

# Definition of Qualified Sign Language Interpreter

## SB 192, AB 247, and AB 395

### Summary

Current legislative proposals in Nevada’s 83rd session (SB 192, AB 247, and AB 395) adopt differing definitions of what constitutes a “qualified sign language interpreter.” Without reconciliation, these inconsistencies may lead to legal ambiguity, diminished accountability, and potential inequities in interpreter service quality in Nevada.

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### Background

Under Nevada Revised Statutes (NRS 656A), sign language interpreters must be registered with the Nevada Interpreter/CART Registry to provide interpreting services. The law sets minimum qualifications, mandates adherence to ethical standards including confidentiality, and provides a grievance mechanism for complaints against interpreters. Despite this, AB 395 relies on a federal definition of “qualified interpreter” that does not require registration with the state, creating a direct conflict with NRS 656A.

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### Key Conflicts

#### 1. Registration vs. Qualification

- Nevada law requires interpreters to be registered—ensuring they meet credentialing and professional standards monitored by the state.
- Federal definitions (as used in AB 247) describe interpreters as "qualified" based on performance ability, not credentialing, and do not mandate state registration.
- **Implication**: An interpreter could be considered qualified under federal standards yet fail to meet Nevada’s registration requirements—leading to unauthorized service provision under state law.

#### 2. Ethics and Oversight

- NRS 656A ensures interpreters are bound to ethical conduct and provides consumers with a formal grievance process.
- Federal regulations (28 C.F.R. § 35.104) reference ethical standards only vaguely or partially and lack state-level oversight mechanisms.
- **Implication**: Varying standards could result in inconsistent service quality and weaken consumer protection for DHH Nevadans.

### 3. Credentialing Clarity

- Nevada’s statutory language provides a clear, enforceable framework for interpreter competency.
- Federal regulations are open to broader interpretation, focusing on effectiveness rather than documented proficiency.
- **Implication**: This discrepancy may create confusion for providers and agencies tasked with ensuring compliance, increasing liability exposure and policy fragmentation.

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### Policy Recommendation

To ensure uniformity, uphold professional standards, and protect Deaf and Hard of Hearing (DHH) individuals, all legislation involving sign language interpreter services in Nevada should:

- Adopt a consistent definition for qualified sign language interpreter which incorporates NRS 656A, such as the definition in AB 395’s first reprint through amendment number 455, or the definition in SB 192.

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### Conclusion

Nevada has established a robust, accountability system for regulating sign language interpreters through NRS 656A. Currently, there are 579 registered sign language interpreters listed in the Nevada Interpreter/CART Registry. Notably, two-thirds of these interpreters reside outside the state. This trend reflects a growing number of out-of-state professionals who are proactively seeking registration in Nevada in order to legally provide virtual interpreting services to in-state consumers. The registry’s expanding geographic diversity underscores its essential role in regulating both in person and remote interpreting and ensuring compliance with Nevada law.