

HOUSE BILL 1064

C2

9lr1653

By: **Delegate Queen**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

AN ACT concerning

Maryland Sign Language Interpreter Act

FOR the purpose of establishing the State Board of Sign Language Interpreters in the Department of Labor, Licensing, and Regulation; providing that certain provisions of law do not apply to certain individuals; providing for the composition of the Board and the appointment, terms, qualifications, expenses, and removal of the Board members; providing for the chair and the term of the chair of the Board; establishing that a majority of members then serving is a quorum; requiring the Board to meet quarterly a certain number of times each year; providing for the staff for the Board; authorizing the Board to perform certain acts to enforce certain provisions of law; providing for the powers and duties of the Board; requiring the Board to establish criteria for the development of certain specialty area portfolios and certain requirements for certain services; requiring the Board to maintain a certain list of licensees and to make the list available to the public; authorizing the Board to set certain fees for certain purposes; requiring certain fees to be paid to the Comptroller and the Comptroller to distribute certain fees in a certain manner; establishing the Sign Language Interpreters Fund; providing for the purpose of the Fund; requiring the Director of the Office of the Deaf and Hard of Hearing to administer the Fund; providing that the Fund is a special, nonlapsing fund, requiring the State Treasurer to hold the Fund separately, and requiring the Comptroller to account for the Fund; providing for the contents of the Fund; providing for certain uses of the Fund; requiring the Treasurer to invest the money of the Fund in a certain manner and requiring certain investment earnings to be credited to the General Fund of the State; providing that certain expenditures must be made in accordance with the State budget; requiring the Board to confirm the license status and qualifications of an individual in a certain manner under certain circumstances; providing that the Board exercises its powers, duties, and functions subject to the authority of the Secretary of Labor, Licensing, and Regulation; requiring an individual, except under certain circumstances, to be licensed by the Board before the individual may provide sign language interpretation services in the State or make certain representations; establishing certain qualifications for a supervisory license; authorizing the Board

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



to waive certain requirements for a certain license under certain circumstances; requiring the Board to issue a certain license in a certain manner; providing that certain licenses are not transferable; providing for the scope of certain licenses; requiring a licensee to provide a certain notice to the Board to change certain information on a license within a certain period of time; establishing a process for the renewal of certain licenses; authorizing the Board to adopt certain regulations to require a certain licensee to demonstrate continuing professional competency as a condition of license renewal; providing for the reinstatement of certain licenses under certain circumstances; providing for the issuance, term, and scope of a journeyworker license; providing for the issuance, term, scope, and renewal of a provisional license; authorizing the Board to impose certain sanctions on certain license holders or applicants under certain circumstances; authorizing an individual sanctioned by the Board to submit a certain request for review in a certain manner; authorizing the Board to take certain actions on review; requiring the Board to commence certain proceedings on receipt of a certain complaint; establishing certain hearing procedures; authorizing the Board to reactivate a certain license under certain circumstances; establishing that certain confidentiality and privileges apply to sign language interpreters; establishing certain prohibited acts; authorizing certain individuals to report certain violations of law to the Board within a certain period of time; authorizing the Board to impose certain civil penalties for certain violations; providing for certain criminal penalties; requiring the Board to provide a certain written notice under certain circumstances; authorizing a certain person to bring a certain action in court under certain circumstances; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; providing for a delayed effective date for certain licensing requirements; requiring the Board to develop and implement a certain public awareness campaign; providing that holding a certain certification satisfies a certain licensing requirement for members initially appointed to the Board; requiring the terms of certain initial members of the Board to expire in certain years; requiring the Governor to include a certain General Fund appropriation in the budget bill for a certain fiscal year for a certain purpose; defining certain terms; and generally relating to the State Board of Sign Language Interpreters.

BY renumbering

Article – Business Regulation
Section 2–108(a)(23) through (33), respectively
to be Section 2–108(a)(24) through (34), respectively
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(52) through (56), respectively
to be Section 8–403(b)(53) through (57), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY adding to

Article – Business Occupations and Professions
 Section 22–101 through 22–502 to be under the new title “Title 22. Sign Language Interpreters”
 Annotated Code of Maryland
 (2018 Replacement Volume)

BY adding to

Article – Business Regulation
 Section 2–108(a)(23)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – State Government
 Section 8–403(b)(52)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–108(a)(23) through (33), respectively, of Article – Business Regulation of the Annotated Code of Maryland be renumbered to be Section(s) 2–108(a)(24) through (34), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8–403(b)(52) through (56), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(53) through (57), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

TITLE 22. SIGN LANGUAGE INTERPRETERS.

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.

22–101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “AMERICAN SIGN LANGUAGE” MEANS A VISUAL–SPATIAL METHOD OF COMMUNICATION THAT IS A DISTINCT LANGUAGE INVOLVING THE HANDS, ARMS, FACIAL MARKERS, AND BODY MOVEMENTS TO COMMUNICATE WITH OTHERS,

INCLUDING THROUGH THE CONVEYANCE OF THOUGHTS, WORDS, EMOTIONS, AND GRAMMATICAL INFORMATION.

(C) “BEHAVIORAL HEALTH SETTING” MEANS A SETTING THAT PROVIDES:

- (1) PSYCHIATRIC OR PSYCHOLOGICAL ASSESSMENT OR SCREENING;
- (2) GROUP OR INDIVIDUAL PSYCHOTHERAPY, COUNSELING, OR TREATMENT; OR
- (3) REHABILITATION SERVICES FOR SUBSTANCE USE DISORDERS, ADDICTIVE DISORDERS, MENTAL DISORDERS, OR A COMBINATION OF THESE DISORDERS.

