due to mandatory licensing and due to the shortage of sign language interpreters in Oregon (supply and demand).

The HLO will be economically affected as the state agency licensing sign language interpreters in Oregon. HLO is an Other Funds agency which operates on the fees paid by applicants and licensees. HLO issues 6 sign language interpreter licenses and is proposing to add a 7th specialty license for individuals in "training" who do not qualify for a provisional license. The costs of the program are not equivalent to the current expenditures for operating the licensing program.

Many state agencies such as Oregon Health Authority (OHA), Oregon Health Plan, Coordinated Care Organizations, Department of Human Services Child Welfare and Aging and People with Disabilities may see a negative economic impact if the sign language interpreter raises their fees or wages due to cost of mandatory licensing. The cost to these agencies is unknown but could be considerable depending on the frequency of hiring interpreters for interpretation services such as court appearances, medical and dental insurance benefits, long term and residential care benefits and disability benefits.

Oregon Department of Education and OHA Equity and Inclusion Division Healthcare Interpreter Program may be required to write rules to align with mandatory licensing.

---

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

According to HLO records there are approximately 30 interpreter agencies that employ and schedule sign language interpreters that may be affected. Many sign language interpreters are freelance and work on a contract basis and consider themselves small business owners. Freelance interpreters generally set their own schedules and are paid directly from the client. There are currently 195 licensed supervisory and 321 generalist sign language interpreters in Oregon who may be recognized as small businesses.

In 2022 the U.S. Business Administration Office of Advocacy reported Oregon had upwards of 400,000 small businesses. The Americans with Disabilities Act requires businesses to provide sign language interpreters if it is necessary to ensure effective communication with a client who is Deaf or Hard of Hearing. As an example of small businesses hiring interpreters, this may include lawyers or physicians in small clinics who are required to hire sign language interpreters to communicate effectively with clients and patients. It is unknown how many small businesses in Oregon hire sign language interpreters, but mandatory licensing may increase the rate an interpreter charges for services.

There may be a minimal fiscal impact to small businesses regarding reporting requirements. If businesses that employ and schedule sign language interpreters are considered small businesses and are approved through the Department of Administrative Services to provide services to state agencies there may be reporting requirements to meet contractual obligations and maintain approval to provide services.

---

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

ADOPT: 816-025-0010

RULE SUMMARY: Application requirements for an SLI supervisory license.

CHANGES TO RULE:

816-025-0010

Application Requirements for SLI Supervisory License ¶  
¶

An individual applying for a SLI supervisory license must:¶

(1) Meet the requirements of OAR 331 division 30.¶

(2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees pursuant to OAR 816-085-0000.¶

(3) Submit proof of being at least 18 years of age; documentation to prove age may include identification listed under OAR 331-030-0000.¶

(4) Submit proof of being in compliance with the 2005 NAD-RID Code of Professional Conduct listed under OAR 816-065-0000.¶

(5) Submit proof of having at least three years of qualifying experience holding a credential from one of the following for at least three years:¶

(a) RID Certified Deaf Interpreter certification.¶

(b) RID National Interpreting Certification.¶

(c) RID National Interpreting Certification: Advanced.¶

(d) RID National Interpreting Certification: Master.¶

(e) RID Certificate of Interpretation.¶

(f) RID Certificate of Transliteration.¶

(g) RID Comprehensive Skills Certificate.¶

(h) RID Master Comprehensive Skills Certificate.¶

(i) RID Interpretation Certificate.¶

(j) RID Transliteration Certificate.¶

(k) NAD IV Level Certification.¶

(l) NAD V Level Certification.¶

(m) TBEI Advanced Certificate.¶

(n) TBEI Master Certificate.¶

(o) TBEI Trilingual Advanced Certificate.¶

(p) TBEI Trilingual Master Certificate.¶

(q) TBEI Level IV Certificate.¶

(r) TBEI Level V Certificate.¶

(s) TBEI Level III Intermediary Certificate.¶

(t) TBEI Level IV Intermediary Certificate.¶

(u) TBEI Level V Intermediary Certificate.¶

(v) EIPA Secondary Level PSE 4.0 or above.¶

(w) EIPA Secondary Level ASL 4.0 or above.

Statutory/Other Authority: ORS 676.753, ORS 676.783, ORS 676.786

Statutes/Other Implemented: OR 676.750, ORS 676.753, ORS 676.783