

Meeting Notice

STATE COMMITTEE OF INTERPRETERS

September 11, 2008

State Committee of Interpreters Board Meeting

CLOSED MEETING

6:00pm to 9:00pm

Embassy Suites Hotel – Airport

11237 Loneagle Drive

Bridgeton, MO 63044

September 12, 2008

State Committee of Interpreters Board Meeting

OPEN MEETING

9:30am to 1:00pm

Florissant Valley Community College

3400 Pershall Road

Saint Louis, MO

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#7

Except to the extent disclosure is otherwise required by law, the State Committee of Interpreters is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14(7), RSMo.

#8

The Committee may go into closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

#9

Agenda follows.

CLOSED MEETING

**Tentative Agenda
State Committee of Interpreters
SEPTEMBER 11, 2008 6:00PM
Embassy Suites Hotel - Airport
11237 Lone Eagle Drive, Bridgeton, MO**

6:00pm Call to Order
Roll Call
Review and Approval of Agenda
Review and Approval of Closed Minutes
Complaints
Complaint Update
Executive Director
Miscellaneous

OPEN MEETING

**Tentative Agenda
STATE COMMITTEE OF INTERPRETERS
SEPTEMBER 12, 2008
St. Louis Community College at Florissant Valley
Training Center (TC-202-204)
3400 Pershall Road, Ferguson, MO**

9:30am Call to Order	John Adams
Roll Call	Andrea Segura
Review and Approval of Agenda	Open Agenda
Review and Approval of Open Minutes -June 20, 2008	Open Minutes
Report from MCDHH and/or BCI - Update on vacant Ex Dir position - August 26, 2008 MCDHH Meeting	Tab 5
Rules Update and Proposed Changes -20 CSR 2232-1.020 -20 CSR 2232-2.010 -20 CSR 2232-2.020 -20 CSR 2232-2.030 -20 CSR 2232-3.020	Tab 6
Meetings -Attended • RID Region IV Conference (June 25-29, 2008) Upcoming • MoCASE (September 21-23, 2008) • MCDHH (October 10-12, 2008) • FARB (January 23-25, 2009) • TERP Expo (March 19-22, 2009)	Tab 7
Discussion CDI licensure and processes	Tab 8
Complaint Procedures	Tab 9
Report from Executive Director	Tab 10

Financial Report Licensure statistics 2008 Meeting Dates and Locations 2009 Meeting Dates and Locations	
Election of Officers -Chair -Secretary	
QUESTION/ANSWER SESSION -There will be time given for attendees to ask the members of the SCI questions.	



**State Committee of Interpreters
Embassy Suites Hotel
11237 Lone Eagle Drive
Bridgeton, Missouri**

September 11-12, 2008 -- Open Minutes

The open session of the State Committee of Interpreters was called to order on September 11, 2008 at 6:10pm by Mr. John Adams, Chairperson at the Embassy Suites Saint Louis – Airport.

A motion was made by Mr. Eck and seconded by Ms. Alexander to move into closed session at 6:11pm for the reasons #1, #2, and #9. Mr. Adams, Mr. Eck, Ms. Betzler, Ms. Alexander, Ms. McCray, and Ms Segura all approved.

At 7:12pm on September 11, 2008, Mr. Adams declared the Committee in recess until 9:30am on September 12, 2008.

The open session reconvened at 9:46am on September 12, 2008 Saint Louis Community College at Florissant Valley, 3400 Pershall Road, Ferguson, MO.

Members Present:

John Adams, Member - Chairperson
Andrea Segura, Member - Secretary
Lisa Betzler, Public Member
Tim Eck, Member
Carrie McCray, Member - via conference phone
Kathleen Alexander, Member

Staff Present:

Pamela Groose, Executive Director
Rhonda Robinett-Fogle, Administrative Assistant
Vicky Steen, Licensure Tech II
David Barrett, Division Legal Counsel

Interpreters Present:

Theresa Schmitt, Contract Interpreter
Michelle Bullar, Contract Interpreter

Visitors Present:

Dr. Barry Critchfield, Executive Director for MCDHH
Stephanie Harris, Sorenson Communications

Review and Approval of Open Agenda:

A motion was made by Mr. Eck and seconded by Ms. Segura to approve the open agenda. All approved.