(D) “BOARD” MEANS THE STATE BOARD OF SIGN LANGUAGE INTERPRETERS.

(E) “DIRECTOR” MEANS THE DIRECTOR OF THE OFFICE OF THE DEAF AND HARD OF HEARING.

(F) “FUND” MEANS THE SIGN LANGUAGE INTERPRETERS FUND ESTABLISHED UNDER § 22–207 OF THIS TITLE.

(G) “LEGAL SETTING” INCLUDES:

- (1) COURT PROCEEDINGS;
- (2) ATTORNEY–CLIENT CONFERENCES;
- (3) INVESTIGATIONS BY LAW ENFORCEMENT;
- (4) DEPOSITIONS;
- (5) WITNESS INTERVIEWS;
- (6) REAL ESTATE SETTLEMENTS; OR
- (7) ADMINISTRATIVE HEARINGS.

(H) “LICENSE” MEANS A LICENSE ISSUED UNDER THIS TITLE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES.

(I) “MEDICAL SETTING” INCLUDES:

- (1) AN ACUTE CARE HOSPITAL;
- (2) AN URGENT CARE CENTER;
- (3) AN OUTPATIENT CLINIC;
- (4) SHORT-TERM CARE FACILITIES;
- (5) LONG-TERM CARE FACILITIES;
- (6) A PHYSICIAN'S OFFICE; AND
- (7) HOME HEALTH CARE.

(J) "NATIONALLY RECOGNIZED CERTIFICATION" MEANS:

(1) A CERTIFICATION ISSUED BY:

- (I) THE NATIONAL ASSOCIATION OF THE DEAF;**
- (II) THE REGISTRY OF INTERPRETERS FOR THE DEAF; OR**
- (III) THE CENTER FOR THE ASSESSMENT OF SIGN LANGUAGE**

INTERPRETERS; OR

(2) ANY OTHER CERTIFICATION ISSUED BY A NATIONAL ORGANIZATION THAT IS RECOGNIZED BY THE BOARD.

(K) "OFFICE" MEANS THE OFFICE OF THE DEAF AND HARD OF HEARING ESTABLISHED UNDER § 9-2402 OF THE STATE GOVERNMENT ARTICLE.

(L) (1) "PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES" MEANS TO CONVEY THE MEANING OF A MESSAGE THAT IS EXPRESSED IN:

(I) AN ORAL LANGUAGE BY RENDERING THE MESSAGE IN AMERICAN SIGN LANGUAGE; OR

(II) AMERICAN SIGN LANGUAGE BY RENDERING THE MESSAGE IN AN ORAL LANGUAGE.

(2) "PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES" INCLUDES PROVIDING SERVICES THROUGH VIDEO REMOTE INTERPRETING.

(M) “SCHOOL SETTING” MEANS A SETTING IN WHICH THE FOLLOWING IS PROVIDED:

(1) EDUCATIONAL PROGRAMS OR SERVICES OFFERED BY A PUBLIC OR PRIVATE SCHOOL; OR

(2) CAREER TRAINING PROGRAMS FOR SECONDARY EDUCATION STUDENTS THAT ARE REGULATED BY THE STATE DEPARTMENT OF EDUCATION.

(N) “SIGN LANGUAGE INTERPRETER” MEANS AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES.

(O) (1) “SUPERVISORY HOURS” MEANS THE HOURS DURING WHICH A HOLDER OF A SUPERVISORY LICENSE SUPERVISES A HOLDER OF A PROVISIONAL LICENSE TO PROVIDE OVERSIGHT OF THE ACCURACY OF THE SIGN LANGUAGE INTERPRETATION SERVICE.

(2) “SUPERVISORY HOURS” DOES NOT INCLUDE THE HOURS SPENT IN MENTORING, PROVIDING FEEDBACK, OR FORMAL OR INFORMAL INSTRUCTION.

(P) “VIDEO RELAY SERVICE” MEANS THE FEDERALLY REIMBURSED AND REGULATED PROGRAM ESTABLISHED TO ENABLE PHONE CALLS BETWEEN USERS OF AMERICAN SIGN LANGUAGE AND INDIVIDUALS WHO DO NOT USE AMERICAN SIGN LANGUAGE VIA VIDEOCONFERENCING TECHNOLOGY AND USING THE SERVICES OF A REMOTELY LOCATED SIGN LANGUAGE INTERPRETER.

(Q) (1) “VIDEO REMOTE INTERPRETING SETTING” MEANS PROVIDING SIGN LANGUAGE INTERPRETATION SERVICE VIA VIDEOCONFERENCING IN WHICH AT LEAST ONE INDIVIDUAL IS AT A SEPARATE LOCATION.

(2) “VIDEO REMOTE INTERPRETING SETTING” DOES NOT INCLUDE VIDEO RELAY SERVICE.

22-102.

THE PURPOSES OF THIS TITLE ARE TO ENSURE EFFECTIVE COMMUNICATIONS FOR DEAF, DEAF-BLIND, AND HARD OF HEARING INDIVIDUALS AND TO PROMOTE THE PUBLIC WELFARE BY REGULATING INDIVIDUALS WHO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE.

22-103.

