

**Title 20. Public Health and Welfare**

**Chapter I. Generally, Department of Health**

**Subchapter A. Generally**

**Part 10. Rules Governing the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf and Rules Governing the Licensure of Provisional and Qualified Interpreters**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Promulgated Under the Authority of Arkansas Code Annotated § 20-14-801 et seq. (Act 1314 of 2013)"

"CERTIFICATION

This will certify that the foregoing Rules Governing the Advisory Board For Interpreters Between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard Of Hearing, Or Oral Deaf and Rules Governing the Licensure of Provisional And Qualified Interpreters were adopted by the Arkansas State Board of Health at a regular board session held in Little Rock, Arkansas, on the 28th of October, 2021.

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Jennifer Dillaha, M.D.

Director of the Department of Health  
Arkansas State Board of Health"

"Effective August 1, 2022"

**Subpart 1. Purpose and Jurisdiction**

**20 CAR § 10-101. Purpose.**

(a)(1) The practice of interpreting affects:

(A) The public health, safety, and welfare; and

(B) Civic, economic, social, academic, and recreational aspects of life.

(2) Individuals who are deaf, deafblind, hard of hearing, or oral deaf, individuals with disabilities who use special techniques in order to communicate, and individuals whose primary language is sign language have a civil right to effective communication.

(b)(1) Further, individuals with hearing disabilities and those with whom they communicate require and are entitled to competent reliable interpreting services.

(2) Therefore, Arkansas finds the practice of interpreting should be subject to licensure and regulation to:

(A) Protect the public's interest by providing minimum qualifications for interpreters; and

(B) Ensure that members of the interpreting profession perform with a high degree of competency.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-102. Definitions.**

(a) As used in this part:

(1) "Automatic licensure" means the granting of occupational licensure without an individual having met the occupational licensure requirements provided by this part or under Arkansas Code;

(2) "Cued speech" means the system of handshapes that represent groups of consonant sounds and hand placements that represent groups of vowel sounds that is used with natural speech to represent a visual model of spoken language;

(3) "Deaf individual" means an individual who has a documented hearing loss so severe that the individual is unable to process speech and language through hearing, with or without amplification;

- (4) "Deaf interpreter" means a deaf individual who facilitates communication:
- (A) Between another deaf person and a licensed qualified interpreter; or
  - (B) Between two (2) or more deaf persons;
- (5) "Deafblind individual" means an individual who has a combined loss of vision and hearing that prevents the individual's vision or hearing from being used as a primary source for accessing information;
- (6) "Hard of hearing individual" means an individual who:
- (A) Has a hearing loss;
  - (B) May primarily use visual communication; and
  - (C) May use assistive devices;
- (7)(A) "Interpret" means to provide language equivalency between a hearing individual and an individual who is deaf, deafblind, hard of hearing, or oral deaf using techniques that include without limitation:
- (i) American Sign Language;
  - (ii) English-based sign language;
  - (iii) Cued speech; and
  - (iv) Oral interpreting.
- (B) "Interpret" shall include providing interpreting services through the use of electronic communications, information technology, asynchronous store, and forward transfer, or synchronous interaction to one (1) or more persons located in Arkansas, including, but not limited to:
- (i) Video relay services (VRS); and
  - (ii) Video remote interpreting services (VRI);
- (8) "Interpreting agency" means an entity that provides qualified interpreter services for a fee;
- (9) "Hiring entity" means any entity that hires or employs qualified interpreters;
- (10) "Licensed provisional interpreter" means an individual who is:
- (A) Deaf, deafblind, hard of hearing, or oral deaf; and

(B) Provisionally licensed under this part and subject to Arkansas Code § 20-14-801 et seq., hereinafter referred to as "interpreter";

(11) "Licensed qualified interpreter" means an individual who is licensed under this part and subject to Arkansas Code § 20-14-801 et seq. (hereinafter referred to as "interpreter");

(12) "Oral deaf individual" means an individual whose:

(A) Sense of hearing is nonfunctional for the purpose of communication;  
and

(B) Primary method of communication is speech reading and spoken English;

(13) "Oral interpreting" means the use of oral transliteration with special techniques to make the English language visible for persons who communicate as speech readers;

(14) "Uniformed service member" means an:

(A) Active or reserve component member of the:

(i) United States Air Force;

(ii) United States Army;

(iii) United States Coast Guard;

(iv) United States Marine Corps;

(v) United States Navy;

(vi) United States Space Force; or

(vii) National Guard;

(B) Active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or

(C) Active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(15) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-103. Jurisdiction.**

This part regulates the licensing of interpreters for individuals who are deaf, deafblind, hard of hearing, or oral deaf and imposes penalties for persons or entities that violate this part.