Review and Approval of Open Minutes:

A motion was made by Mr. Eck and seconded by Ms. Segura to approve the open minutes from the June 20, 2008 meeting with corrections. All approved.

Report from MCDHH and or BCI:

- Update on vacant Executive Director position
At the August 26, 2008 meeting it was announced that Dr. Barry Critchfield has been confirmed as the permanent Executive Director of MCDHH by a unanimous vote of the

commission. Mr. Adams and the committee members congratulated Dr. Critchfield on his new position.

- August 26, 2008 MCDHH Meeting

Dr. Critchfield handed out a director's report for the committee's review. Dr. Critchfield gave a verbal report regarding the handout. The report is a summary of discussions from the BCI meeting and the MCDHH meeting. Informational items include that the interpreter conference will be held October 10-12, 2008. Dr. Critchfield also stated that in relation to the conference; but not part of it, for three days prior they will be hosting a session for communication development specialists or deaf communication relay service providers. Dr. Critchfield stated that the training session is being generously provided by Sorenson, and that this training session is open to deaf people who are interested in becoming relay interpreters. Dr. Critchfield informed the Committee that Ms. Davis will be coordinating this training, and there is already a waiting list.

Dr. Critchfield stated that in the BCI meeting they again reiterated their concern regarding the lack of skill level standards for individuals providing relay services. Dr. Critchfield stated that in the September 5, 2008 BCI meeting language was approved such that in the revised skill level standards there will be two additions as well as one editorial change in the law. Dr. Critchfield said that the sentence where it states, interpreters should prove their certification level upon request of any consumers showing their certification and documentation that they will add a sentence to that stating, "That while functioning as video interpreters, interpreters would not show certain certification level documentation." Dr. Critchfield said that this is to protect the privacy of the video interpreters, as it is an area of concern expressed by a number of video providers, not just Sorenson.

Dr. Critchfield reported, number seven which leads into the various definitions of skill level standards, the addition is simply in sections six through thirteen – established the use and guidance of interpreters in Missouri including video relay interpreters.

Dr. Critchfield stated in section 209.285 in the definitions – they are responding to Sorenson with a letter. Dr. Critchfield said he believes that some of the members have received the letter from Sorenson expressing their desire not to be included in the Missouri certification and licensure requirements. Ms. Goose asked Dr. Critchfield for clarification on the letter, if this was the letter to Mr. Dan Betzler dated August 18, 2008 and Dr. Critchfield said yes. Dr. Critchfield said in 209.285 (13) of the definitions that they are suggesting that the word deaf be replaced with the word text, and this information would be included in the response back to Sorenson.

Ms. Alexander asked Dr. Critchfield why a video interpreter does not need to verify their identity and other interpreters do that are working out in the community. Mr. Barrett added that he thinks that the rule addresses a different issue and that is, the consumer's right to know. Mr. Barrett thinks that is coming from the other end because he does not think that we are about to say that a person with our license can refuse to show their identification, refuse to show their credentials in the community; why therefore, video relay is special and exempted from the usual law that the consumer has the right to know who it is they are dealing with. Mr. Barrett says that he realizes there are some technical issues that could certainly be addressed. Mr. Barrett stated that other professions that he works with have had to deal with how you show your credentials over a telephone line. Mr. Barrett said that obviously holding up cards to a camera would probably not be effective, but the anonymity; he really does not understand a distinction. Dr. Critchfield said that that there are two issues related to that, number one there is a built in protection for the deaf consumer on video relay, if there perception is that if the interpreter functioning for them is not performing in a satisfactory manner then they switch that interpreter off and call another interpreter. Dr. Critchfield said the second point is that many interpreters functioning in video relay is not in Missouri, the deaf consumer may be