THIS TITLE DOES NOT APPLY TO AN INDIVIDUAL WHO HOLDS A NATIONALLY RECOGNIZED CERTIFICATION AND WHO:

(1) IS ENGAGED IN SIGN LANGUAGE INTERPRETING AS PART OF A SUPERVISED INTERNSHIP OR PRACTICUM FOR AN ACCREDITED COLLEGE OR UNIVERSITY, IF THE SIGN LANGUAGE INTERPRETING IS NOT IN:

(I) A BEHAVIORAL HEALTH SETTING, UNLESS THE INDIVIDUAL IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER;

(II) A MEDICAL SETTING, UNLESS THE INDIVIDUAL IS ACCOMPANIED BY A LICENSED SIGN LANGUAGE INTERPRETER;

(III) A LEGAL SETTING;

(IV) A SCHOOL SETTING;

(V) A VIDEO RELAY INTERPRETING SETTING; OR

(VI) A VIDEO RELAY SERVICE SETTING;

(2) (I) 1. DOES NOT PROVIDE SIGN LANGUAGE INTERPRETING SERVICES IN THE STATE FOR MORE THAN 80 HOURS EACH CALENDAR YEAR; OR

2. SELF-CERTIFIES ELIGIBILITY FOR THE EXEMPTION;

AND

(II) NOTIFIES THE BOARD OF EACH INTERPRETING ASSIGNMENT THE INDIVIDUAL COMPLETES WITHIN 10 DAYS AFTER PROVIDING SIGN LANGUAGE INTERPRETING SERVICES;

(3) ENGAGES IN SIGN LANGUAGE INTERPRETING AS AN UNCOMPENSATED VOLUNTEER AND IN A SETTING IN WHICH A SIGN LANGUAGE INTERPRETER IS NOT OTHERWISE REQUIRED BY LAW;

(4) PROVIDES SIGN LANGUAGE INTERPRETING SERVICES TO PREVENT UNDUE HARM IN THE EVENT OF AN EMERGENCY UNTIL A LICENSED SIGN LANGUAGE INTERPRETER CAN ARRIVE; OR

(5) INTERPRETS BETWEEN A PAIR OF SIGNED LANGUAGES FOR WHICH THERE IS NO EXISTING CERTIFICATION.

SUBTITLE 2. STATE BOARD OF SIGN LANGUAGE INTERPRETERS.**22-201.**

THERE IS A STATE BOARD OF SIGN LANGUAGE INTERPRETERS IN THE DEPARTMENT.

22-202.

(A) (1) THE BOARD CONSISTS OF NINE MEMBERS.

(2) THE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE OF THE DIRECTOR AS FOLLOWS:

(I) ONE SHALL BE A MEMBER OF THE MARYLAND ADVISORY COUNCIL FOR THE DEAF AND HARD OF HEARING;

(II) ONE SHALL BE A MEMBER OF THE MARYLAND ASSOCIATION OF THE DEAF;

(III) ONE SHALL BE A DEAF-BLIND INDIVIDUAL WHO IS A MEMBER OF A DEAF-BLIND ORGANIZATION IN THE STATE;

(IV) ONE SHALL BE A MEMBER OF THE POTOMAC CHAPTER OF THE REGISTRY OF THE INTERPRETERS FOR THE DEAF WHO HOLDS A LICENSE UNDER SUBTITLE 3 OF THIS TITLE;

(V) TWO SHALL BE DEAF INDIVIDUALS WHO HOLD A LICENSE UNDER SUBTITLE 3 OF THIS TITLE;

(VI) TWO SHALL BE HEARING INDIVIDUALS WHO HOLD A LICENSE UNDER SUBTITLE 3 OF THIS TITLE; AND

(VII) ONE SHALL BE A REPRESENTATIVE FROM AN INTERPRETER PREPARATION PROGRAM BASED IN THE STATE.

(3) THE GOVERNOR SHALL APPOINT THE MEMBERS, WITH THE ADVICE OF THE DIRECTOR, FROM A LIST OF NAMES SUBMITTED TO THE GOVERNOR FROM A NOMINATION PROCESS ESTABLISHED BY THE OFFICE.

(4) TO THE EXTENT PRACTICABLE, THE MEMBERS APPOINTED BY THE GOVERNOR UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL REFLECT THE RACIAL AND GEOGRAPHIC DIVERSITY OF THE STATE.

(B) EACH MEMBER OF THE BOARD MUST:

- (1) BE A RESIDENT OF THE STATE; AND**
- (2) BE PROFICIENT IN AMERICAN SIGN LANGUAGE.**

(C) (1) THE TERM OF A MEMBER IS 3 YEARS, BEGINNING ON THE DATE OF APPOINTMENT.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2019.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL TERMS.

(D) BEFORE TAKING OFFICE, EACH APPOINTEE TO THE BOARD SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION.

(E) (1) THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, NEGLIGENCE OF DUTIES, OR OTHER SUFFICIENT CAUSE.

(2) THE GOVERNOR SHALL REMOVE A MEMBER WHO:

(I) CEASES TO MEET THE REQUIREMENTS UNDER WHICH THE MEMBER WAS APPOINTED, AS PROVIDED UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION; OR

(II) FAILS TO ATTEND AT LEAST 50% OF THE REGULARLY SCHEDULED MEETINGS OF THE BOARD DURING ANY 12-MONTH PERIOD.

22-203.

(A) THE BOARD SHALL ELECT THE CHAIR OF THE BOARD FROM AMONG ITS MEMBERS.

(B) THE TERM OF THE CHAIR IS 2 YEARS.

22-204.

(A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE BOARD IS A QUORUM.

(B) (1) THE BOARD SHALL MEET AT LEAST ONE TIME EACH QUARTER AT THE TIMES AND PLACES SET BY THE BOARD.

(2) THE BOARD MAY CALL SPECIAL MEETINGS AT THE REQUEST OF:

(I) THE CHAIR;

(II) THE DIRECTOR; OR

(III) A MAJORITY OF THE MEMBERS OF THE BOARD.