**Authority.** Arkansas Code §§ 20-14-803, 20-14-809.

**20 CAR § 10-104. Limitations.**

(a) This part does not establish minimum qualifications for interpreters in the kindergarten through twelfth grade (K – 12) school setting.

(b)(1) Those qualifications have been established by the Department of Education.

(2) Please contact the department for the most current guidelines.

**Authority.** Arkansas Code § 20-14-809.

**Subpart 2. Advisory Board for Interpreters**

**20 CAR § 10-201. Establishment of the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf.**

(a) Pursuant to Arkansas Code § 20-14-801 et seq., (Acts 2013, No. 1314), the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf, (hereinafter referred to as the “Advisory Board for Interpreters”), shall be created within the Department of Health.

(b) **Members.** The advisory board shall consist of seven (7) members appointed by the Secretary of the Department of Health, hereinafter referred to as the “secretary”, as follows:

(1) Four (4) licensed qualified interpreters appointed from a list of eight (8) submitted by the Arkansas Registry of Interpreters for the Deaf, Inc. in conjunction with the Arkansas Association of the Deaf;

(2) Two (2) members appointed from a list of four (4) submitted by the Arkansas Association for the Deaf in conjunction with Arkansas Registry of Interpreters for the Deaf, Inc. who are deaf persons, hard of hearing persons, or oral deaf persons not licensed under Arkansas Code § 20-14-801 et seq.; and

(3) One (1) member appointed from a list of two (2) submitted by the Arkansas Association for the Deaf in conjunction with Arkansas Registry of Interpreters for the Deaf, Inc., who are neither individuals who are deaf, deafblind, hard of hearing, nor oral deaf and who are not licensed under Arkansas Code § 20-14-801 et seq.

(c) **Terms.**

(1) Each member shall serve a term of three (3) years.

(2) A member shall not serve more than two (2) consecutive terms.

(d) **Quorum.** Four (4) members of the advisory board constitute a quorum for the transaction of business.

(e) **Vacancy.** If a vacancy occurs on the advisory board, the secretary shall appoint to complete the term vacated a person who possesses the same qualifications as those required for the position to which he or she is appointed.

(f) **Meetings.**

(1)(A) The advisory board shall hold meetings at the offices of the department in Little Rock, Arkansas, or at other places as the advisory board may determine.

(B) Meetings for review of documents and recommendations may be done via technology, in lieu of face-to-face, provided those meetings comply with the open meeting requirement of the Arkansas Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(2) The department shall provide meeting facilities and staff for such meetings of the advisory board for the purpose of keeping records.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-202. Powers and duties of the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf.**

The Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall:

- (1) Recommend rules for the operation of the advisory board; and
- (2) Review and recommend to the Secretary of the Department of Health:
  - (A) Acceptance or rejection of applications for licensure and renewal of licenses for interpreters for the deaf, deafblind, hard of hearing, and oral deaf;
  - (B) Criteria for issuance and renewal of licenses for interpreters;
  - (C) Criteria for issuance and continuance of provisional licenses;
  - (D) Fees for licensure and licensure renewal;
  - (E) Suspension or revocation of licenses;
  - (F) Procedures for receiving and investigating complaints under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.;
  - (G) Rules to ensure that an interpreting agency provides only licensed interpreters for services;
  - (H) Rules regarding conflicts of interest regarding members of the advisory board; and
  - (I) A professional code of conduct.

**Authority.** Arkansas Code §§ 20-14-805, 20-14-809.

**20 CAR § 10-203. Conflicts of interests regarding advisory board members.**

(a)(1) Membership on the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf is solely at the invitation and discretion of the Secretary of the Department of Health.

(2) In order to avoid any potential conflict of interest with the responsibilities of the advisory board, the following statement has been adopted to guide the advisory board on issues of potential influences on judgment, disclosure, and recusal.

