

SENATE BILL 431

C2

1lr1068
CF HB 535

By: **Senators King and Guzzone**

Introduced and read first time: January 20, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Sign Language Interpreter Act**

3 FOR the purpose of establishing the State Board of Sign Language Interpreters in the
4 Maryland Department of Labor; providing that certain provisions of law do not apply
5 to certain individuals; providing for the composition of the Board and the
6 appointment, terms, qualifications, expenses, and removal of the Board members;
7 providing for the chair, term of the chair, meetings, and quorum of the Board;
8 authorizing the Board to perform certain acts to enforce certain provisions of law;
9 providing for the powers and duties of the Board; requiring the Board to establish
10 criteria for the development of certain specialty area portfolios and certain
11 requirements for certain services; requiring the Board to maintain a certain list of
12 licensees and to make the list available to the public; authorizing the Board to set
13 certain fees for certain purposes; requiring certain fees to be paid to the Comptroller,
14 and the Comptroller to distribute certain fees in a certain manner; establishing the
15 Sign Language Interpreters Fund; providing for the purpose and administration of
16 the Fund; providing that the Fund is a special, nonlapsing fund; requiring the State
17 Treasurer to hold the Fund separately, and the Comptroller to account for the Fund;
18 providing for the contents of the Fund; providing for certain uses of the Fund;
19 requiring the State Treasurer to invest the money of the Fund in a certain manner;
20 requiring certain investment earnings to be credited to the General Fund of the
21 State; providing that certain expenditures must be made in accordance with the
22 State budget; requiring the Board to confirm the license status and qualifications of
23 an individual in a certain manner under certain circumstances; providing that the
24 Board exercises its powers, duties, and functions subject to the authority of the
25 Secretary of Labor; requiring an individual, except under certain circumstances, to
26 be licensed by the Board before the individual may provide sign language
27 interpretation services in the State or make certain representations; establishing
28 certain qualifications for a license to provide sign language interpretation services;
29 authorizing the Board to waive certain requirements for a certain license under
30 certain circumstances; requiring the Board to issue a certain license in a certain
31 manner; providing that certain licenses are not transferable; providing for the scope

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 of certain licenses; requiring a licensee to provide a certain notice to the Board to
 2 change certain information on a license within a certain period of time; providing for
 3 the renewal, reinstatement, and reactivation of certain licenses; authorizing the
 4 Board to adopt certain regulations regarding continuing professional competency
 5 requirements; providing for the issuance, term, scope, and renewal of a provisional
 6 license; authorizing the Board to impose certain sanctions on certain license holders
 7 or applicants under certain circumstances; authorizing an individual sanctioned by
 8 the Board to submit a certain request for review in a certain manner; authorizing
 9 the Board to take certain actions on review; requiring the Board to commence certain
 10 proceedings on receipt of a certain complaint; establishing certain hearing
 11 procedures; establishing that certain confidentiality and privileges apply to sign
 12 language interpreters; establishing certain penalties for certain violations of law;
 13 authorizing certain individuals to report certain violations of law to the Board within
 14 a certain period of time; requiring the Board to provide a certain written notice under
 15 certain circumstances; authorizing a certain person to bring a certain action in court
 16 under certain circumstances; requiring that an evaluation of the Board and the
 17 statutes and regulations that relate to the Board be performed on or before a certain
 18 date; providing for a delayed effective date for certain licensing requirements;
 19 requiring the Board to develop and implement a certain public awareness campaign;
 20 providing that holding a certain certification satisfies a certain licensing
 21 requirement for members initially appointed to the Board; providing for the terms of
 22 the initial members of the Board; requiring the Governor to include a certain amount
 23 in the budget bill for a certain fiscal year for a certain purpose; defining certain
 24 terms; and generally relating to the State Board of Sign Language Interpreters.