(C) EACH MEMBER OF THE BOARD:

(1) MAY NOT RECEIVE COMPENSATION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(D) (1) THE OFFICE SHALL ASSIGN AN APPROPRIATE NUMBER OF STAFF TO MANAGE THE OPERATIONS OF THE BOARD.

(2) THE STAFF SHALL BE RESPONSIBLE FOR ASSISTING THE BOARD IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS TITLE, INCLUDING:

(I) PROVIDING INFORMATION TO THE PUBLIC ABOUT SIGN LANGUAGE INTERPRETER LICENSING REQUIREMENTS;

(II) PROVIDING TECHNICAL ASSISTANCE TO LICENSE APPLICANTS AND OTHER INTERESTED PARTIES;

(III) PROMOTING THE PROFESSION OF SIGN LANGUAGE INTERPRETING, INCLUDING PROVIDING WORKSHOPS AND TRAININGS TO RAISE PUBLIC AWARENESS AND TO FACILITATE PROFESSIONAL DEVELOPMENT; AND

(IV) ANY OTHER ACTIVITIES ASSIGNED BY THE BOARD OR THE DIRECTOR.

22-205.

TO ENFORCE THIS TITLE, THE BOARD MAY:

- (1) CONDUCT INVESTIGATIONS AND HOLD HEARINGS ON ANY MATTER COVERED BY THIS TITLE, AT ANY TIME AND PLACE IN THE STATE;**
- (2) ADMINISTER OATHS;**
- (3) EXAMINE WITNESSES; AND**
- (4) RECEIVE EVIDENCE.**

22-206.

(A) IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE, AND WITH THE SUPPORT OF THE OFFICE, THE BOARD SHALL ADOPT:

- (1) BYLAWS FOR THE CONDUCT OF ITS PROCEEDINGS; AND**
- (2) REGULATIONS TO CARRY OUT THIS TITLE.**

(B) IN ADDITION TO ANY DUTIES SET FORTH ELSEWHERE, THE BOARD SHALL:

- (1) ADMINISTER THIS TITLE;**
- (2) ADOPT A SEAL;**
- (3) KEEP A RECORD OF ITS PROCEEDINGS;**
- (4) KEEP A FILE ON EACH APPLICANT FOR A LICENSE;**
- (5) ESTABLISH A VISITING SIGN LANGUAGE INTERPRETER REGISTRY;**

AND

(6) DEVELOP AND MAINTAIN AN INTERNET PORTAL TO ACCEPT LICENSE APPLICATIONS AND RELATED DOCUMENTATION, COMPLAINTS, AND REGISTRATIONS OF VISITING SIGN LANGUAGE INTERPRETERS.

22-207.

(A) (1) THE BOARD SHALL ESTABLISH CRITERIA FOR THE DEVELOPMENT OF PORTFOLIOS IN THE FOLLOWING SPECIALIST AREAS:

(I) LEGAL SETTINGS;

(II) MEDICAL SETTINGS;

(III) BEHAVIORAL HEALTH SETTINGS;

(IV) LANGUAGE PAIRS FOR OTHER THAN AMERICAN SIGN LANGUAGE AND SPOKEN ENGLISH;

(V) CONFERENCE INTERPRETING; AND

(VI) ANY OTHER SETTINGS CONSIDERED NECESSARY BY THE BOARD.

(2) A PORTFOLIO FOR A SPECIALIST AREA MAY INCLUDE DEMONSTRATION OF NECESSARY SKILLS AND TRAINING BUT MAY NOT INCLUDE A SCREENING ASSESSMENT, TESTING, OR CERTIFICATION BY THE BOARD.

(B) THE BOARD SHALL ESTABLISH REQUIREMENTS FOR:

(1) PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES IN:

(I) A BEHAVIORAL HEALTH SETTING;

(II) A LEGAL SETTING; OR

(III) A MEDICAL SETTING;

(2) INTRALINGUISTIC TRANSLATIONS AND SIGN LANGUAGE INTERPRETATION; AND

(3) TACTILE AND LOW-VISION SIGN LANGUAGE INTERPRETATION SERVICES.

22-208.

(A) THE BOARD SHALL MAINTAIN A LISTING OF THE NAMES AND MAILING ADDRESSES OF ALL LICENSEES, INCLUDING BY LICENSE TYPE.

(B) THE BOARD MAY RELEASE THE LIST TO THE PUBLIC.

(C) THE LICENSEE SHALL DESIGNATE THE LICENSEE'S MAILING ADDRESS AT THE TIME OF ISSUANCE OF THE ORIGINAL LICENSE AND ON THE RENEWAL OF THE LICENSE.

22-209.

(A) (1) THE BOARD SHALL SET BY REGULATION REASONABLE FEES FOR ITS SERVICES.

(2) THE FEES SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE BOARD.

(B) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD.

(C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE STATE BOARD OF SIGN LANGUAGE INTERPRETERS FUND ESTABLISHED IN § 22-210 OF THIS SUBTITLE.

22-210.

(A) THERE IS A SIGN LANGUAGE INTERPRETERS FUND.

(B) THE PURPOSE OF THE FUND IS TO APPROXIMATE THE COSTS ASSOCIATED WITH THE ADMINISTRATION AND ENFORCEMENT OF THIS TITLE.

(C) THE DIRECTOR SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 22-209 OF THIS SUBTITLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;

AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY FOR COSTS ASSOCIATED WITH THE ADMINISTRATION AND ENFORCEMENT OF THIS TITLE.

(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

22-211.