in Missouri but the interpreter could be anywhere. Dr. Critchfield indicated that when Sorenson receives a call that it could be routed to any one of their call centers in the country. Mr. Barrett said based upon Sorenson's business structure as they have it right now where they handle the United States as a single entity instead of handling it on a state by state basis. Mr. Barrett said because Sorenson has decided not to build its structure on a state by state basis, that they have not created for themselves the ability to recognize state licensing laws is really a Sorenson issue more than it is necessarily a legal issue for the us, but certainly it is something that we will need to work with Sorenson on. Ms. McCray asked does it matter if she is in Missouri and the person is in Texas and she does a poor job shouldn't she still have a complaint upon her license. Mr. Barrett said that is one of the issues that we are having with Sorenson, he understands that their initial position is that they fit into the federal preemption of TRS and therefore they are neither accountable to nor answerable to this Committee or MCDHH's BCI.

Ms. Goose asked how Ms. Betzler felt about not knowing who is interpreting for her and if she wanted to know their certification level. Ms. Betzler said she would prefer to have an interpreter that does not know her; however, it depends on their signing skill too, that if they're real lousy, she will ask to switch out and get a new interpreter.

Dr. Critchfield stated that the competition allows the freedom of choice versus a long text relay call, that Ms. Betzler was polite by saying she would ask to replace the interpreter with the same provider, where others would move on to the next provider.

Dr. Critchfield stated that he wants to be clearly understood that they certainly respect and recognize the SCI's obligation and responsibility to regulate licensure for those folks providing interpreting services within the state of Missouri.

Mr. Barrett asked Dr. Critchfield if they would share their response back to Sorenson before it is sent to them just to make sure that we are all on the same page. Mr. Barrett said that we do not want Sorenson to hear us speaking from different positions.

Dr. Critchfield stated that Ms. Davis could not be here today; however, Ms. Davis wanted to clarify that the concept of video relay service not be confused with a direct communication relay person to person.

Ms. Goose requested Dr. Critchfield to inform SCI when BCI and MCDHH are making decisions that are relevant to the Committee's rules and statutes. Ms. Goose requested they contact the Committee up front. Ms. Goose stated that even though SCI, MCDHH, and BCI are separate, she feels that they function as one and she would really ask that if something is being discussed that is relevant to our statute and rules that maybe instead of moving forward that input be obtained. Mr. Barrett said perhaps we can clear this up and asked Dr. Critchfield if this is a rule change that a proposal has in fact been made or is it still in your process? Dr. Critchfield answered by saying it is still in process and subject to revision.

Dr. Critchfield stated one of the missions of MCDHH is to provide interpreters for all state agencies. Dr. Critchfield said needless to say this has never occurred as the funds to enact are overwhelming; however, emergence with video interpreting it is becoming more and more a possibility, not a reality but a possibility.

Ms. Goose asked Dr. Critchfield about the statute change that would delete the word deaf and turn it into text; she asked if that is something that will be presented at the next legislative session? Dr. Critchfield said that their attorney is determining whether it is worth opening up the law at this particular point and time politically. Ms. Goose informed Dr. Critchfield that the same sentence is in a section of the statute related to the State Committee of Interpreters, so if they change text in their statute then text will need to be

changed in ours as well. Ms. Goose said that she is not going to present it as part of her legislative package, submissions to our legislative package closed a couple weeks ago. Dr. Critchfield said they are not in any big hurry to change; that it will not be an emergency change.

Rules Update and Proposed Changes:

-20 CSR 2232-1.020 Policy for release of Public Records

This amendment changes rule numbers referenced in the text, these changed with the move to a different Department.

-20 CSR 2232-2.010 Application For Licensure

This amendment changes rule numbers referenced in the text, these changed with the move to a different Department.

-20 CSR 2232-2.020 Application for Temporary License

This amendment changes rule numbers referenced in the text, these changed with the move to a different Department.

-20 CSR 2232-2.030 Name and Address Change and License Renewal

This amendment changes rule numbers referenced in the text, these changed with the move to a different Department.

-20 CSR 2232-3.020 Consumer Welfare

This amendment changes rule numbers referenced in the text, these changed with the move to a different Department.

