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## FISCAL IMPACT REPORT

SPONSOR Rodriguez DATE TYPED 3/3/05 HB \_\_\_\_\_  
 SHORT TITLE Develop Sign Language Interpreter Licensure SB SJM78  
 ANALYST McSherry

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI		NFI	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Senate Joint Memorial 78 duplicates House Joint Memorial 80 and relates to, and conflicts with SB 1054, which proposes to establish licensure of interpreters.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)  
 Regulations and Licensing Department (RLD)  
 Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Joint Memorial 78 proposes to resolve that: a state evaluation and licensure system for sign language interpreters is needed, the Commission for the Deaf and Hard of Hearing (CDHH), the Public Education Department (PED), the Regulation and Licensing Department (RLD), and the New Mexico School for the Deaf (NMSD) be requested to work collaboratively to develop and recommend a sign language licensure process for the state and that the recommendation be presented to the appropriate legislative committee no later than January 30, 2006.

#### Significant Issues

PED notes that the Department already licenses interpreters for the deaf with two different license types: Professional Interpreters and Education Interpreters. In addition, if a candidate qualifies as a teacher with a bachelor's degree and sufficient credit hours in American Sign Language, a candidate can also be licensed in Modern, Classical and Native Languages. The PED recognizes American Sign Language and a modern language that can be taught in the schools AOC reports that, based on Sections 38-10-1 through 38-10-8 NMSA 1978 and the Americans

with Disabilities Act, the courts provide sign language interpreters, as needed, for all case types and all proceedings. There is a national testing and certification process for sign language interpreters but there is no state evaluation and licensure process. AOC asserts that a state licensure process would provide the courts with more information about the skills and background of sign language interpreters and assist the courts as they hire sign language interpreters. The Administrative Office of the Courts would cooperate with this process as requested.

RLD asserts that if SB 1054, which proposes licensure of sign language interpreters, were enacted it would drive interpreting costs up result in a significant decrease of available interpreters and create a board that would not be financially self-sustaining. Alternately the Department predicts that this SJM, through requiring collaboration with educational interpreters, could result in a larger licensing pool by requiring the groups of interpreters to work together. RLD comments that currently there is division amongst factions of the interpreting professional regarding licensure.

### **PERFORMANCE IMPLICATIONS**

AOC predicts that state licensure of sign language interpreters could assist the courts in hiring sign language interpreters.

The bill relates to the PED's performance measure of relevant agency requirements and timelines to address student success.

### **FISCAL IMPLICATIONS**

Licensure of sign language interpreters could increase costs for work environments using interpreters and would cause the collection of licensing fees by the proposed licensing body.

### **ADMINISTRATIVE IMPLICATIONS**

PED reports that the joint memorial could require involvement of two or more PED consultants as members of the collaborative team and that the costs associated with the consultants would be absorbed by the agency.

SJM would result in additional administrative duties for AOC, PED, CDHH, RLD and NMSD.

RLD predicts that the memorial would result in duplicative administrative burden because the department is responsible for conducting the Sunrise process for newly proposed occupational licensing boards and has been working with a small group of interpreters.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SJM 78 duplicates HJM80, and relates to and conflicts with Senate Memorial 1054

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

A collaborative recommendation may not be developed and reported regarding sign language licensure.

**EM/yr**