25 BY renumbering

26 Article – Business Regulation
 27 Section 2–108(a)(23) through (33), respectively
 28 to be Section 2–108(a)(24) through (34), respectively
 29 Annotated Code of Maryland
 30 (2015 Replacement Volume and 2020 Supplement)

31 BY renumbering

32 Article – State Government
 33 Section 8–403(58) through (62), respectively
 34 to be Section 8–403(59) through (63), respectively
 35 Annotated Code of Maryland
 36 (2014 Replacement Volume and 2020 Supplement)

37 BY adding to

38 Article – Business Occupations and Professions
 39 Section 22–101 through 22–502 to be under the new title “Title 22. Sign Language
 40 Interpreters”
 41 Annotated Code of Maryland
 42 (2018 Replacement Volume and 2020 Supplement)

43 BY adding to

1 Article – Business Regulation
2 Section 2–108(a)(23)
3 Annotated Code of Maryland
4 (2015 Replacement Volume and 2020 Supplement)

5 BY adding to
6 Article – State Government
7 Section 8–403(58)
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2020 Supplement)

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8–403(58) through
15 (62), respectively, of Article – State Government of the Annotated Code of Maryland be
16 renumbered to be Section(s) 8–403(59) through (63), respectively.

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

19 **Article – Business Occupations and Professions**

20 **TITLE 22. SIGN LANGUAGE INTERPRETERS.**

21 **SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.**

22 **22–101.**

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

25 **(B) “AMERICAN SIGN LANGUAGE” MEANS A VISUAL–SPATIAL METHOD OF**
26 **COMMUNICATION THAT IS A DISTINCT LANGUAGE INVOLVING THE HANDS, ARMS,**
27 **FACIAL MARKERS, AND BODY MOVEMENTS TO COMMUNICATE WITH OTHERS,**
28 **INCLUDING THROUGH THE CONVEYANCE OF THOUGHTS, WORDS, EMOTIONS, AND**
29 **GRAMMATICAL INFORMATION.**

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

31 **(1) PSYCHIATRIC OR PSYCHOLOGICAL ASSESSMENT OR SCREENING;**

32 **(2) GROUP OR INDIVIDUAL PSYCHOTHERAPY, COUNSELING, OR**

1 TREATMENT; OR

2 (3) REHABILITATION SERVICES FOR SUBSTANCE USE DISORDERS,
3 ADDICTIVE DISORDERS, MENTAL DISORDERS, OR A COMBINATION OF THESE
4 DISORDERS.

5 (D) "BOARD" MEANS THE STATE BOARD OF SIGN LANGUAGE
6 INTERPRETERS.

7 (E) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF THE DEAF AND
8 HARD OF HEARING.

9 (F) "FUND" MEANS THE SIGN LANGUAGE INTERPRETERS FUND
10 ESTABLISHED UNDER § 22-210 OF THIS TITLE.

11 (G) "LEGAL SETTING" INCLUDES:

12 (1) COURT PROCEEDINGS;

13 (2) ATTORNEY-CLIENT CONFERENCES;

14 (3) INVESTIGATIONS BY LAW ENFORCEMENT;

15 (4) DEPOSITIONS;

16 (5) WITNESS INTERVIEWS;

17 (6) REAL ESTATE SETTLEMENTS; AND

18 (7) ADMINISTRATIVE HEARINGS.

19 (H) "LICENSE" MEANS A LICENSE ISSUED UNDER THIS TITLE TO PROVIDE
20 SIGN LANGUAGE INTERPRETATION SERVICES.

21 (I) "MEDICAL SETTING" INCLUDES:

22 (1) AN ACUTE CARE HOSPITAL;

23 (2) AN URGENT CARE CENTER;

24 (3) AN OUTPATIENT CLINIC;

25 (4) SHORT-TERM CARE FACILITIES;

