

Wes Moore
Governor



Kelby Brick
Director

Aruna Miller
Lt. Governor

**GOVERNOR'S OFFICE OF THE
DEAF AND HARD OF HEARING**

**SB 346 MARYLAND SIGN LANGUAGE INTERPRETERS ACT
HB 260 MARYLAND SIGN LANGUAGE INTERPRETERS ACT**

**MARYLAND GOVERNOR'S OFFICE OF THE DEAF AND HARD OF HEARING
DIRECTOR KELBY BRICK, ESQ., CDI**

**SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE
Senator Brian J. Feldman, Chair
Senator Cheryl C. Kagan, Vice Chair
February 14, 2023**

**HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE
Delegate Joseline A. Pena-Melnyk, Chair
Delegate Ariana B. Kelly, Vice Chair
February 22, 2023**

Greetings Chair and distinguished members of the committee, my name is Kelby Brick. I am an attorney and a certified interpreter. I am honored to be here on behalf of the Governor's Office of the Deaf and Hard of Hearing (GODHH) as its director to provide testimony to support the Maryland Sign Language Interpreters Act.

The bill in front of us today, the Maryland Sign Language Interpreters Act (HB260/SB346), aims to establish a licensing and regulatory system for sign language interpreters under the State Board of Sign Language Interpreters in the Governor's Office of the Deaf and Hard of Hearing (GODHH). The bill also mandates the development of programs to assist licensure of marginalized interpreters, the development of mentorship programs and the creation of financial assistance for certain applicants.

Make no mistake, this bill is a civil rights bill as well as a consumer protection act. Bad actors have preyed on the Deaf community, exploiting them, and harming them for their own benefit. We need you to act today to stop such exploitation.

As the legislature has reported in its current budget analysis of GODHH, "Unlike 48 other states, Maryland has neither statewide standards nor a regulatory body to provide oversight over ASL interpretation services." We stand alone with Florida in the absolute lack of oversight of the sign language interpreting profession.

Lack of interpreter qualifications and fraudulent interpretation for Maryland's Deaf and hard of hearing residents happens all too often in many settings including courts, government offices, schools, hospitals, and places of employment. These harms Deaf and hard of hearing people while isolating them from the larger community and workplace.

Business owners, places of public accommodations (such as hospitals), schools, and Deaf consumers have frequently complained about the harm incurred by fraudulent or unqualified American Sign Language (ASL) interpreters. A fraudulent or unqualified ASL interpreter is typically a malfeasant actor who poses as an ASL interpreter with little to no training, competency, and fluency in the language. Consistent with the approach taken by other states, this legislative bill enacts a licensing requirement for such interpreters to protect the public's health, safety, and welfare.

The harm incurred by fraudulent and unqualified interpreters have cost consumers and businesses hundreds of thousands of dollars. Lawsuits have resulted from such harm. Fraudulent and unqualified interpreters in courts, government, schools, hospitals, and many other settings can cause significant harm to Deaf and hard of hearing constituents by failing to convey information and effectively isolating Deaf and hard of hearing constituents from their community at large, while preventing service providers to be able to provide effective services.

Nearly all other states have regulations governing sign language interpreters. The scope of each state varies. Some states do actual assessment of interpreters' skills, fluency, and competency in the language; others do not do assessments but rather verification of specified criteria required for licensure.

Because Maryland does not have any regulation on sign language interpreters, many fraudulent and unqualified sign language interpreters who are unable to pass qualifications for licensure in neighboring states come to Maryland, preying on our most vulnerable residents. The neighboring states are Virginia, West Virginia, Washington D.C., Pennsylvania, and Delaware, all with some sort of regulations of varying scope in place. Consequently, qualified interpreters and hiring agencies that provide qualified interpreters are outcompeted by unqualified and fraudulent interpreters, harming their businesses.

GODHH has been consistent in advocating for communication access for 1.2 million Deaf and hard of hearing Marylanders and this has included the provision of qualified and skilled sign language interpreters and captioning for governor press briefings and the Governor's State of the State Address as you may have seen earlier this month.

Maryland has been recognized as one of the top three states in providing access to COVID information via public TV broadcasts using American Sign Language interpreters and captioning in real time. A different study found that Maryland received top scoring based on our use of ASL and captioning in our vlogs and press announcements related to the pandemic. In our transition

reports we emphasized the importance of maintaining the top notch ASL and captioning access that many states have modeled after ours.

We are able to do all that for the Governor, but everyone deserves the same access for critical and yet mundane events in their lives. Being able to tell their doctor what is happening with their bodies. Being able to understand what is happening in the courtroom. Being able to discuss tasks with their employers. Those are things we take for granted every day, but the average Deaf person walks into those situations everyday having no idea if the so-called interpreter who shows up is qualified or yet another exploiter.

This needs to end immediately. You have the power to end this injustice.

A similar bill passed the House last year but ran out of time in the Senate. Please support and pass this bill this year to protect consumers while advancing their civil rights.

Thank you