

Operational Policy

Policy title:	ASL Interpreter guidelines		
Policy number:	VR-PT 20-01		
Original date:	Update VR-PT 15-07 (2015)	Last update:	02/14/2020
Approved:	Howard Fulk, Policy and Training Manager		

Purpose

This policy is to assure that uncontracted ASL Interpreters have completed and passed criminal and abuse background checks. It updates requirements outlined in [VR-PT 15-07](#) (2015). ASL interpreters will be required to meet the DHS standard for spoken language interpreting.

Additionally, it provides a listing of appropriate expenses that may be paid when contracting with an ASL interpreter.

Description

All certified ASL interpreters must complete and pass criminal and abuse background checks prior to providing services. This is mandated upon release of this policy.

VR requires staff to use a list of approved ASL interpreter referral or coordinator agencies or independent contractors. This list will be on the [OWL](#). The list will be updated by [State Coordinator for Deaf and Hard of Hearing Services](#).

These agencies or independent contractors all require criminal and abuse background checks prior to contract or employment.

There are special circumstances whereby use of the approved coordination agencies will not be the best way to serve the client.

- Tri-lingual Deaf interpreters (for example, necessary for communication access for individuals who are Deaf who do not use American Sign Language as their primary language)
- Local ASL interpreters who have completed criminal and abuse background checks through other entities (e.g., ESD, State Hospital or Corrections) and can prove evidence or proof to the State Coordinator
- ASL interpreters who are willing to complete an abuse and criminal background check through the DHS Unit background check through the State Coordinator for Deaf and Hard of Hearing Services.

Expenses that may be paid

Appropriate expenses may include:

- Two-hour minimum charge for services (there could be charge for less than two hours of service)
- Travel to and from including time and mileage (Use the *current* IRS business standard mileage rate. The IRS 2020 business standard mileage rate is \$0.575 per mile. Source: IRS 2020 Standard Mileage Rates, Notice 2020-05, page 3.)
- Surcharges for assignments
- Parking fees but not parking fines
- Tolls, as appropriate
- Surcharges for overnight, weekend, holidays, and evening
- Requiring special training and vocabulary in medical, mental health, legal, or Deaf-Blind settings
- Emergency requests or short notice (a request that is less than 48 hours' notice)
- Cancellation fees (cancellation with less than 48 hours' notice generally)

For any other expenses, discuss with [State Coordinator](#).

Procedures

1. Staff determine an ASL interpreter is needed
2. Go to list on [OWL](#). Select any approved ASL interpreter referral or coordinator agencies or independent contractors from the list.
3. All approved ASL interpreter referral or coordinator agencies have said they will serve Statewide. (Travel fees may be applied as outline in the **Expenses that may be paid** list above.)
4. Contact the approved ASL interpreter referral or coordinator agencies or independent contractors.
 - a. Provide details related to the appointment
 - i. Date
 - ii. Start time of the meeting
 - iii. Length of time to conduct the meeting. (If you are not familiar with the use of interpreters, plan to spend about twice the time as the usual meeting might take. If you have questions, contact the [State Coordinator](#).)
 - iv. Location, and,
 - v. Name of the individual(s) to be served
 - b. If sending through email, assure it is a secure server because confidential information is being exchanged.
 - c. Prepare an AFP, as appropriate.
 - d. Provide reference materials to the approved ASL interpreter referral or coordinator, as indicated or appropriate, so the interpreter can prepare for the meeting.
5. The approved ASL interpreter referral or coordinator agencies will provide the names and contact for assigned ASL interpreters.
 - a. Some assignments or appointments will require a team of interpreters.
 - i. Both interpreters are paid for the entirety of the appointment.
 - ii. This is usually assignments that are two hours or more in length.
 - iii. If the appointment is up to two hours, probably one interpreter will be assigned. Two hours or more generally requires two interpreters.

- b. In some cases, intern interpreters may accompany the paid interpreter. These interns are not paid. Their participation is appropriate.
6. If there are travel costs required to obtain an interpreter, it is an appropriate and necessary expense. Those charges should be paid. (See **Expenses that may be paid** on top of page 2.)