1 **(5) LONG-TERM CARE FACILITIES;**

2 **(6) A PHYSICIAN'S OFFICE; AND**

3 **(7) HOME HEALTH CARE.**

4 **(J) "NATIONALLY RECOGNIZED CERTIFICATION" MEANS:**

5 **(1) CERTIFICATION ISSUED BY:**

6 **(I) THE NATIONAL ASSOCIATION OF THE DEAF; OR**

7 **(II) THE REGISTRY OF INTERPRETERS FOR THE DEAF; OR**

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

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

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

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

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

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

20 **(M) "SCHOOL SETTING" MEANS A SETTING IN WHICH THE FOLLOWING IS**
21 **PROVIDED:**

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

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

26 **(N) "SIGN LANGUAGE INTERPRETER" MEANS AN INDIVIDUAL WHO IS**

1 LICENSED BY THE BOARD TO PROVIDE SIGN LANGUAGE INTERPRETATION
2 SERVICES.

3 (O) "VIDEO RELAY SERVICE" MEANS THE FEDERALLY REIMBURSED AND
4 REGULATED PROGRAM ESTABLISHED TO ENABLE PHONE CALLS BETWEEN USERS OF
5 AMERICAN SIGN LANGUAGE AND INDIVIDUALS WHO DO NOT USE AMERICAN SIGN
6 LANGUAGE BY VIDEOCONFERENCING TECHNOLOGY AND THE USE OF THE SERVICES
7 OF A REMOTELY LOCATED SIGN LANGUAGE INTERPRETER.

8 (P) (1) "VIDEO REMOTE INTERPRETING SETTING" MEANS PROVIDING
9 SIGN LANGUAGE INTERPRETATION SERVICES BY VIDEOCONFERENCING IN WHICH
10 AT LEAST ONE INDIVIDUAL IS AT A SEPARATE LOCATION.

11 (2) "VIDEO REMOTE INTERPRETING SETTING" DOES NOT INCLUDE A
12 VIDEO RELAY SERVICE.

13 22-102.

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

18 22-103.

19 THIS TITLE DOES NOT APPLY TO AN INDIVIDUAL WHO:

20 (1) IS ENGAGED IN SIGN LANGUAGE INTERPRETING AS PART OF A
21 SUPERVISED INTERNSHIP OR PRACTICUM FOR AN ACCREDITED INSTITUTION OF
22 HIGHER EDUCATION, IF THE SIGN LANGUAGE INTERPRETING IS NOT IN:

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

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

27 (III) A LEGAL SETTING; OR

28 (IV) AN ELEMENTARY OR SECONDARY EDUCATION SETTING;

29 (2) IS ENGAGED IN SIGN LANGUAGE INTERPRETING AS PART OF A
30 VIDEO REMOTE INTERPRETING SETTING;

1 **(3) IS ENGAGED IN SIGN LANGUAGE INTERPRETING AS PART OF A**
2 **VIDEO RELAY SERVICE;**

3 **(4) (I) HOLDS A NATIONALLY RECOGNIZED CERTIFICATION IN**
4 **SIGN LANGUAGE INTERPRETING;**

5 **(II) DOES NOT PROVIDE SIGN LANGUAGE INTERPRETATION**
6 **SERVICES IN THE STATE FOR MORE THAN 80 HOURS EACH CALENDAR YEAR;**

7 **(III) SELF-CERTIFIES ELIGIBILITY FOR THIS EXEMPTION; AND**

8 **(IV) NOTIFIES THE BOARD OF EACH SIGN LANGUAGE**
9 **INTERPRETING ASSIGNMENT THE INDIVIDUAL COMPLETES WITHIN 10 DAYS AFTER**
10 **PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES;**

11 **(5) ENGAGES IN SIGN LANGUAGE INTERPRETATION AS AN**
12 **UNCOMPENSATED VOLUNTEER AND IN A SETTING IN WHICH A SIGN LANGUAGE**
13 **INTERPRETER IS NOT OTHERWISE REQUIRED BY LAW;**

14 **(6) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES TO**
15 **PREVENT UNDUE HARM IN THE EVENT OF AN EMERGENCY UNTIL A LICENSED SIGN**
16 **LANGUAGE INTERPRETER CAN ARRIVE; OR**

17 **(7) INTERPRETS BETWEEN A PAIR OF SIGNED LANGUAGES FOR**
18 **WHICH THERE IS NO EXISTING CERTIFICATION.**

19 **SUBTITLE 2. STATE BOARD OF SIGN LANGUAGE INTERPRETERS.**

20 **22-201.**

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

23 **22-202.**

24 **(A) (1) THE BOARD CONSISTS OF EIGHT MEMBERS.**

25 **(2) THE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR AS**
26 **FOLLOWS:**

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

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

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

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

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

10 (VI) TWO SHALL BE HEARING INDIVIDUALS WHO HOLD A
11 LICENSE UNDER SUBTITLE 3 OF THIS TITLE.

