

Steve Sisolak
Governor



Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

AGING AND DISABILITY SERVICES DIVISION
Helping people. It's who we are and what we do.



Dena Schmidt
Administrator

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT PERMANENT REGULATIONS

And HEARING AGENDA

(LCB File No. R016-22P)

NOTICE IS HEREBY GIVEN that the Communication Access Services program will hold a public hearing to consider amendments to Chapter 656A of the Nevada Administrative Code (NAC).

The hearing will be conducted via videoconference beginning at 4:00 PM on Tuesday, August 30, 2022:

Join Zoom Meeting

<https://us06web.zoom.us/j/83697595128?pwd=MFJzNkRGVkU2cUNxeEVhWHNsZk1pQT09>

Meeting ID: 836 9759 5128

Passcode: 494722

Or dial by your location

253 215 8782 US (Tacoma)

346 248 7799 US (Houston)

669 900 6833 US (San Jose)

301 715 8592 US (Washington DC)

312 626 6799 US (Chicago)

929 205 6099 US (New York)

The proposed changes to Nevada Administrative Code (NAC) Chapter 656A are required in accordance with Senate Bill (SB) 179 of the 2021 Legislative Session and Nevada Revised Statutes (NRS) Chapter 656A. Senate Bill (SB) 179 (formerly Bill Draft Request [BDR] 54-386) was introduced during the 2021 Nevada 81st Legislative Session and signed by Governor Steve Sisolak on June 2, 2021. The bill revised professional classifications and requirements for registration as an interpreter, including establishing limitations on provisional classifications, and provided for the establishment of qualifications to serve as a professional mentor. The proposed regulations will update NAC Chapter 656A in accordance with the requirements set forth in SB 179.

The proposed changes to NAC Chapter 656A include the following:

- Requires registration as an interpreter or real time captioning provider to be renewed annually;
- Changes the requirements for professional development hours and mentoring hours;
- Requires professionally registered interpreters to hold a minimum of a bachelor's degree in any field;
- Requires provisionally registered interpreters to hold a minimum of an associate's degree in any field;
- Requires professionally registered interpreters to hold certain nationally recognized interpreter or transliterator credentials;
- Requires provisionally registered interpreter to hold certain nationally recognized interpreter or transliterator credentials or combination of interpreter education;
- Provides for exemptions to certain requirements for currently registered interpreters;
- Establishes a student interpreter registration category with certain qualification requirements;

- Establishes the code of ethics to which professionally and provisionally registered interpreters must adhere; and
- Establishes the minimum requirements for professional interpreter mentors.

1. Anticipated effects on businesses:

A. *Adverse effects:* The Aging and Disability Services Division does not anticipate any adverse/negative impacts to businesses in the State of Nevada.

B. *Beneficial:* The positive/beneficial effects of the proposed regulations to businesses in the State of Nevada would be increased qualifications of interpreters hired by businesses to render services to d/Deaf and hard of hearing Nevadans.

C. *Immediate:* Immediate effects are not anticipated as there are exemptions and grace periods for the provisions in NAC 656A that will allow for a transition period.

D. *Long-term:* The long-term positive/beneficial effects of NAC 656A include an increase in quality of interpreting services so that d/Deaf and hard of hearing Nevadans will have greater access to communication with businesses. The potential negative effect of NAC 656A includes a decrease in the number of registered interpreters who meet the new minimum qualifications.

2. Anticipated effects on the public:

A. *Adverse effects:* The Aging and Disability Services Division does not anticipate any adverse/negative impacts to the general public in the State of Nevada.

B. *Beneficial:* The proposed regulations will allow for greater access to communication for d/Deaf and hard of hearing Nevadans.

C. *Immediate:* Immediate effects are not anticipated as there are exemptions and grace periods for the provisions in NAC 656A that will allow for a transition period.

D. *Long-term:* The long-term positive/beneficial effects to the public include an increase in quality of interpreting services so that d/Deaf and hard of hearing Nevadans will have greater access to communication where interpreters are provided, thereby improving, personal, professional, community, and civic engagement leading to an improved quality of life. The potential negative effect of NAC 656A includes a decrease in the number of registered interpreters who meet the new minimum qualifications.

3. The Division of Public and Behavioral Health determined the impact on small businesses by soliciting responses through the Public Workshop and Small Business Impact (SBI) questionnaire. SBI Statement was solicited via email to freelance interpreters and interpreting referral companies. The Small Business Impact statement can be found here: https://adsd.nv.gov/uploadedFiles/adsdnvgov/content/Programs/Physical/ComAccessSvc/Interpreter_Registry/Small%20Business%20Impact%20Statement%20-%20NAC%20656A%20-%20Accessible.pdf

4. These proposed regulations will not add any costs to the current regulatory enforcement activities conducted by the Aging and Disability Services Division.

5. The proposed regulations do not overlap or duplicate federal, state, or local standards.

6. The proposed regulations do not establish a new fee nor increases an existing fee.

Members of the public may make comments at this meeting.

Persons wishing to submit comments before or after the meeting may contact the Communication Access Services program specialist, Jenn Montoya, at:

JMontoya@adsd.nv.gov (written English)
775-434-0237 (ASL or spoken English)

Comments will be accepted until August 31, 2022.

A copy of the notice and proposed regulations are on file for inspection and/or maybe copied at the following locations during normal business hours:

1. Nevada Aging and Disability Services Division – 3108 Goni Rd., Building I, Suite 181, Carson City, NV 89706
2. Nevada Aging and Disability Services Division – 9670 Gateway Dr., Suite 100, Reno, NV 89521
3. Nevada Aging and Disability Services Division – 1010 Ruby Vista Dr., Suite 104, Elko, NV 89801

A copy of the regulations and small business impact statement can be found online by going to:

[Interpreter Re https://adsd.nv.gov/Programs/Physical/ComAccessSvc/Interpreter_Registry/Interpreter_Registry/](https://adsd.nv.gov/Programs/Physical/ComAccessSvc/Interpreter_Registry/Interpreter_Registry/)

A copy of the public hearing notice can also be found at the following locations:

Aging and Disability Service Division's web page: [Meeting Notices \(nv.gov\)](#)

Nevada Public Notices web page: [Meeting Notices \(nv.gov\)](#)

Nevada Legislature's web page: <https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained by mail, email, or by calling the Aging and Disability Services Division:

Sara Nolan
Communication Access Services Division
Aging and Disability Services Division
9670 Gateway Dr., Suite 100, Reno, NV 89521
Phones: 775-433-3790 (Voice); 702-475-4751 (VideoPhone)
Email: snolan@adsd.nv.gov

Copies may also be obtained from the Nevada State Library at the address listed below:

Nevada State Library & Archives
100 N. Stewart Street
Carson City, NV 89701

Per NRS 233B.064(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

HEARING AGENDA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

Notice: (1) Items on the Agenda may be taken out of order; (2) the Division may combine two or more Agenda items for consideration; and (3) the Division may remove an item on the Agenda at any time.

I. Call to Order.

II. Public Comment. The opportunity for public comment is reserved for any matter listed below on the Agenda as well as any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

III. Discussion of Proposed Permanent Regulations. LCB File No. R016-22P, amendment of regulations that pertain to Chapter 656A of the Nevada Administrative Code.

IV. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

V. Adjournment.

Request for accommodations

The meeting will be conducted in American Sign Language (ASL). English interpretation will be provided. CART will also be provided.

Accommodation requests must be received at least seven (7) days in advance of the meeting by contacting Sara Nolan at SNolan@adsd.nv.gov or by calling (Voice) 775-433-3790, (VideoPhone) 702-475-4751.