**(b) Declaration.**

(1) Appointees to the advisory board must:

(A) Be free from conflicts of interest and undue influence; and

(B) Sign a Conflict of Interest Declaration, attached hereto as Appendix A.

(2) Said declaration shall be signed annually.

(c) Conflicts of interest are identified as follows:

(1)(A) A sitting member on a credentialing panel.

(B) This includes, but is not limited to, persons who serve as raters when evaluating interpreters sitting for the QAST, RID Certification, EIPA, or BEI;

(2)(A) An employer with the authority to hire or employ interpreters.

(B) This includes, but is not limited to:

(i) Persons who hire or fire interpreters for:

(a) Colleges or universities;

(b) Video relay service (VRS) call centers; or

(c) Human resource departments for public school systems; or

(ii) Any individual working for an entity with the authority to hire or employ interpreters; and

(3)(A) An owner and/or individual who runs an interpreting agency.

(B) This includes, but is not limited to, persons who run an interpreting agency in which interpreters are subcontracted to work for the business.

**(d) Disclosure.**

(1) Members shall disclose in writing to the advisory board any person to whom they are closely related or organization with which they are affiliated that presently transacts business with the Department of Health or might reasonably be expected to do so in the future.

(2) Each disclosure shall be updated and resubmitted on an annual basis.

(e) An affiliation with an organization will be considered to exist when a member or his or her immediate family or close relative:

(1) Is an officer, director, trustee, partner, employee, or agent of the organization;

(2) Owns five percent (5%) of the voting stock or controlling interest in the organization; or

(3) Has any other substantial interest or dealings with an organization.

(f) **Abstaining from participation.** Any member shall abstain from voting and actively participating on any matter in which said member may be considered to have a conflict of interest.

(g) **Abstaining declaration.** An abstaining declaration shall be:

(1) Made for the record at the beginning of any such motion or discussion; and

(2) Recorded in the official minutes of the meeting.

(h) **Other affiliations.** A member shall not serve in a fund development or grants management capacity for another nonprofit or healthcare organization if such service would represent a conflict of interest.

(i) If, during their service on the advisory board, a member's situation changes in such a manner as to create a conflict of interest, the member shall immediately inform the secretary.

**Authority.** Arkansas Code § 20-14-809.

**Codification Notes.** "BEI" means Board for Evaluation of Interpreters.

"EIPA" means Educational Interpreter Performance Assessment.

"QAST" means Quality Assurance Screening Test.

"RID" means Registry of Interpreters for the Deaf, Inc.

### **Subpart 3. Licensure**

#### **20 CAR § 10-301. Application for Qualified Interpreter License.**

(a) Any individual desiring to practice interpreting within the state of Arkansas may submit an application for licensure, attached hereto as Appendix B.

(b) The Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall recommend to the Secretary of the Department of Health, after review of said application, issuance of a license to an applicant who submits proof of the following:

- (1) A completed application with appropriate required fees;
- (2) Documentation of a credential or credentials held and sustained by continuing education units (CEUs); and
- (3) Acknowledgment of adherence to the professional ethical practices set forth in this part.

(c) **Expiration.** A license issued under this part expires on December 31 of the calendar year on which it was issued.

(d) **Renewal.**

(1) A license issued under this part is to be renewed upon expiration of the calendar year.

(2) Renewals based on out-of-state credentials and CEU documentation will be assessed individually to determine equivalency with these requirements.

(3) The applicant for renewal shall submit:

- (A) A signed request for renewal with appropriate required fees;
- (B) Documentation of a credential or credentials held and sustained by CEUs; and
- (C) Documentation of CEUs if a credential or credentials for EIPA and QAST credentials.

(e) **Late renewal.**

(1) If for some reason a licensee fails to renew by January 1 of the next calendar year, the licensee shall submit the application with:

- (A) A statement explaining the reason for late renewal; and
  - (B) The renewal fee and late fee.
- (2) There is no guarantee that late application requests will be automatically approved.
- (3) Each request will be evaluated separately and independent from others.
- (4) If a request for a late renewal is denied, the licensee will be given notice and an opportunity for a hearing.
- (f)(1) Any license not renewed by January 31 of the next calendar year will be placed on inactive status.
- (2) To resume active licensure, the applicant must submit the following:
- (A) Documentation of credentials held;
  - (B) Documentation of CEUs for EIPA and QAST; and
  - (C) Reactivation fee.