12 (3) THE GOVERNOR SHALL APPOINT THE MEMBERS FROM A LIST OF
13 NAMES SUBMITTED TO THE GOVERNOR FROM A NOMINATION PROCESS
14 ESTABLISHED BY THE OFFICE.

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

18 (B) EACH MEMBER OF THE BOARD MUST:

19 (1) BE A RESIDENT OF THE STATE; AND

20 (2) BE PROFICIENT IN AMERICAN SIGN LANGUAGE.

21 (C) (1) THE TERM OF A MEMBER IS 2 YEARS, BEGINNING ON THE DATE OF
22 APPOINTMENT.

23 (2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY
24 THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2021.

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

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

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

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

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

8 **(2) THE GOVERNOR SHALL REMOVE A MEMBER WHO:**

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

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

14 **22-203.**

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

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

18 **22-204.**

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

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

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

24 **(I) THE CHAIR;**

25 **(II) THE DIRECTOR; OR**

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

1 **(C) EACH MEMBER OF THE BOARD:**

2 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;**

3 **BUT**

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

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

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

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

12 **(II) PROVIDING TECHNICAL ASSISTANCE TO LICENSE**
13 **APPLICANTS AND OTHER INTERESTED PERSONS;**

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

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

19 **22-205.**

20 **TO ENFORCE THIS TITLE, THE BOARD MAY:**

21 **(1) CONDUCT INVESTIGATIONS AND HOLD HEARINGS ON ANY MATTER**
22 **COVERED BY THIS TITLE, AT ANY TIME AND PLACE IN THE STATE;**

23 **(2) ADMINISTER OATHS;**

24 **(3) EXAMINE WITNESSES; AND**

25 **(4) RECEIVE EVIDENCE.**

26 **22-206.**

27 **(A) IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE AND WITH THE**

1 **SUPPORT OF THE OFFICE, THE BOARD SHALL ADOPT:**

2 **(1) BYLAWS FOR THE CONDUCT OF ITS PROCEEDINGS; AND**

3 **(2) REGULATIONS TO CARRY OUT THIS TITLE.**

4 **(B) IN ADDITION TO ANY DUTIES SET FORTH ELSEWHERE AND WITH THE**
5 **SUPPORT OF THE OFFICE, THE BOARD SHALL:**

6 **(1) ADMINISTER THIS TITLE;**

7 **(2) ADOPT A SEAL;**

8 **(3) KEEP A RECORD OF ITS PROCEEDINGS;**

9 **(4) KEEP A FILE ON EACH APPLICANT FOR A LICENSE;**

10 **(5) ESTABLISH A VISITING SIGN LANGUAGE INTERPRETER REGISTRY;**

11 **AND**

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

15 **22-207.**

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

18 **(I) LEGAL SETTINGS;**

19 **(II) MEDICAL SETTINGS;**

20 **(III) BEHAVIORAL HEALTH SETTINGS;**

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

23 **(V) CONFERENCE INTERPRETING; AND**

24 **(VI) ANY OTHER SPECIALIST AREAS CONSIDERED NECESSARY BY**
25 **THE BOARD.**

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

4 **(B) THE BOARD SHALL ESTABLISH REQUIREMENTS FOR:**

5 **(1) PROVIDING SIGN LANGUAGE INTERPRETATION SERVICES IN:**

6 **(I) A BEHAVIORAL HEALTH SETTING;**

7 **(II) A LEGAL SETTING; OR**

8 **(III) A MEDICAL SETTING;**

9 **(2) INTRALINGUISTIC TRANSLATIONS AND SIGN LANGUAGE**
10 **INTERPRETATION; AND**

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

13 **22-208.**

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

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

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

20 **22-209.**

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

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

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

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

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

3 **22-210.**

4 **(A) THERE IS A SIGN LANGUAGE INTERPRETERS FUND.**

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

7 **(C) THE DIRECTOR SHALL ADMINISTER THE FUND.**

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

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

12 **(E) THE FUND CONSISTS OF:**

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

15 **(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;**
16 **AND**

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

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

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

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

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

27 **22-211.**

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

4 (B) EACH RESPONSE UNDER THIS SECTION:

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

7 (2) MAY INCLUDE:

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

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

12 (III) INFORMATION ABOUT ANY DISCIPLINARY ACTION TAKEN
13 AGAINST THE INDIVIDUAL.