(A) ON REQUEST OF ANY PERSON AND PAYMENT OF A FEE SET BY THE BOARD, THE BOARD SHALL CONFIRM THE LICENSE STATUS AND QUALIFICATIONS OF ANY INDIVIDUAL WHO IS THE SUBJECT OF THE REQUEST.

(B) EACH RESPONSE UNDER THIS SECTION:

(1) SHALL INCLUDE A STATEMENT OF THE LICENSE STATUS OF THE INDIVIDUAL WHO IS THE SUBJECT OF THE REQUEST; AND

(2) MAY INCLUDE:

(I) INFORMATION ABOUT THE TRAINING, SPECIALIST AREAS, AND OTHER QUALIFICATIONS OF THAT INDIVIDUAL;

(II) INFORMATION ABOUT THE DATES OF ISSUANCE OF THE LICENSE OF THAT INDIVIDUAL; AND

(III) INFORMATION ABOUT ANY DISCIPLINARY ACTION TAKEN AGAINST THAT INDIVIDUAL.

22-212.

THE BOARD EXERCISES ITS POWERS, DUTIES, AND FUNCTIONS SUBJECT TO THE AUTHORITY OF THE SECRETARY.

SUBTITLE 3. LICENSES.**22-301.**

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MUST BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL MAY:

(1) PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE; OR

(2) REPRESENT TO THE PUBLIC, BY DESCRIPTION OF SERVICES OR USE OF A TITLE OR DESIGNATION, THAT THE INDIVIDUAL IS AUTHORIZED TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE.

22-302.

(A) TO QUALIFY FOR A LICENSE, AN APPLICANT MUST MEET THE REQUIREMENTS OF THIS SECTION.

(B) THE APPLICANT SHALL BE OF GOOD CHARACTER AND REPUTATION.

(C) AN APPLICANT FOR A SUPERVISORY LICENSE SHALL SUBMIT TO THE BOARD:

(1) A COMPLETED APPLICATION ON THE FORM PROVIDED BY THE BOARD;

(2) PAYMENT OF A NONREFUNDABLE APPLICATION FEE SET BY THE BOARD IN ACCORDANCE WITH § 22-209 OF THIS TITLE;

(3) PROOF THAT THE APPLICANT HOLDS:

(I) A VALID NATIONALLY RECOGNIZED CERTIFICATION; OR

(II) FOR A LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN A SCHOOL SETTING ONLY, A CURRENT EDUCATIONAL INTERPRETER PERFORMANCE ASSESSMENT LEVEL 4.0 OR HIGHER;

(4) PROOF OF AT LEAST 5 YEARS OF POSTCERTIFICATION EXPERIENCE IN PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES; AND

(5) ANY OTHER QUALIFICATIONS DETERMINED BY THE BOARD.

22-303.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE ANY REQUIREMENT OF THIS SUBTITLE FOR AN APPLICANT WHO IS LICENSED TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN ANOTHER STATE.

(B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE APPLICANT:

(1) PAYS TO THE BOARD:

(I) THE NONREFUNDABLE APPLICATION FEE SET BY THE BOARD; AND

(II) THE LICENSE FEE SET BY THE BOARD; AND

(2) PROVIDES ADEQUATE EVIDENCE THAT, AT THE TIME THE APPLICANT WAS LICENSED IN THE OTHER STATE, THE APPLICANT WAS REQUIRED TO MEET QUALIFICATIONS THAT WERE SUBSTANTIALLY EQUIVALENT TO THE QUALIFICATIONS IN THIS STATE.

(C) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE STATE IN WHICH THE APPLICANT IS LICENSED WAIVES THE QUALIFICATIONS OF LICENSEES OF THIS STATE TO A SIMILAR EXTENT AS THIS STATE WAIVES THE QUALIFICATION REQUIREMENTS FOR INDIVIDUALS LICENSED IN THAT STATE.

22-304.

(A) IF AN APPLICANT QUALIFIES FOR A LICENSE UNDER THIS SUBTITLE, THE BOARD SHALL SEND THE APPLICANT A NOTICE THAT STATES THAT:

(1) THE APPLICANT HAS QUALIFIED FOR A LICENSE; AND

(2) ON RECEIPT OF THE LICENSE FEE SET BY THE BOARD, THE BOARD WILL ISSUE A LICENSE TO THE APPLICANT.

(B) ON PAYMENT OF THE LICENSE FEE, THE BOARD SHALL ISSUE A LICENSE TO EACH APPLICANT WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE.

(C) A LICENSE ISSUED UNDER THIS SECTION IS NONTRANSFERABLE.

22-305.

WHILE A LICENSE IS IN EFFECT, THE LICENSEE IS AUTHORIZED TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES WITHIN THE SCOPE OF THE NATIONALLY RECOGNIZED CERTIFICATION HELD BY THE LICENSEE AT THE TIME THE LICENSE WAS ISSUED AND ANY OTHER LIMITS ESTABLISHED BY THE BOARD.

22-306.

A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF ANY CHANGE IN THE LICENSEE'S NAME OR ADDRESS WITHIN 60 DAYS OF THE CHANGE.

22-307.

(A) UNLESS RENEWED BY A LICENSEE, A SUPERVISORY LICENSE EXPIRES AFTER THE PERIOD SET BY AND ON THE DATE SET BY THE BOARD.