**Authority.** Arkansas Code §§ 20-14-805, 20-14-809.

**Codification Notes.** "EIPA" means Educational Interpreter Performance Assessment.

"QAST" means Quality Assurance Screening Test.

**20 CAR § 10-302. Application for provisional licensure.**

(a)(1) An individual desiring to apply for a Provisional Interpreter’s License is any individual who is deaf or hard of hearing that practices in providing interpreting services, thus practicing as a “deaf interpreter.”

- (2) A Provisional Interpreter’s License will be available for individuals who are:
- (A) Deaf or hard of hearing; and
  - (B) Not yet credentialed by any of the credentialing entities listed in 20 CAR § 10-304.

(b) **Requirements.** Any individual who is deaf, deafblind, or hard of hearing may apply for a provisional licensure to practice as a “deaf interpreter” and must submit the following:

- (1) A completed application with appropriate required fees;
- (2) Documentation of fifteen (15) hours of interpreter training;
- (3) Documentation of ten (10) hours of supervised observation/interpreting with a seasoned, RID-credentialed interpreter; and
- (4) Two (2) letters of recommendation from seasoned RID-credentialed interpreters.

(c) **Expiration.** A license issued under this part expires on December 31 of the calendar year on which it was issued.

(d) **Renewal.**

(1) A license issued under this part is to be renewed upon expiration of the calendar year.

(2) The applicant for renewal shall submit:

- (A) A signed request for renewal with appropriate required fees;
- (B) Documentation of a credential or credentials held and sustained by CEUs; and
- (C) Documentation of CEUs for EIPA and QAST credentials.

(e) Renewals based on out-of-state credentials and CEU documentation will be assessed individually to determine equivalency with these requirements.

(f) **Late renewal.**

(1) If for some reason a licensee fails to renew by January 1 of the next calendar year, the licensee shall submit the application with:

- (A) A statement explaining the reason for late renewal; and
- (B) The renewal fee and late fee.

(2) There is no guarantee that late application requests will be automatically approved.

(3) Each request will be evaluated separately and independent from others.

(4) If a request for a late renewal is denied, the licensee will be given notice and an opportunity for a hearing.

(g)(1) Any license not renewed by January 31 of the next calendar year will be placed on inactive status.

(2) To resume active licensure, the applicant must submit the following:

(A) Documentation of credentials held;

(B) Documentation of CEUs for EIPA and QAST credentials; and

(C) Reactivation fee.

**Authority.** Arkansas Code §§ 20-14-805, 20-14-809.

**Codification Notes.** "EIPA" means Educational Interpreter Performance Assessment.

"QAST" means Quality Assurance Screening Test.

"RID" means Registry of Interpreters for the Deaf, Inc.

**20 CAR § 10-303. Application for temporary provisional licensure.**

(a) The Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall issue a temporary and provisional license immediately upon receipt of the:

(1) Application;

(2) Required fee; and

(3) Documentation required in 20 CAR § 10-305.

(b) The temporary and provisional license shall be effective for at least ninety (90) days or until December 31 of the calendar year in which it was issued, whichever is latest, unless the advisory board determines that the applicant does not meet the requirements under 20 CAR § 10-305, in which case the temporary and provisional license shall be immediately revoked.

(c) An applicant may:

(1) Provide the rest of the documentation required above in order to receive a license; or

(2) Only provide the information necessary for the issuance of a temporary and provisional license.

**Authority.** Arkansas Code §§ 20-14-805, 20-14-809.

**20 CAR § 10-304. Application for automatic licensure.**

(a) The Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf shall grant automatic licensure to an individual who holds a substantially equivalent occupational license with similar scope of practice issued by another United States state, territory, or district and is:

(1) A uniformed service member stationed in the State of Arkansas;

(2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or

(3) The spouse of a person under subdivision (a)(1) of this section or subdivision (a)(2) of this section, above, including a uniformed service member who is:

(A) Assigned a tour of duty that excludes the spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; or

(B) Killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

(b) The advisory board shall grant such automatic licensure upon receipt of all the below:

(1) Payment of the initial licensure fee;

(2) Evidence that the individual holds a substantially equivalent license in another United States state, territory, or district; and

(3) Evidence that the applicant is a qualified applicant under subsection (a) of this section.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-305. Reciprocity.**

(a) **Required qualifications.** An applicant applying for reciprocal licensure shall meet the following requirements:

(1) The applicant shall hold a substantially similar license in another United States jurisdiction.