14 22-212.

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

17 SUBTITLE 3. LICENSES.

18 22-301.

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

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

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

26 22-302.

27 (A) TO QUALIFY FOR A LICENSE, AN APPLICANT MUST MEET THE

1 REQUIREMENTS OF THIS SECTION.

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

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

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

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

8 (3) PROOF THAT THE APPLICANT HOLDS A VALID NATIONALLY
9 RECOGNIZED CERTIFICATION; AND

10 (4) ANY OTHER QUALIFICATIONS DETERMINED BY THE BOARD.

11 22-303.

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

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

17 (1) PAYS TO THE BOARD:

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

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

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

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

1 **22-304.**

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

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

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

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

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

10 **22-305.**

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

15 **22-306.**

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

18 **22-307.**

19 (A) UNLESS RENEWED BY A LICENSEE, A LICENSE EXPIRES ON THE DATE
20 SET BY THE BOARD.

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

23 (I) A RENEWAL APPLICATION FORM; AND

24 (II) A NOTICE THAT STATES:

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

27 2. THE AMOUNT OF THE LICENSE FEE.

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

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

9 **(1) OTHERWISE IS ENTITLED TO BE LICENSED;**

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

11 **(3) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM**
12 **THAT THE BOARD PROVIDES.**

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

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

18 **22-308.**

19 **THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL WHO FOR ANY**
20 **REASON HAS FAILED TO RENEW THE LICENSE IF THE INDIVIDUAL:**

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

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

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

27 **22-309.**

28 **(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL**
29 **ISSUE A PROVISIONAL LICENSE TO PROVIDE SIGN LANGUAGE INTERPRETATION**

1 SERVICES TO AN INDIVIDUAL WHO HAS TAKEN AND PASSED A WRITTEN
2 EXAMINATION FOR A NATIONALLY RECOGNIZED CERTIFICATION.

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

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

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

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

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

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

15 (1) A LEGAL SETTING;

16 (2) A MEDICAL SETTING;

17 (3) A BEHAVIORAL HEALTH SETTING; OR

18 (4) A VIDEO REMOTE INTERPRETING SETTING.

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

22 (E) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD MAY
23 RENEW ONE TIME FOR A 2-YEAR TERM THE PROVISIONAL LICENSE OF AN
24 INDIVIDUAL WHO:

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

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

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

2 **(F) THE TOTAL AMOUNT OF TIME DURING WHICH AN INDIVIDUAL MAY**
3 **PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES UNDER A PROVISIONAL**
4 **LICENSE OR LICENSES MAY NOT BE MORE THAN 5 YEARS.**

5 **22-310.**

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

10 **(1) FRAUDULENTLY OR DECEPTIVELY:**

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

13 **(II) USES A LICENSE; OR**

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

17 **(2) IS INCOMPETENT;**

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

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

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

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

26 **(I) A FELONY; OR**

27 **(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE**
28 **FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE SIGN**

1 LANGUAGE INTERPRETATION SERVICES;

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

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

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

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

13 22-311.

14 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL
15 COMMENCE PROCEEDINGS UNDER § 22-310 OF THIS SUBTITLE ON A COMPLAINT
16 MADE TO THE BOARD BY A MEMBER OR ANY OTHER PERSON.

17 (B) (1) A COMPLAINT SHALL:

18 (I) BE IN WRITING;

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

21 (III) BE SUBMITTED TO THE BOARD.

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

25 (C) (1) IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT
26 ARE ADEQUATE GROUNDS FOR ACTION UNDER § 22-310 OF THIS SUBTITLE, THE
27 BOARD SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 22-312 OF THIS
28 SUBTITLE.

29 (2) IF THE BOARD DOES NOT MAKE A FINDING UNDER PARAGRAPH (1)
30 OF THIS SUBSECTION, THE BOARD SHALL DISMISS THE COMPLAINT.