(B) (1) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL MAIL OR ELECTRONICALLY TRANSMIT TO THE LICENSEE:

(I) A RENEWAL APPLICATION FORM; AND

(II) A NOTICE THAT STATES:

1. THE DATE ON WHICH THE CURRENT LICENSE EXPIRES; AND

2. THE AMOUNT OF THE LICENSE FEE.

(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS AFTER THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

(C) BEFORE A SUPERVISORY LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY RENEW THE SUPERVISORY LICENSE FOR AN ADDITIONAL TERM, IF THE LICENSEE:

(1) OTHERWISE IS ENTITLED TO BE LICENSED;

(2) PAYS TO THE BOARD THE LICENSE FEE SET BY THE BOARD;

(3) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM THAT THE BOARD PROVIDES; AND

(4) SUBMITS SATISFACTORY EVIDENCE OF COMPLETION OF THE NUMBER OF HOURS OF SUPERVISION OF A HOLDER OF A PROVISIONAL LICENSE REQUIRED BY THE BOARD.

(D) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(E) THE BOARD MAY ADOPT REGULATIONS TO REQUIRE A LICENSEE TO DEMONSTRATE CONTINUING PROFESSIONAL COMPETENCY AS A CONDITION OF RENEWAL.

22-308.

THE BOARD SHALL REINSTATE THE SUPERVISORY LICENSE OF AN INDIVIDUAL WHO, FOR ANY REASON, HAS FAILED TO RENEW THE SUPERVISORY LICENSE IF THE INDIVIDUAL:

(1) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE LICENSE WITHIN 30 DAYS OF THE DATE THE LICENSE EXPIRES;

(2) MEETS THE RENEWAL REQUIREMENTS OF § 22-307 OF THIS SUBTITLE; AND

(3) PAYS TO THE BOARD THE RENEWAL FEE AND THE REINSTATEMENT FEE SET BY THE BOARD.

22-309.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL ISSUE A JOURNEYWORKER LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO AN APPLICANT WHO:

(1) MEETS THE LICENSE REQUIREMENTS UNDER § 22-302 OF THIS SUBTITLE;

(2) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES ONLY WITHIN THE SCOPE OF THE NATIONALLY RECOGNIZED CERTIFICATION HELD BY THE APPLICANT OR OTHER LIMITS ESTABLISHED BY THE BOARD;

(3) SUBMITS AN APPLICATION TO THE BOARD ON THE FORM THAT

THE BOARD REQUIRES; AND

(4) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

(B) (1) WHILE IT IS EFFECTIVE, A JOURNEYWORKER LICENSE AUTHORIZES THE LICENSEE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES WITHIN THE SCOPE OF THE NATIONALLY RECOGNIZED CERTIFICATION HELD BY THE LICENSEE AND ANY OTHER LIMITS ESTABLISHED BY THE BOARD.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A JOURNEYWORKER LICENSEE MAY NOT SUPERVISE THE PROVISION OF SIGN LANGUAGE INTERPRETATION SERVICES BY THE HOLDER OF A PROVISIONAL LICENSE UNDER § 22-310 OF THIS SUBTITLE.

(3) ON OR BEFORE JUNE 30, 2025, A JOURNEYWORKER LICENSEE MAY SUPERVISE THE PROVISION OF SIGN LANGUAGE INTERPRETATION SERVICES BY A HOLDER OF A PROVISIONAL LICENSE UNDER § 22-310 OF THIS SUBTITLE.

(C) A JOURNEYWORKER LICENSE ISSUED BY THE BOARD UNDER THIS SECTION HAS A 2-YEAR TERM.

(D) THE BOARD MAY NOT RENEW A JOURNEYWORKER LICENSE AFTER THE LICENSE EXPIRES.

22-310.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL ISSUE A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO AN INDIVIDUAL WHO HAS TAKEN AND PASSED A WRITTEN EXAMINATION FOR A NATIONALLY RECOGNIZED CERTIFICATION.

(B) THE BOARD MAY ISSUE A PROVISIONAL LICENSE ONLY TO AN INDIVIDUAL WHO:

(1) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, OTHERWISE QUALIFIES FOR A LICENSE;

(2) SUBMITS TO THE BOARD AN APPLICATION ON THE FORM THE BOARD PROVIDES;

(3) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES ONLY UNDER THE SUPERVISION OF THE HOLDER OF A SUPERVISORY LICENSE;

(4) DOES NOT PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE SETTINGS SET FORTH IN SUBSECTION (C) OF THIS SECTION; AND

(5) PAYS TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

(C) WHILE A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IS IN EFFECT, THE HOLDER MAY NOT PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE FOLLOWING SETTINGS:

(1) A LEGAL SETTING;

(2) A MEDICAL SETTING;

(3) UNLESS THE INDIVIDUAL HOLDS AN EDUCATIONAL INTERPRETER PERFORMANCE ASSESSMENT LEVEL 4.0 OR HIGHER, A SCHOOL SETTING;

(4) A BEHAVIORAL HEALTH SETTING; OR

(5) A VIDEO REMOTE INTERPRETING SETTING.

(D) A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES EXPIRES ON THE THIRD ANNIVERSARY OF ITS EFFECTIVE DATE.

(E) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD MAY RENEW ONE TIME FOR AN ADDITIONAL 3-YEAR TERM THE PROVISIONAL LICENSE OF AN INDIVIDUAL WHO:

(1) DEMONSTRATES TO THE SATISFACTION OF THE BOARD THE INDIVIDUAL'S CONTINUED EFFORTS TO ACHIEVE NATIONALLY RECOGNIZED CERTIFICATION TO QUALIFY FOR A LICENSE UNDER THIS TITLE;

(2) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM THAT THE BOARD PROVIDES; AND

(3) PAYS TO THE BOARD THE RENEWAL FEE SET BY THE BOARD.

