



## **DISABILITY AND COMMUNICATION ACCESS BOARD**

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### **FREQUENTLY ASKED QUESTIONS (FAQ)**

#### **New Hawaii Administrative Rules, Title 11, Chapter 218 “Communication Access Services for Persons Who Are Deaf, Hard of Hearing, and Deaf-Blind” as of September 1, 2020**

#### **When do the new rules take effect?**

The Governor signed the new rules on August 3, 2020 and they took effect on August 14, 2020.

### **THE HAWAII STATE SIGN LANGUAGE INTERPRETER CREDENTIAL (HSSLIC)**

#### **1. What is the Hawaii State Sign Language Interpreter Credential (HSSLIC)?**

The HSSLIC is a state credential issued by the Disability and Communication Access Board (DCAB) board to interpreters who pass the Hawaii Quality Assurance System (HQAS) test or who possess a valid credential issued by an entity recognized by DCAB.

#### **2. If an interpreter possesses an HQAS credential, is their HQAS credential still valid?**

No. The HQAS Credential is no longer valid due to the HQAS Test being separated from the issuance of a state credential. The score an interpreter obtains via the HQAS Test will remain valid as a screening tool test score, provided that continuing education units (CEUs) are maintained. Upon completion of the required CEUs, interpreters will be issued the HSSLIC at the tier level that corresponds with their HQAS Test score (see next question below).

#### **3. How do the new HSSLIC Tiers compare with the HQAS credential levels?**

The tier levels of the HSSLIC essentially mirror the HQAS credential levels. An interpreter who possessed an HQAS Level V credential, or scores at HQAS Level V, will be issued an HSSLIC Tier V; an interpreter who possessed an HQAS Level IV credential, or scores at HQAS Level IV, credential will be issued an HSSLIC Tier IV; and an interpreter who possessed an HQAS Level III credential, or scores at HQAS Level III, credential will be issued an HSSLIC Tier III.

#### **4. If an interpreter holds an old HQAS credential, will it cost anything to get the HSSLIC?**

During the transition, there is no charge to obtain an HSSLIC, as an interpreter's old HQAS credential will be transferred to the HSSLIC upon viewing the video on the Code of Professional Conduct (CPC).

Upon renewal of the HSSLIC, there is a \$50 fee that automatically enrolls an interpreter in the Continuing Education Unit (CEU) program.

#### **5. What happens to interpreters with an old HQAS Level II credential?**

Interpreters who possessed the HQAS Level II credential were informed that their credential will not be recognized, and therefore no longer valid as soon as the new rules took effect. However, interpreters with the HQAS Level II credential were given the opportunity to re-take the HQAS Performance Test at no cost, with the goal of obtaining a score at HQAS Level III or higher.

#### **6. If an interpreter is nationally certified, are they required to obtain the HSSLIC?**

No. Interpreters with credentials or certification from national entities recognized by DCAB (i.e. Registry of Interpreters for the Deaf and the National Association of the Deaf) are not required to obtain the HSSLIC. However, all interpreters, including those who are nationally certified, are encouraged to obtain the HSSLIC so that they may be recognized under the State of Hawaii Recommended Fee Schedule. The Recommended Fee Schedule will only reference tier levels of the HSSLIC.

#### **7. How does a national credential and rating transfer to an HSSLIC Tier?**

The national credentials listed below correspond with the following HSSLIC Tiers:

- HSSLIC Tier V
  - National Association of the Deaf (NAD) V
  - Registry of Interpreters of the Deaf (RID)
    - National Interpreter Certification (NIC, all levels)
    - Certificate of Interpretation (CI) and Certificate of Transliteration (CT)
    - Certified Deaf Interpreter (CDI) and/or Reverse Skills Certificate (RSC)
    - Master Comprehensive Skills Certificate (MCSC) or Comprehensive Skills Certificate (CSC)
  
- HSSLIC Tier IV
  - NAD IV
  - RID
    - CI or CT
    - Interpretation Certificate (IC) and Transliteration Certificate (TC)
    - Oral Interpreting Certificate and/or Oral Transliteration Certificate

- HSSLIC Tier III
  - NAD III
  - RID: IC or TC

**8. Are any other certifications or credentials automatically recognized for an HSSLIC?**

DCAB is in the process of recognizing certification issued by the Board for Evaluation of Interpreters (BEI). The corresponding HSSLIC Tiers will be determined once the Board officially recognizes certification issued by BEI. Additionally, a Provisional Hawaii State Sign Language Interpreter Credential may be issued to interpreters who possess an EIPA certification at a level of 4.0 or higher. See below for more information regarding the Provisional Credential.

**9. What is a Provisional Credential?**

The new rules provide for the issuance of a Provisional HSSLIC to an interpreter who does not have a national credential or has not taken the HQAS. Specifically, this would allow the state to honor and recognize a current credential issued by another entity within the past 2 years. A Provisional HSSLIC is intended to be one-time and temporary, valid for one credential cycle, until the interpreter can either take the HQAS test or obtain a national credential recognized in the rules. For purposes of the recommended fee schedule, a Provisional HSSLIC will be considered equivalent to a Tier III Credential.

**10. When an interpreter receives their HSSLIC, how does he/she renew it?**

The expiration date of an interpreter’s HSSLIC will correspond with the renewal of their Continuing Education Unit (CEU) or Certificate Maintenance Program (CMP) cycle. To renew their HSSLIC, they must submit their HSSLIC application form along with the \$50 fee. If they possess national certification, they must also submit a verification letter indicating that their CMP cycle has renewed.