The above rules are all effective 11/30/2008

Meetings:

Attended:

- RID Region IV Conference, June 25-29, 2008, Houston, TX, Mr. Adams and Ms. Segura attended this meeting. Ms. Segura stated that the conference was really good but the facilities were not good at all. Ms. Segura brought back pamphlets for the committee's review regarding state testing in Texas. Ms. Segura stated that their next conference will be held in Corpus Cristie, TX. Mr. Adams was disappointed with the workshops that he attended, and he stated that he believed that he chose the wrong workshops to attend.

Upcoming:

- 31st Annual Special Ed Administrators Conference (MoCASE), September 21-23, 2008, Tan-Tar-A, Osage Beach, MO – Mr. Eck will attend this meeting. Mr. Eck stated that they will have wireless internet and this will be great, as he can have the website up and show people how to navigate it.
- 15th Annual Mo Interpreters Conference, Tan-Tar-A, Osage Beach, MO - MCDHH, October 10-12, 2008 – All members will attend this meeting.
- FARB, January 23-25, 2009 in Tampa, FL – Ms. Goose asked the committee members if anyone is interested in attending this meeting. Ms. Segura, Ms. Alexander, and Ms. McCray are interested in attending this meeting.
- TERP Expo, March 19-22, 2009, Saint Louis, MO - Ms. Goose stated that she included information received by Mr. Adams. Ms. Goose asked the Committee if they want an exhibit space at this conference, and if so would anyone be interested in assisting with the exhibit table? Ms. Segura, Mr. Eck, Mr. Adams and Ms. Alexander would like to attend and they would all be available to help with an exhibit table. Ms. McCray will try to have William Woods pay her way to attend the TERP Expo.

Discussion:

CDI Licensure and Processes

Ms. Goose stated that the issue regarding this is that statute allows for licensure of CDI holders, and only RID issues CDI certification. Ms. Goose stated that the issue is whether or not that the current definition of interpreting and the practice of interpreting is related to deaf interpreters, we have the ability to license someone that holds a CDI, but are they required to be licensed? Mr. Barrett stated his understanding is that the MCDHH position is that they weren't actually interpreting just merely aiding the interpreting process. Mr. Barrett stated his view is that anybody that is participating in the interpreting process; aiding it so to speak, if you are part of the interpreting process, you are an interpreter. Mr. Barrett said that guidance is needed from the Committee on this issue. Ms. Segura stated that if someone is facilitating communication from sign to sign then they are interpreting, and Mr. Adams agreed.

Ms. Goose discussed the CDI Task Force Report handout with the Committee. Ms. Goose stated that the Committee licensed one individual who held CDI; however, that person let their certification and license lapsed. Ms. Goose said then the Committee was being asked if CDI's are required to hold a license, and if not required then why is the Committee giving them a license?

Dr. Critchfield said that he would like to speak not as the director of MCDHH, but as a mental health professional. Dr. Critchfield said that they use relay interpreters in mental health; however, they do not call them interpreters they call them communication development specialists. Dr. Critchfield stated that the law was written very clearly to say that interpreting is English to sign language and vice versa. Mr. Barrett stated that one of the hard decisions will be, do you have the qualifications as a Committee to determine whether you want to call a person a CDI or a communication development specialist? Mr. Barrett asked if that is something that the Committee has the expertise to determine whether they are fit for licensure as opposed to someone else.

Mr. Barrett asked Dr. Critchfield if the CDS is actually interpreting. Dr. Critchfield spoke about one deaf person speaking to another deaf person, that they do not necessarily use ASL, that they might not even know ASL. Mr. Barrett stated certain CDI can not communicate with all deaf folks, that a CDI is almost a situation unique person. Mr. Barrett asked does it make sense to license CDI, is it actually something that is measurable, is it something that standards can be applied to. Dr. Critchfield said that RID does it, and that he is not familiar with their CDI evaluation process, but he understands that it is tough.