(F) THE TOTAL AMOUNT OF TIME DURING WHICH AN INDIVIDUAL MAY PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES UNDER A PROVISIONAL LICENSE OR LICENSES MAY NOT BE MORE THAN 6 YEARS.

(A) THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE, SUSPEND OR REVOKE A LICENSE, REQUIRE AN EDUCATIONAL COURSE OR TRAINING, OR IMPOSE A CIVIL PENALTY ON AN INDIVIDUAL, AN APPLICANT, OR A LICENSEE IF THE INDIVIDUAL, APPLICANT, OR LICENSEE:

(1) FRAUDULENTLY OR DECEPTIVELY:

(I) OBTAINS OR ATTEMPTS TO OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

(II) USES A LICENSE; OR

(III) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES, INCLUDING PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES AFTER THE EXPIRATION OF A LICENSE;

(2) IS INCOMPETENT;

(3) ENGAGES IN DISHONEST, UNETHICAL, IMMORAL, OR UNPROFESSIONAL CONDUCT;

(4) IS ADDICTED TO ALCOHOL OR DRUGS TO THE EXTENT OF BEING UNFIT TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

(5) ADVERTISES BY MEANS OF KNOWINGLY FALSE OR DECEPTIVE STATEMENTS;

(6) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

(7) IS THE SUBJECT OF DISCIPLINARY OR OTHER ADMINISTRATIVE ACTION TAKEN AGAINST THE INDIVIDUAL'S CERTIFICATION OR LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN ANOTHER STATE; OR

(8) VIOLATES ANY PROVISION OF THIS TITLE OR ANY REGULATION ADOPTED BY THE BOARD UNDER THIS TITLE.

(B) (1) A LICENSE HOLDER WHOSE LICENSE IS SUSPENDED OR REVOKED UNDER SUBSECTION (A) OF THIS SECTION SHALL RETURN THE LICENSE TO THE BOARD IN THE MANNER REQUIRED BY THE BOARD.

(2) AN INDIVIDUAL WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION MAY BE SUBJECT TO ADDITIONAL DISCIPLINARY ACTION BY THE BOARD.

22-312.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL COMMENCE PROCEEDINGS UNDER § 22-311 OF THIS SUBTITLE ON A COMPLAINT MADE TO THE BOARD BY A MEMBER OR ANY OTHER PERSON.

(B) (1) A COMPLAINT SHALL:

(I) BE IN WRITING;

(II) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) BE SUBMITTED TO THE SECRETARY OF THE BOARD.

(2) IF THE COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE BOARD, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(C) (1) IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER § 22-311 OF THIS SUBTITLE, THE BOARD SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 22-313 OF THIS SUBTITLE.

(2) IF THE BOARD DOES NOT MAKE THAT FINDING, IT SHALL DISMISS THE COMPLAINT.

22-313.

(A) (1) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 22-311 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(2) A HEARING SHALL BE SET WITHIN A REASONABLE TIME, NOT

EXCEEDING 6 MONTHS, AFTER THE BOARD BRINGS CHARGES AGAINST A LICENSEE.

(B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) AT LEAST 30 DAYS BEFORE THE HEARING, THE HEARING NOTICE AND A COPY OF THE COMPLAINT SHALL BE:

(1) SERVED PERSONALLY ON THE INDIVIDUAL; OR

(2) MAILED TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL.

(E) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY NEVERTHELESS HEAR AND DECIDE ON THE MATTER.

22-314.

(A) THE BOARD SHALL ADOPT REGULATIONS FOR THE REACTIVATION OF THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS SUSPENDED UNDER § 22-311 OF THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

(1) THAT THE INDIVIDUAL DEMONSTRATE COMPLIANCE WITH ALL TERMS AND CONDITIONS OF THE SUSPENSION ORDER; AND

(2) PAYMENT OF A REACTIVATION FEE SET BY THE BOARD.

(B) THE BOARD SHALL ADOPT REGULATIONS FOR THE REINSTATEMENT OF THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS REVOKED UNDER § 22-311 OF THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

(1) A PERIOD OF TIME SET BY THE BOARD DURING WHICH THE INDIVIDUAL MAY NOT APPLY FOR REINSTATEMENT; AND

(2) PAYMENT OF A REINSTATEMENT FEE SET BY THE BOARD.

22-315.

(A) EXCEPT AS PROVIDED BY LAW, AN INDIVIDUAL WHO ACQUIRES CONFIDENTIAL INFORMATION IN THE COURSE OF PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES MAY NOT BE REQUIRED TO DISCLOSE THE INFORMATION IN ANY LEGAL PROCEEDING, TRIAL, OR INVESTIGATION BEFORE A GOVERNMENTAL UNIT WITHOUT THE CONSENT OF ALL PARTIES TO THE SIGN LANGUAGE INTERPRETATION.

(B) AN INDIVIDUAL PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES HOLDS THE SAME LEGAL PRIVILEGE AS THE INDIVIDUAL RECEIVING THE SIGN LANGUAGE INTERPRETATION SERVICES.

SUBTITLE 4. PROHIBITED ACTS; PENALTIES.

22-401.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY NOT:

(1) PROVIDE, ATTEMPT TO PROVIDE, OR OFFER TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE UNLESS LICENSED BY THE BOARD;

(2) FRAUDULENTLY OR DECEPTIVELY:

(I) OBTAIN OR ATTEMPT TO OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

(II) USE A LICENSE; OR

(III) PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

(3) ENGAGE IN DISHONEST, UNETHICAL, IMMORAL, OR UNPROFESSIONAL CONDUCT;

(4) BE ADDICTED TO ALCOHOL OR DRUGS TO THE EXTENT OF BEING UNFIT TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

(5) ADVERTISE BY MEANS OF KNOWINGLY FALSE OR DECEPTIVE STATEMENTS; OR

(6) VIOLATE ANY PROVISION OF THIS TITLE OR ANY REGULATION ADOPTED BY THE BOARD UNDER THIS TITLE.