(A) A license from another state is substantially similar to an Arkansas Deaf, Deafblind, Hard of Hearing, or Oral Deaf Interpreters license if the other state's licensure qualifications require credentials recognized by the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf.

(B) The applicant shall hold his or her occupational licensure in good standing.

(C) The applicant shall not have had a license revoked for:

(i) An act of bad faith; or

(ii) A violation of law, rule, or ethics;

(2) The applicant shall not hold a suspended or probationary license in a United States jurisdiction;

(3) The applicant shall be sufficiently competent in deaf, deafblind, hard of hearing, or oral deaf interpretation; and

(4) The applicant shall hold a credential or credentials, sustained by CEUs, that are recognized by the advisory board.

(b) **Required documentation.**

(1) An applicant shall submit:

(A) A fully executed application;

(B) The required fee; and

(C) The documentation described below.

(2) As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas's, the applicant shall submit the following information:

(A)(i) Evidence of current and active licensure in that state.

(ii) The advisory board may verify this information:

(a) Online if the jurisdiction at issue provides primary source verification on its website; or

(b) By telephone to the other state's licensing board; and

(B)(i) Evidence that the other state's licensure requirements match those listed in subdivision (a)(1) of this section.

(ii) The advisory board may verify this information online or by telephone to the other state's licensing board.

(3) To demonstrate that the applicant meets the requirement in subdivision (a)(1) and (a)(2) of this section, the applicant shall provide the advisory board with:

(A) The names of all states in which the applicant:

(i) Is currently licensed; or

(ii) Has been previously licensed; and

(B)(i) Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant:

(a) Has not had his or her license revoked for the reasons listed in subdivision (a)(1)(C) of this section; and

(b) Does not hold a license on suspended or probationary status as described in subdivision (a)(2) of this section.

(ii) The advisory board may verify this information:

(a) Online if the jurisdiction at issue provides primary source verification on its website; or

(b) By telephone to the other state's licensing board.

(4) As evidence that the applicant is sufficiently competent in the field of deaf, deafblind, hard of hearing, or oral deaf interpretation, an applicant shall submit:

(A) Three (3) letters of recommendation from interpreter agencies or colleagues in interpretation; and

(B) Documentation of a credential or credentials held and sustained by CEUs and acknowledgement of adherence to the professional ethical practices set forth in this part.

**Authority.** Arkansas Code §§ 20-14-805, 20-14-809.

**Codification Notes.** "CEU" means continuing education unit.

**20 CAR § 10-306. Licensing individuals from a state that does not license interpreters.**

(a) **Required qualifications.** An applicant from a state that does not license deaf, deafblind, hard of hearing, or oral deaf interpreters shall meet the following requirements:

(1) The applicant shall be sufficiently competent in deaf, deafblind, hard of hearing, or oral deaf interpretation; and

(2) The applicant shall hold a credential or credentials, sustained by CEUs, that are recognized by the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf.

(b) **Required documentation.**

(1) An applicant shall submit a fully executed application, the required fee, and the documentation described below.

(2) As evidence that the applicant is sufficiently competent in the field of deaf, deafblind, hard of hearing, or oral deaf interpretation, an applicant shall:

(A) Submit three (3) letters of recommendation from interpreter agencies or colleagues in interpretation; and

(B) Submit documentation of:

(i) A credential or credentials held and sustained by CEUs; and

(ii) Acknowledgement of adherence to the professional ethical practices set forth in this part.

**Authority.** Arkansas Code § 20-14-809.

**Codification Notes.** "CEU" means continuing education unit.

**20 CAR § 10-307. Recognized credentials.**

Credentials obtained by practicing interpreters currently recognized by the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf include:

- (1) Arkansas Rehabilitation Services Quality Assurance Screening Test (QAST);
- (2) Educational Interpreter Performance Assessment;
- (3) National Association of the Deaf;
- (4) National Cued Speech Association;
- (5) Registry of Interpreters for the Deaf, Inc.;
- (6) Texas Board for Evaluation of Interpreters; and
- (7) Other credentials recognized by the advisory board.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-308. Continuing education units.**

(a) Interpreters must maintain Continuing Education Units (CEUs) through the credentials held.

