

Interpreter Work group Minutes Dec. 1, 2009

4 sites participated in the DDN meeting including: Sioux Falls, Pierre, Rapid City & Tulare

Those in attendance include:

Grady Kickul

Janet Ball

Greta Howe

Diane Svacina

Ann Larson

Bobbie Beth Scoggins

Tom Kober

Larry Puthoff

Mark Johnson

Lisa Fowler

Mitch Richter

Marlee Dyce

Christa Gunderson

Kasey Entwisle

Pat Reiter

Interpreters – Julie Paluch and Ryan Strege

DRS Secretary-Linda Noonan

2 Interpreter Interns observed

The following were not present:

Todd Christensen

Lance Sigdestad

Mark Koterwski

Beth Driesen

Grady welcomed everyone and asked if there were any objections to the interns observing from Augustana College IT program. No objections

Janet – Review of minutes – Larry indicated that he did not receive a copy of the last minutes. Janet will get a copy sent to him.

Review of minutes included a review of proposed legislation as follows:

- CEU requirement to match what is on the national level
- Authority to promulgate rules for professional conduct
- Authority to promulgate rules for an extension process

Minutes were approved

Grady outlined that this meeting is to discuss where we are with the proposed legislation. The department has submitted a draft bill which has been approved by the executive branch. It was sent through legal council for review of final language and if there are no changes it will continue in the process. Grady could not provide a copy of the proposed legislation but the bill does include what we have discussed including the changes that were recommended as follows:

Section 1-36A-10.5, section 4 changes the CEU requirements from 125 hours to 80 hours every 4 years instead of every 5 years. Also change units to contact hours.

Next 2 changes have to do with authority only to promulgate rules. This will give the department the authority to promulgate rules for professional conduct and an extension process.

Tom expressed concern that all the authority fell within the department. In the past there was a committee to discuss concerns. Where is the deaf voice?

Grady assured the group that the SD Association for the Deaf and everyone will have a voice and will be able to voice their concerns during the rule making process, but first this law will need to be passed so that we have the authority to promulgate rules. It is DRS's intent to continue this work group to discuss issues and concerns during the administrative rule process.

Tom asked for a copy of the proposed rules to share with his constituents.

Grady reviewed the proposed changes. First change allows rule making authority in section 1-36A-12 to grant extension or exception options to CEU requirements and gave the following extenuating circumstances examples:

- death in the family
- person called out for National Guard

Grady stressed that we can make it as strict as we want.

Next change - Section 1-36A-12. The department may promulgate rules so we can establish a code of professional conduct and standard of practice and to establish a procedure for discipline. We would be adding a sentence to the current law to establish a code of professional conduct and standard of practice for discipline.

Marlee & Lisa wanted to change language from establish to adopt.

Diane noted that on the previous meeting notes, page 2, Section 136, Section C – it shows “change the word to adopt”

Grady – point taken, and we will make every effort to change it.

Bobbie Beth – CSD needs to express growing concerns and both Bobbie Beth and Tom Kober stressed that CSD and SDAD are not in agreement with the proposed legislation.

Stakeholders would like to review draft language. The legislative process likes a warm, fuzzy bill they can pass quickly. We should postpone it to next year. As NAD president, I am not at liberty to share some information, but a change will be coming that will have an impact with state government laws. We should hold off for 1 year and have a bill that we will have 100% agreement. We need all interpreters coming together. CSD's position is that we need one more year to review.

Pat agreed with Bobbie Beth and further stated that what is best for SD is to bring control back to SD. This has been discussed at CSD. We have a responsibility as a stakeholder to make sure we are meeting their needs.

Kasey stressed that we have had several meetings and that as member of this group it was our responsibility to relay the meeting discussion with our constituents and bring back their concerns and comments. In the past we have all been in agreement.

Bobbie Beth still felt we need one more year. There are things we need to discuss and we should hold off.

Grady stressed that the Department has tried for the last 3 or 4 years to obtain meaningful dialogue and a unified front. We have not been able to get it. By delaying this process, it will put us back another year. At some point we need to move ahead. Proposal to change the law is a start. It doesn't mean we cannot have additional changes in the future. By changing 125 hours to 80 hours and 5 years to 4 years is not harmful, it is beneficial to interpreters. Should we allow exceptions? We can get together next spring, and discuss how we would like this to look. It's a start; we all agree that we need to establish procedures for discipline. This allows us to establish one or adopt one. The rule making process is very prescribed allowing and considering all input and suggestions. Legislators are on the Rules Committee and approve all changes.

Bobbie Beth – What if the National Certification goes away? We will then need state control. CSD prefers we wait.

Grady – The proposed changes do not affect testing. We can always bring additional legislation if something happens on the national level.

Mitch – CSD the only one not ready to go ahead?

Bobbie Beth felt that not all interpreters and not all deaf individuals are aware of these proposed changes and that we need to provide meaningful dialogue and get their input.

Grady expressed that the department has made every effort to provide information and has encouraged everyone in the room to go back to their memberships and inform them of this process and proposed changes.

Pat expressed the need for a town hall meeting. Grady said the department will do whatever we need to bring it all together and a public meeting is something we can think about.

Grady was then asked about the legislature process.

Grady outlined that the next Legislative Session starts Jan. 12. The Department of Human Services bill will be introduced in either the House or Senate committee; called the Health and Human Services committee. Legislators on the committee will hear, discuss and act on the bill. If it passes, it goes to the House or Senate for a vote. If it passes it goes to the same titled committee in the other House or Senate. After it passes out of second committee, it goes to the floor for a vote. If it passes both the House and the Senate floor, it goes to the Governor. Entitled: Act to Amend the Requirements for Interpreters. If not a majority vote, at any level, a bill doesn't pass. If it passes; it will be effective July 1, 2010. Once passed, the law will give us authority to promulgate rules for standards of practice for professional conduct and discipline. For updated information on the bill, go to the SD home page, look under State Agencies, Legislature Research Council and then current legislature session.

Bobbie Beth expressed the desire to see the proposed legislative language so that CSD could feel more comfortable about giving their support and further stressing that the Deaf feel out of the loop.

Grady outlined that we have discussed a lot of emotional issues with some having nothing to do with the proposed legislation. The department through this proposed legislation is offering you the opportunity to come together. Start an ongoing dialogue. If there are other issues, bring these up in the years to come. We are here and this is a step in the right direction. At this point there is no need to meet again until after legislative session. After session we will resume meeting and start the discussion pertaining to rules. We will get the proposed language out to you. Again, DRS asks for your support as we move forward with these proposed changes. Draft bill sent to all work group members on 12-7-09

Ann, Greta, Diane – Thank you and good discussion. They all agreed this is a good start to make changes.

Grady re-confirmed that we will get the proposed language out to everyone and if there are concerns, give Grady a call. Draft bill sent to all work group members on 12-7-09

We will get together next spring.