Adding new freelance ASL interpreters to the approved list:

1. Field staff submit interpreter's resume and/or proof of certification by Registry for Interpreters for the Deaf (RID) and/or National Association of the Deaf (NAD) to VR State Coordinator for Deaf and Hard of Hearing Services:
 - a. Email to vr.fieldservices@dhshoha.state.or.us and use "ASL Interpreter List Addition" as subject
 - b. Fax to VR Administration at 503-947-5025
2. Submit new vendor request form and W-9 to ORCAHELP
3. State Coordinator for Deaf and Hard of Hearing Services will verify certification status, then contact the prospective interpreter and obtain proof of successful completion of background check.
4. State Coordinator will add the interpreter's information to the "Approved Coordination Programs and Interpreters" list on the OWL (intranet) site and will notify ORCAHELP to proceed with vendor activation.

Adding new ASL interpreter coordination agencies to the approved list:

1. Refer owner/manager of coordination program to VR State Coordinator for Deaf and Hard of Hearing Services in VR Administration.
2. VR State Coordinator for Deaf and Hard of Hearing Services will discuss applicable policies and procedures with ASL Interpreter Coordination agency staff.
3. VR State Coordinator will manage the addition of the coordination agency to the VR vendor and Approved ASL Coordinators lists.

Applicability

This policy applies to all Oregon Vocational Rehabilitation staff including employees, volunteers, trainees and interns.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. Oregon Vocational Rehabilitation takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state or agency policy, administrative rule, or state and federal law may face progressive discipline, up to and including dismissal from state service.

Policy

VR will only use ASL Interpreters to provide services to clients or staff who have completed and passed criminal and abuse background checks.

References

Contract number PA149093 (Page 6-7 of 32) requires:
Confidentiality of Client Information.

- (1) All information as to personal facts and circumstances obtained by the Contractor on the Client shall be treated as privileged communications, shall be held confidential, and shall not be divulged without the written consent of the Client, his or her guardian, or the

responsible parent when the Client is a minor child, or except as required by other terms of this Agreement. Nothing prohibits the disclosure of information in summaries, statistical, or other form, which does not identify particular individuals.

(2) The use or disclosure of information concerning Clients shall be limited to persons directly connected with the administration of this Agreement, Confidentiality policies shall be applied to all requests from outside sources.

(3) Requesting Agency and Contractor will share information as necessary to effectively serve Requesting Agency Clients.

c. Criminal History Check. Contractor shall verify that any employee working with clients referred by Requesting Agency has not been convicted of any of the following crimes: child or elderly abuse, offenses against persons, sexual offenses, child neglect, or any other offense bearing a substantial relation to the qualifications, functions or duties of an employee scheduled to work with Requesting Agency' client. Contractor shall establish verification by:

(1) having the applicant as a condition of employment, apply for and receive a criminal history check from a local Oregon State Police (OSP) office, which will be shared with Contractor, OR

(2) Contractor as an employer will contact the local OSP for an "Oregon only" criminal history check on the applicant/employee. Contractor will need to give to OSP the applicant's name, birth date and social security number.

Contractor shall determine after receiving the criminal history check, whether the employee has listed convictions, and whether these convictions pose a risk to working safely with Requesting Agency clients. If Contractor notes a conviction from any of the above listed crimes on the applicant/employee's record, and Contractor chooses to hire the employee/applicant. Contractor shall confirm in writing, the reasons for hiring the individual.

These reasons shall address how the applicant/employee is presently suitable or able to work with referred Requesting Agency clients in a safe and trustworthy manner. Contractor will place this information, along with the applicant/employee's criminal history check, in the employee's personnel file.

The criminal history check procedures listed above also apply to ASL interpreter referral or coordinator agency. The ASL interpreter referral or coordinator agency shall establish a personal personnel file and place employees' or independent contractors' criminal history check in named file for possibility of future Oregon Vocational Rehabilitation review.

[Internal Revenue Service \(IRS\) 2020 Standard Mileage Rates. Notice 2020-05.](#) 12/31/2019.

Related policies

[6.4 Services to Persons who are Deaf and Hard of Hearing](#)

Contact

[State Coordinator for Deaf and Hard of Hearing Services](#)

Policy history

2/14/2020

Keywords

ASL interpreter; background check; appropriate expenses; cancellation

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