(b) Documentation of CEUs obtained shall be submitted on an annual basis at renewal by providing transcripts or tracking systems used by the credentialing bodies.

(c) If an interpreter does not have documentation to submit from a credentialing body, then a total of ten (10) clock hours (ten (10) clock hours equals one (1.0) CEU) of continuing education must be completed on an annual basis.

(d) Documentation of the ten (10) clock hours shall be submitted at the time of renewal.

**Authority.** Arkansas Code § 20-14-809.

**20 CAR § 10-309. Fees.**

- (a) All fees are to be paid at the time of application or request for services.
- (b) Fees are nonrefundable and are not prorated.
- (c) Annual fees follow a calendar year.
- (d) Additional fees will be assessed for insufficient funds if such should happen.
- (e) Current fee structures are:

Initial Application and Licensure Fee	\$90.00
(includes \$35.00 non-refundable application fee)	
Annual Fee	\$75.00
(Renewal on the calendar year; includes \$35.00 non-refundable application fee)	
Re-Activation Fee (if application is delivered after January 31) (includes \$35.00 non-refundable application fee)	\$125.00
Upgrade Fee	\$35.00
(If an individual receives a higher credential prior to the end of the year and wishes to reflect the higher credential on their license)	
Annual Late Fee (paid if application submitted after Jan. 1)	\$25.00
Replacement Card Fee	\$10.00
Insufficient Funds Fee	\$35.00
(NSF will require payment in the form of a Money Order or Cashier's Check)	

**Authority.** Arkansas Code §§ 20-14-804, 20-14-809.

**Codification Notes.** "NSF" means nonsufficient funds.

**20 CAR § 10-310. Waiver of licensure fee.**

(a)(1) Pursuant to Acts 2021, No. 725, an applicant may receive a waiver of the initial licensure fee, if eligible.

(2) Eligible applicants are applicants who:

(A) Are receiving assistance through the:

(i) Arkansas, or current state of residence equivalent, Medicaid Program;

(ii) Supplemental Nutrition Assistance Program (SNAP);

(iii) Special Supplemental Nutrition Program for Women, Infants, and Children (WIC);

(iv) Temporary Assistance for Needy Families Program (TEA); or

(v) Lifeline Assistance Program (LAP);

(B) Were approved for unemployment within the last twelve (12) months;

or

(C) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(b) Applicants shall provide documentation showing their receipt of benefits from the appropriate state agency:

(1) For Medicaid, SNAP, WIC, TEA, or LAP, documentation from the:

(A) Department of Human Services; or

(B) Current state of residence equivalent agency;

(2) For unemployment benefits approval in the last twelve (12) months, the:

(A) Division of Workforce Services; or

(B) Current state of residence equivalent agency; or

(3) For proof of income, copies of all Internal Revenue Service forms indicating applicant's total personal income for the most recent tax year, e.g., W2, 1099, etc.

(c) Applicants shall attest that the documentation provided under subsection (b) of this section is a true and correct copy, and fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of license.

**Authority.** Arkansas Code §§ 17-5-104, 20-14-804, 20-14-809.

**20 CAR § 10-311. Summary of credentials.**

(a) Sign language interpreters' credentials are based on levels of proficiency, and in order to protect the health, welfare, and safety of the consumers, interpreters shall only accept assignments appropriate for their proficiency based upon accepted credentials for licensure.

(b) **Teaming.** In the event a team of interpreters is required to manage the communication accessibility of an assignment, a mixture of proficiency levels may be acceptable only if the following criteria are met:

(1) The primary interpreter's proficiency level meets or exceeds the required qualifications for that setting;

(2) The primary interpreter agrees to serve as a mentor and to monitor the services of the secondary interpreter;

(3) The secondary interpreter's proficiency level is only one (1) category lower than the proficiency level required for that setting; and

(4) The secondary interpreter agrees to adhere to the guidance given by the primary interpreter during the teaming assignment.