Mr. Eck asked Dr. Critchfield for clarification on a Communication Development Specialist's (CDS) role. Dr. Critchfield explained the role of the CDS in detail. Mr. Eck asked if today this is just a discussion of awareness, and if this is something that the Committee will need to have further discussions about. Ms. Goose stated the bottom line is that it sounds like there is a difference of opinion on the definition of interpreting, the practice of interpreting, and whether or not deaf interpreters are interpreting. Ms. Goose stated that she is hearing that The State Court Administrators is saying that CDI's need to be licensed if they use them. Ms. Goose said she needs guidance for phone calls asking if deaf interpreter's fall under the definition of interpreting and if they do not then we carry on. Ms. McCray said when you look at the skill level standards, how can we say they are not interpreting when they are listed as certifications that can interpret in these areas. Ms. Goose stated that when you look at the statutes and rules; ours as well as MCDHH's, it will appear we are saying CDI should be licensed, but we are not requiring they be licensed because there is only one mode for them to become eligible for a license, but does that make it okay? The Committee had detailed discussion regarding their opinions on this issue, and stated that it is interpreting. Mr. Barrett stated what he is hearing from the Committee is that the system is there, it is available, it is the practice of interpreting, and they must follow all the niceties of interpreting to ensure that the consumer is protected, and the Committee agreed. Mr. Barrett

said this will give us something to talk to The State Court Administrators about, how they deal with it will be their problem. Dr. Critchfield asked if it would be the recommendation of this Committee that the MCDHH to examine the possibility of developing a CDI and CDS certification process. Mr. Barrett said there is no reason why the Committee could not share with Dr. Critchfield and the Commission the communications the Committee received regarding this issue, which began the discussion.

Ms. Goose asked what the end result is regarding this issue. Mr. Barrett said if a person is performing CDI type services they need to be a CDI as far as the Committee is concerned. Mr. Barrett also stated that this Committee has concerns about the accessibility to the certification process, as they feel that the certification process needs to be looked at. Ms. Goose will send a letter to MCDHH regarding this issue.

Complaint Procedures:

Ms. Goose stated that we looked at this issue at the last meeting about putting a video on the website regarding the complaint process. Mr. Eck suggested that Ms. Betzler sign the information to be placed on the website. Ms. Goose said that she will find out how to technically do this. Ms. Betzler and Mr. Eck will get together, and Ms. Betzler said she could possibly get with the media department, and then have it placed on DVD, then send it in to Ms. Goose to get placed on the website.

Report from Executive Director:

-Financial Report: Ms Goose provided a written report as of June 30, 2008 for the committee's review.

-Licensure Statistics: Ms. Goose provided a written statement and indicated there is a steady increase in the numbers from year to year.

-2008 Meeting Dates and Locations:

November 20-21, 2008, November 20, 2008 closed meeting will be at the Holiday Inn Express in Fulton, and the open session will be on November 21, 2008 and will be held at Williams Woods University, Fulton. Mr. Eck will not be able to attend this meeting.

-Set 2009 Meeting Dates and Location

- February 27, 2009 in Jefferson City, MO (Division of Professional Registration)
- May 8, 2009 in Jefferson City, MO (Division of Professional Registration)
- September 24-25, 2009 – Columbia, MO This meeting will be held in conjunction with the MCDHH interpreter conference. The Committee discussed having a breakout session during the conference.
- November 20 or December 4, 2009 in Jefferson City, MO (Division of Professional Registration) Ms. Goose stated that this meeting was to be in November; however, with changing the August meeting to September Ms. Goose wanted to give the Committee the opportunity to change the date if they wanted to spread out the meetings more. The Committee decided on December 4, 2009 for this meeting.

Election of Officers:

Chair - Ms. Alexander

A motion was made by Mr. Eck and seconded by Ms. Segura to elect Ms. Alexander as Chair. All approved.

Secretary – Ms. Segura

A motion was made by Mr. Adams and seconded by Mr. Eck to elect Ms. Segura as Secretary. All approved.

Question/Answer Session:

There was time given for attendees to ask the SCI members questions. No Questions were asked at this session.

A motion was made by Mr. Eck and seconded by Ms. Betzler to adjourn the meeting at 12:23pm. All approved.

Executive Director Signature

Date Approved by Committee