1 **22-312.**

2 (A) (1) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE
3 GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER §
4 22-310 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE
5 ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

6 (2) A HEARING SHALL BE SET WITHIN A REASONABLE TIME, NOT
7 EXCEEDING 6 MONTHS, AFTER THE BOARD BRINGS CHARGES AGAINST A LICENSEE.

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

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

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

14 (1) SERVED PERSONALLY ON THE INDIVIDUAL; OR

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

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

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

20 **22-313.**

21 (A) THE BOARD SHALL ADOPT REGULATIONS FOR THE REACTIVATION OF
22 THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS SUSPENDED UNDER § 22-310
23 OF THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

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

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

27 (B) THE BOARD SHALL ADOPT REGULATIONS FOR THE REINSTATEMENT OF
28 THE LICENSE OF AN INDIVIDUAL WHOSE LICENSE IS REVOKED UNDER § 22-310 OF

1 THIS SUBTITLE THAT REQUIRE, AT A MINIMUM:

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

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

5 22-314.

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

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

15 SUBTITLE 4. PROHIBITED ACTS; PENALTIES.

16 22-401.

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

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

21 (2) FRAUDULENTLY OR DECEPTIVELY:

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

24 (II) USE A LICENSE; OR

25 (III) PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

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

28 (4) BE ADDICTED TO ALCOHOL OR DRUGS TO THE EXTENT OF BEING

1 UNFIT TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES;

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

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

6 22-402.

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

12 22-403.

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

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

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

19 (3) THE GUARDIAN OF THE DEAF INDIVIDUAL RECEIVING THE SIGN
20 LANGUAGE INTERPRETATION SERVICES, IF THE DEAF INDIVIDUAL IS A MINOR OR
21 HAS BEEN APPOINTED A GUARDIAN OF THE PERSON OF A DISABLED PERSON UNDER
22 § 13-705 OF THE ESTATES AND TRUSTS ARTICLE.

23 22-404.

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

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

29 (2) IN DETERMINING THE AMOUNT OF THE FINE IMPOSED UNDER
30 PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER THE SEVERITY

1 OF THE VIOLATION AND WHETHER THE VIOLATION CONSTITUTES A PATTERN OF
2 IMPROPER CONDUCT.

3 **22-405.**

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

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

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

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

14 (2) REPORT THE FINDING TO THE BOARD.

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

19 **22-406.**

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

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

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

26 **SUBTITLE 5. SHORT TITLE; TERMINATION OF TITLE.**

27 **22-501.**

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

1 **22-502.**

2 **SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE**
3 **MARYLAND PROGRAM EVALUATION ACT, THIS TITLE AND ALL REGULATIONS**
4 **ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY**
5 **1, 2027.**

6 **Article – Business Regulation**

7 2-108.

8 (a) The following units are in the Department:

9 **(23) THE STATE BOARD OF SIGN LANGUAGE INTERPRETERS.**

10 **Article – State Government**

11 8-403.

12 This subtitle applies only to the following governmental activities and units:

13 **(58) SIGN LANGUAGE INTERPRETERS, STATE BOARD OF (§ 22-201 OF**
14 **THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE);**

15 SECTION 4. AND BE IT FURTHER ENACTED, That:

16 (a) Beginning January 1, 2023, an individual who provides sign language
17 interpretation services in the State shall meet the requirements of Title 22 of the Business
18 Occupations and Professions Article, as enacted by Section 3 of this Act.

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

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

24 SECTION 5. AND BE IT FURTHER ENACTED, That a member of the State Board
25 of Sign Language Interpreters who is required to have a license issued under this Act and
26 who is appointed to the Board under § 22-202 of the Business Occupations and Professions
27 Article, as enacted by Section 3 of this Act, before January 1, 2023, may satisfy the license
28 requirement by holding a current nationally recognized certification, as defined in §
29 22-101 of the Business Occupations and Professions Article, as enacted by Section 3 of this
30 Act.

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

- 4 (1) three members in 2024;
- 5 (2) three members in 2025; and
- 6 (3) two members in 2026.

7 SECTION 7. AND BE IT FURTHER ENACTED, That the Governor shall include
8 \$100,000 in the fiscal year 2023 State budget for the State Board of Sign Language
9 Interpreters for the purpose of implementing the provisions of this Act.

10 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2021.