(c)(1) Upon request of any consumer or hiring entity, an interpreter shall show proof of his or her Arkansas license that will indicate qualifications.

(2) The following list of settings for qualifications is not all-inclusive.

(d) **Levels.**

(1) **QAST I; BEI I.**

(A) Registration, Classroom Extracurricular Activities.

(B) Social Services — Independent Living, Basic Living Skills, Bus Card  
Civic Club Meetings, Recreation, Socialization.

(2) **QAST II; BEI II; BEI Basic.**

(A) Driver's License Testing.

(B) Eligibility for Services — Follow-up Interview.

(C) Support Services — Non-Academic Advisors.

(D) Support Services — Orientation, Life/Job Skills.

(E) Basic Job Readiness Training (semi-skilled technical or unskilled labor).

(F) Interview Application for Services.

(G) On-the-job Training.

(H) Sheltered Workshop.

(I) All settings listed in subdivision (d)(1) of this section.

**(3) QAST III; BEI III; BEI Advanced.**

(A) Social Services — Food Stamps, Social Security, Medicare/Medicaid, TEA/SNAP Benefits.

(B) Continuing Education Workshops.

(C) Job-related: Staff Meetings, Employee/Employer Meetings, Safety Workshops, Job Training, Vocational Counseling, Vocational Assessment.

(D) Tax Preparation, Credit Counseling, Mortgage/Loan Counseling.

(E) Diagnostics and Evaluations.

(F) Routine Physical Exams, Inpatient/Outpatient Hospital Care.

(G) Hospital Admissions.

(H) Nursing Homes, Home Health Services, Community Health Education, Self-Help Programs, Twelve (12) Step Programs.

(I) Basic Tutoring (out-of-school).

(J) Postsecondary Education — Academic Courses, Academic Advisors.

(K) Vocational — Technology Trainings.

(L) Employment Related/Union Meetings, Child Birth Classes — Planned Parenthood.

(M) All settings listed in subdivisions (d)(1) and (d)(2) of this section.

**(4) QAST IV – V; BEI IV – V; BEI Master.**

(A) Social Services Disputes.

(B) Polygraph Testing.

(C) Post Bond.

(D) Discrimination Proceedings — Prior to Court.

(E) Mental Health.

(F) Meetings with Parole/Probation Officers.

(G) Medical — Emergency Room, General Rounds and Surgery, Healthcare Providers and Hospice, Medical Documents.

(H) Graduate and Post-Graduate Education.

(I) Restraining Order Application.

(J) Speaker or Lectures.

(K) Civil Weddings Performed In or Out of a Courtroom.

(L) Employment Related — Job Interview/Application, Firing, Disciplining, Performance Appraisals.

(M) Tax Assessment/Appeal Proceedings.

(N) All settings listed in subdivisions (d)(1) – (3) of this section.

**(5) RID Credentials.**

(A) Legal Proceedings In/Out of the Courts.

(B) Domestic/Family Violence Calls and Investigations.

(C) Abuse Calls and Investigations.

(D) Legislation.

(E) Governmental Proceedings.

(F) Pre-Trial Release.

(G) Peace Bonds/Restraining Orders, Copyrights/Patents.

(H) Campus Police or Other Law Enforcement Investigations.

(I) Civil Investigations.

(J) Child Custody or Child Welfare.

(K) Jury Duty.

(L) All settings listed in subsection (d) of this section.

(e) All in-court cases must adhere to Acts 2013, No. 237, An Act to Amend the Process for Appointment, Certification, and Regulation of Court Interpreters; and for other purposes.

**Authority.** Arkansas Code § 20-14-809.

**Codification Notes.** "BEI" means Board for Evaluation of Interpreters.

"QAST" means Quality Assurance Screening Test.

"RID" means Registry of Interpreters for the Deaf, Inc.

"SNAP" means Supplemental Nutrition Assistance Program.

"TEA" means Transitional Employment Assistance.

#### **Subpart 4. Complaints**

##### **20 CAR § 10-401. Code of conduct.**

(a)(1) An interpreter shall make a true interpretation, in an understandable manner, to an individual who is deaf, deafblind, hard of hearing, or oral deaf for whom the interpreter is appointed.