**11. Will DCAB continue to publish a list of interpreters and their HSSLIC tier level?**

Yes. To be added to this list, interpreters must first successfully apply for and obtain the HSSLIC. Then, interpreters must complete and submit the Communication Access Providers List Application at no cost.

**THE HQAS TEST**

**12. Is the HQAS test still being offered and are there any changes?**

The HQAS will still be offered but only as a screening tool. The performance test remains the same. After a candidate passes the HQAS performance test, the candidate will view the Code of Professional Conduct (CPC) video and take the CPC written test. After passing the HQAS performance test, watching the CPC video, and passing the CPC written test, an interpreter may apply for a HSSLIC.

### **13. How does one apply to take the HQAS test?**

An individual may apply to take the HQAS test by completing and submitting the HQAS Application. The HQAS Application is available on the DCAB website at <https://health.hawaii.gov/dcab/communication-access/>. The test is offered upon request. Upon submitting a completed application, individuals should contact DCAB via email at [communicationaccess@doh.hawaii.gov](mailto:communicationaccess@doh.hawaii.gov) or by phone at (808) 586-8121 for more information.

### **14. Are there any changes to the cost of taking the HQAS test?**

The HQAS test fee has been increased from \$300 to \$360 with the difference being used to augment rater compensation, which is already nominal.

### **15. Will there still be the option to take the +H test and have the +H designation on the credential?**

The local language +H test will no longer be offered as a test option, nor will there be a +H designation on the HSSLIC. Consistent with comments from the community and referral agencies, DCAB noted that the possession of a +H credential was not a factor in requesting or placing an interpreter.

### **16. Does HQAS offer a test for a Deaf Interpreter (DI)?**

No. The HQAS Test was obtained from the Quality Assurance Screening Test (QAST), which does not feature a component for Deaf Interpreters.

## **THE CONTINUING EDUCATION UNIT PROGRAM (CEU PROGRAM)**

### **17. What is the purpose of the Continuing Education Program?**

The purpose of the Continuing Education Program (CEP) is to allow a person who has been issued the HSSLIC by passing the HQAS Test to retain his/her credential without retesting, if approved continuing education units (CEU) are earned.

### **18. Do interpreters have to enroll and pay to join the CEU program (there was a fee of \$100 in the old rules)?**

No. The \$50 fee to obtain an HSSLIC automatically enrolls an interpreter to participate in the CEU program. This helps to offset the cost of maintaining the online CEU website to track your CEU units. Interpreters will need to reapply and pay the \$50 fee when their CEU cycle ends. For interpreters screened through the HQAS Test, this occurs every two years. For interpreters certified by RID, this occurs at the end of their CMP cycle.

**19. Are there any other changes in the CEU program and online tracking system?**

The CEU program and online tracking system will remain the same. The only change is that Tier III interpreters will be required to earn 3.5 CEUs, rather than 3.0 CEU in a 2-year cycle.

**20. Will DCAB still offer CEU workshops?**

DCAB hopes to continue to support CEU workshops as the budget allows.

**REIMBURSEMENT TO INTERPRETERS AND THE FEE SCHEDULE**

**21. What happened to the Recommended Fee Schedule in the old rules?**

The Recommended Fee Schedule (shown in Appendix A of the previous iteration of the rules) was removed from the rules. However, DCAB is required to issue a Recommended Fee Schedule as required by statute. Because the Recommended Fee Schedule is not binding, but only a guideline, it can be issued as a free-standing document. Thus, DCAB has developed and adopted a separate, free-standing document that state agencies may use as guidance in paying for sign language and other communication access provider services.

**22. How is a recommended fee schedule adopted by DCAB? Is it still recommended or required?**

The Recommended Fee Schedule is adopted by the Board. It shall also be reviewed periodically and amended, as needed, by the Board. The Recommended Fee Schedule is not a required or binding document; it is meant to serve as a guide for state agencies looking to procure the services of ASL interpreters. Thus, interpreters are still able to negotiate their rates.

**23. Are there any changes to the recommended reimbursement to interpreters from the old rules?**

The previous iteration of the rules contained a section with a detailed description of the cancellation fees of varying levels of advanced notice depending upon the length of the job. This was removed, in part, to be included as part of the recommended fee schedule. This section also recommends deferring to the cancellation policy of an interpreter referral agency or the individual interpreter, if arranged separately from an interpreter referral agency.

**24. Does the fee schedule and reimbursement rate impact Interpreter Referral agencies?**

No. Payments to interpreters from referral agencies are determined by the agreement between interpreters and the referral agencies. DCAB hopes for consistency with the recommended fee schedule, but the schedule is only a guideline and primarily impacts state and county agencies that pay interpreters directly.

**25. Where can additional information be found about the process of hiring sign language interpreters?**

To provide more information about hiring sign language interpreters, DCAB developed a resource entitled, "State Agency Manual for the Provision of Sign Language Interpreters." This manual can be viewed at <https://health.hawaii.gov/dcab/communication-access/>.

**OTHER**

**26. What does the rule say about "deaf preference" in obtaining an interpreter? Is this new?**

The rules state that when hiring a sign language interpreter, the hiring agency should consider the deaf, hard-of-hearing, or deaf-blind individual's preference. Additionally, according to HAR 11-218-8 (b), "If no preference is stated, providers with the highest level of credentials shall be hired first, followed by providers with lesser levels of credentials."

The section regarding "deaf preference" is not new; it was part of the previous iteration of the rules under HAR 11-218-9. This section was revised and moved to the very beginning of the rules. This move strengthened and emphasized that the purpose of the rule is to establish guidelines to ensure the rights of consumers to effective communication.