22-402.

UNLESS AUTHORIZED UNDER THIS TITLE TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES, AN INDIVIDUAL MAY NOT REPRESENT TO THE PUBLIC, BY USE OF A TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE INDIVIDUAL IS AUTHORIZED TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES IN THE STATE.

22-403.

AN INDIVIDUAL MAY REPORT A VIOLATION OF § 22-401 OF THIS SUBTITLE TO THE BOARD WITHIN 180 DAYS AFTER THE DATE OF THE ALLEGED VIOLATION IF THE INDIVIDUAL IS:

(1) A PARTY TO THE PROVISION OF THE SIGN LANGUAGE INTERPRETATION SERVICES;

(2) HARMED AS A RESULT OF THE ALLEGED VIOLATION; OR

(3) THE GUARDIAN OF THE DEAF PARTY TO THE PROVISION OF THE SIGN LANGUAGE INTERPRETATION SERVICES, IF THE DEAF PARTY IS A MINOR OR HAS BEEN APPOINTED A GUARDIAN OF THE PERSON OF A DISABLED PERSON UNDER § 13-705 OF THE ESTATES AND TRUSTS ARTICLE.

22-404.

(A) IF THE BOARD FINDS A VIOLATION OF § 22-401 OF THIS SUBTITLE, THE BOARD SHALL PROVIDE WRITTEN NOTICE TO THE INDIVIDUAL SPECIFYING THE VIOLATION FOUND.

(B) (1) THE BOARD MAY IMPOSE A CIVIL FINE NOT TO EXCEED \$500 FOR EACH VIOLATION.

(2) IN DETERMINING THE AMOUNT OF THE FINE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER THE SEVERITY OF THE VIOLATION AND WHETHER THE VIOLATION CONSTITUTES A PATTERN.

22-405.

(A) A PARTY WHO RECEIVES SIGN LANGUAGE INTERPRETATION SERVICES FROM AN INDIVIDUAL IN VIOLATION OF THIS TITLE MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION SEEKING AN INJUNCTION TO PROHIBIT THE INDIVIDUAL FROM PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES.

(B) IN A PROCEEDING UNDER THIS SECTION IT IS NOT NECESSARY TO SHOW THAT THE PARTY WAS INDIVIDUALLY INJURED BY THE VIOLATION.

(C) IF THE COURT FINDS THAT AN INDIVIDUAL HAS VIOLATED THIS TITLE, THE COURT SHALL:

(1) ENJOIN THE INDIVIDUAL FROM PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES UNTIL THE VIOLATION IS CORRECTED; AND

(2) REPORT THE FINDING TO THE BOARD.

(D) AN INDIVIDUAL WHO IS CONVICTED OF VIOLATING THIS TITLE IS JOINTLY AND SEVERALLY LIABLE TO THE PARTY WHO BROUGHT THE ACTION FOR AN AMOUNT NOT EXCEEDING \$1,000 PER INCIDENT AND ALL ATTORNEY'S FEES AND COURT COSTS.

22-406.

AN INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500, IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH; AND

(2) FOR EACH SUBSEQUENT VIOLATION, A FINE NOT LESS THAN \$500 AND NOT EXCEEDING \$1,000, IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH.

SUBTITLE 5. SHORT TITLE; TERMINATION OF TITLE.

22-501.

THIS TITLE MAY BE CITED AS THE MARYLAND SIGN LANGUAGE INTERPRETER ACT.

22-502.

SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE MARYLAND PROGRAM EVALUATION ACT, THIS TITLE AND ALL REGULATIONS ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 2025.

Article – Business Regulation

2-108.

(a) The following units are in the Department:

(23) THE STATE BOARD OF SIGN LANGUAGE INTERPRETERS.

Article – State Government

8–403.

(b) Each of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units are subject to preliminary evaluation in the evaluation year specified:

(52) SIGN LANGUAGE INTERPRETERS, STATE BOARD OF (§ 22–201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: 2025);

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Beginning January 1, 2011, an individual who provides sign language interpretation services in the State shall meet the requirements of Title 22 of the Business Occupations and Professions Article, as enacted by Section 3 of this Act.

(b) The State Board of Sign Language Interpreters shall develop and implement a public awareness campaign to inform the public and relevant professionals of the licensing requirements of this Act.

(c) Until set by the State Board of Sign Language Interpreters by regulation, the fee for initial licensure under this Act is \$150.

SECTION 5. AND BE IT FURTHER ENACTED, That a member of the State Board of Sign Language Interpreters that is required to have a license issued under this Act and who is appointed to the Board under § 22–202 of the Business Occupations and Professions Article, as enacted by Section 3 of this Act, before January 1, 2022, may satisfy the license requirement by holding a current nationally recognized certification, as defined under § 22–201 of the Business Occupations and Professions Article, as enacted by Section 3 of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the initial members of the State Board of Sign Language Interpreters appointed by the Governor shall expire as follows:

- (1) three members in 2022;
- (2) three members in 2023; and
- (3) three members in 2024.

SECTION 7. AND BE IT FURTHER ENACTED, That the Governor shall include a General Fund appropriation of \$100,000 for the State Board of Sign Language Interpreters in the fiscal 2021 State budget for the purpose of implementing the provisions of this Act.

SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.