(2) The interpreter will interpret accurately the statements of the individual who is deaf or hard of hearing who desires that his or her statements be made into spoken language, to the best of the interpreter's skill and judgment.

(b) All information that an interpreter gathers, learns from, or relays to an individual who is deaf, deafblind, hard of hearing, or oral deaf during an administrative, civil, or criminal proceeding shall remain confidential and privileged unless the individual who is deaf, deafblind, hard of hearing, or oral deaf desires that the information be communicated to other persons.

(c)(1) Interpreters shall accept, refuse, or withdraw from assignments based upon their experience, capabilities, and credentials as determined by his or her level of proficiency.

(2) A summary of the credentials held and what has been identified as appropriate assignments for those credentials can be found in 20 CAR § 10-402.

(d) Upon request of any consumer or hiring entity, an interpreter shall show proof of his or her Arkansas license indicating qualifications and credentials.

(e) This Code of Conduct incorporates by reference the NAD-RID Code of Professional Conduct of the Registry of Interpreters for the Deaf, Inc., with no amendments or editions thereto.

**Authority.** Arkansas Code § 20-14-809.

**Codification Notes.** "NAD-RID" means National Association of the Deaf-Registry of Interpreters for the Deaf, Inc.

**20 CAR § 10-402. Complaint process.**

(a) Complaints may be filed when an individual, hiring agency, or interpreting agency:

(1) Violates the NAD-RID Code of Professional Conduct of the Registry of Interpreters for the Deaf, Inc.;

(2) Knowingly hires an interpreter who is not qualified; or

(3) Engages in the practice of interpreting without a license.

(b) The following may file a complaint:

(1) Any deaf or hard of hearing consumer of interpreting services;

(2) Any hearing consumer of interpreting services;

(3) Any person having direct interest in the occurrence specified in the complaint; or

(4)(A) Any advisory board member acting on any information by that advisory board member that is relevant and material.

(B) If the advisory board member files a complaint based on an anonymous tip, the complaint itself cannot be used to make a determination of whether this part has been violated.

(C) A separate investigation must take place.

(c) To the extent the person filing the complaint is able, the complaint must:

- (1) Specify the time, place, and person or persons involved; and
- (2) Describe the actions that constitute the alleged offense.

(d)(1) All complaints:

(A) Are to be filed in writing with the advisory board using the Complaint Form (attached hereto as Appendix C); and

(B) Should be filed within ninety (90) days of the alleged offense.

(2) If a complaint is initiated by an advisory board member, that advisory board member shall recuse on any vote taken regarding the complaint.

(e) Any person filing a complaint regarding ethical practices of a licensed qualified interpreter may also file a complaint with the respective credentialing entity.

(f) All complaints shall be reviewed and investigated by a member of the advisory board.

(g) If a complaint and investigation results in penalties being assessed against an individual or entity, that individual or entity shall be provided notice and the opportunity for a hearing before the advisory board, whose decision can be appealed to the State Board of Health by the individual.

(h) The advisory board member who reviewed and investigated the complaint shall recuse himself or herself from voting at the hearing of the matter.

(i)(1) Publication of final orders that result in sanctions shall be posted on the licensure website.

(2) However, any confidential information contained in the complaint shall be removed.

**Authority.** Arkansas Code §§ 20-14-803, 20-14-809.

### **20 CAR § 10-403. Penalties.**

(a) **Amount of penalty.** Any individual who is not licensed and who admits to interpreting without a license or is found by the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing,

or Oral Deaf to have held himself or herself out to the public as a licensed qualified interpreter:

(1) Is guilty of a violation; and

(2) Shall be fined:

(A) Not less than one hundred dollars (\$100); and

(B) Not more than five hundred dollars (\$500).

(b) **Suspension of penalty.** The fine assessed may be suspended if the person found in violation complies with the law within thirty (30) days of the finding.

(c) An interpreting agency that admits to or is found to be knowingly hiring or providing interpreting services for an individual who is deaf, deafblind, hard of hearing, or oral deaf through an individual not licensed under this part:

(1) Is guilty of a violation; and

(2) Shall be fined:

(A) Not less than five hundred dollars (\$500); and

(B) Not more than one thousand dollars (\$1,000).

**Authority.** Arkansas Code §§ 20-14-803, 20-14-809.