

SESSION OF 2006

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 2825**

As Recommended by House Committee on
Health and Human Services

Brief*

Substitute for HB 2825 would enact a new statute requiring the Secretary of Health and Environment to establish a data bank of interpreters to assist clients during communication with a variety of health-related service providers. The bill also would provide for establishment of standards and a code of ethics for interpreters. The bill specifically states that participation in and use of the data bank by interpreters and clients would be voluntary.

“Interpreter data bank” would be defined to be a directory listing the names of individual interpreters by language spoken, location, and surname. “Interpreter” would be defined to be a person who translates orally, in writing, or by signing for parties requiring translation to facilitate communication when they do not share a language.

The Secretary would be required to appoint an advisory committee to consult with and that would advise the Secretary on implementation of the act. The Executive Director of the Commission on Deaf and Hard of Hearing, or the Director’s designee, would be a member of the advisory committee.

The Advisory Committee would specifically provide advice to the Secretary in regard to rules and regulations establishing standards for interpreters. Those standards would include a code of ethics to ensure that interpreters provide impartial and unbiased translations that reflect what is said by all parties and that place persons with limited English proficiency on an even footing with people who understand English.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

Introduction of both the original bill and the substitute bill were requested by Representative Garcia. At the House Health Committee hearing on the bill, proponents included Representative Garcia and representatives of the Kansas Department of Health and Environment, the Kansas Hispanic and Latino American Affairs Commission, the Consortium of Kansas Association of Interpreters, the Coalition of Hispanic Organizations, and Maternal and Child Health Field Services of the Lawrence-Douglas County Health Department. A representative of the Kansas Commission on Disability presented testimony in support of the bill and suggested amendments. A representative of the Kansas Association of the Deaf also suggested amendments.

The Kansas Hospital Association presented testimony in opposition to the bill.

A representative of the Department of Social and Rehabilitation Services presented testimony that was neutral on the bill.

The substitute bill differs from the introduced version of the bill by requiring creation of the data bank, specifying that participation in and use of the data bank is voluntary, including a definition of the terms "interpreter" and "interpreter data bank," authorizing the Secretary to adopt rules and regulations establishing standards and a code of ethics for interpreters, specifying that the Executive Director of the Commission on Deaf and Hard of Hearing serve on the advisory committee, and by requiring the Secretary to consult with the advisory committee in development of rules and regulations under the bill.

The fiscal note by the Division of the Budget on the introduced version of the bill states that the fiscal impact on the Department of Health and Environment would be additional expenditure of approximately \$41,514 from the State General Fund in FY 2007, including expenditures to support an additional 0.50 FTE position. It is not clear whether the substitute bill would have the same fiscal impact on the agency.