

**MEETING MINUTES**  
**IOWA BOARD OF SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS**  
**August 15, 2011 at 10:00 a.m.**  
**5<sup>th</sup> Floor Conference Room # 526**  
**Lucas State Office Building**  
**Des Moines, Iowa**

**Call to Order**

The meeting of the Iowa Board of Sign Language Interpreters and Transliterators was called to order by Chairperson Brent Welsch at 10:02 a.m.

**Roll Call/Introductions**

Members present: Diana Kautzky, L.I.; Judy Gouldsmith, L.I.; Cindy Crawford, L.I.; Brent Welsch; David Theobald, L.I.; and Stephanie Lyons

Members absent: Freeman Harper

Interpreters: Jeff Reese and Peggy Chicoine

Staff present: Pierce Wilson, Board Executive; Barb Huey, Bureau Chief; Meghan Gavin, AAG; and Karla Hoover, Licensing Specialist

Public present: Ellen Hayes, Hayes Interpreting Services; Meghan Moratz; Kathryn Moratz; David Fett-Jones, Mercy Medical Center; Kathy Rapp, Sorenson VRS; and Tara VonWalden, Mercy Medical Center

**Review Agenda**

No changes were made to the agenda.

**Approval of Minutes**

May 16, 2011

Motion was made to approve the May 16, 2011 minutes with changes as discussed. (MSC: Kautzky/Theobald) Motion passed unanimously.

**Reports**

Chairperson, Brent Welsch

Brent did not have a report.

Board Executive, Pierce Wilson

Pierce reminded the Board that the issues related to the reasons why the Board is drafting the white paper and issues relating to practice and licensing standards are still being discussed in the state. Mr. Wilson is still getting questions and e-mails regarding these

issues. There are also conflicts between 154e and 147 code chapters. There is a disagreement in interpretation and this will be discussed later on the agenda.

Bureau Chief, Barb Huey

Barb reported that the Department of Administrative Services has a new policy, effective August 15, 2011, that meals will only be reimbursed when an overnight stay is required for a board meeting. This affects all state employees including board members. The department finished three days of training on the public portal side of AMANDA.

AAG, Meghan Gavin

Meghan introduced herself to the Board. Meghan will be filling in for Julie Bussanmus until Julie returns from maternity leave.

**Public Comment**

Meghan Moratz, a high school student at Valley High School in West Des Moines, provided comments relating to her thoughts on the need for more interpreters, as well as better educated interpreters, in the educational environment. She stated that state universities need to begin to offer interpreting programs instead of just the community colleges offering these programs. Meghan feels that she is not getting a good education because she must depend upon the services of a Sign Language Interpreter. Meghan's interpreter is not qualified and is not giving her good service. Meghan is looking for some kind of minimum standard for interpreters who have a temporary license. She mentioned that temporary licensees should be required to have completed an Interpreter Training Program.

Kathy Moratz, Meghan's mother, made the comment that her daughter filed a complaint with the licensure board in September or October. Kathy indicated that she was told the complaint process could go on indefinitely. Pierce summarized the complaint process and said there must have been a misunderstanding because Ms. Moratz would not have been told that a case would take forever.

Meghan asked who was protecting her to make sure she gets an interpreter who is qualified. She and her mother felt the Board should be able to do something however, Mr. Wilson noted that the Board's authority is over a licensee and are they providing appropriate services within their scope of practice, skills and training. The Board does not have authority over an employer and in this case what services the school provides or who they hire.

**Old Business**

Administrative Rule Change – adoption: chapter 4 audit rule language

The board discussed the administrative rule change relating to Chapter 4, regarding removing the requirement of using Robert's Rules of Order. All 19 boards are being asked to adopt these rule changes. Pierce noted there was a public hearing held and no

comments were received. A motion was made to file the Chapter 4 rules as noticed. Stephanie Lyons recommended the board remove the term, “hearing impaired” and insert, “deaf and hard of hearing”. No changes were approved in the language of the noticed rule because such suggested changes did not affect the section of the rules that was included in the motion. (MSC: Gouldsmith/Kautzky) Motion passed unanimously.

## **New Business**

### Update on Licensure White Paper

Judy summarized the draft licensure white paper. The board reviewed the white paper and discussion followed regarding some of the terms and definitions that should be used in the paper. Suggestions included the need to address how the different sign systems evolved from the foundation of ASL, there is no such thing as SEE without incorporating features of ASL, and that the white paper should be one page maximum. Diana suggested using an analogy to draw the legislators’ attention to the issue and to help them identify with it. Dr. Schick, codeveloper of the EIPA, had indicated to Diana that the Board had been given permission to use whatever information it needs from what she provided. Marc Marshark’s name, from RIT, was brought up by Cindy as a resource for the paper. The committee will try to get another draft to the Board in the next month to review before the next meeting. It was pointed out that it’s very important that facts related to this issue are available during the next legislative session if the issue resurfaces.

### Definition of Oral Interpreting

Brent had concerns about the definition of oral interpreting in our rules. Diana mentioned the Department of Education held a statewide meeting over the ICN and discussed solutions for addressing the shortage of interpreters. The department suggested that one option was to use Oral Interpreters instead of Sign Language Interpreters but Diana remarked that was not a viable option. The Board decided not to pursue the definition at this time.

### David Fett-Jones, Director Mercy Medical Center-Des Moines – limitations of VRI impact on provision of care and VRI providers

David Fett-Jones, Director, Mercy Medical Center-Des Moines spoke with the Board about the limitations of VRI. Mr. Fett-Jones requested that the Board look at their administrative rules to determine if the rules could be modified to allow VRI providers or services to work with Iowa clients without requiring them to have an Iowa license. Mr. Fett-Jones discussed interpreters by endorsement from call centers around the world and the fact that they could possibly be called upon to interpret for a client in Iowa.

Pierce stated that the Board’s responsibility is to protect the public. Advice from the AG’s office has always been that licensure is based on the location of the client and not the interpreter that determines whether the interpreter needs a license. It was noted that there would be problems monitoring interpreters who provided the service from outside Iowa but there is also the need to protect the public in Iowa who need this service. No action was taken at this time but a committee of Stephanie and Diana was formed to

review the VRI issue. Mr. Wilson asked Meghan to contact other AAGs to see where they seem to be going with their rules. Meghan also agreed to look into the issue of the need for licensing individuals working in another state with Iowa clients. She will get the information within a month to the committee members. Stephanie and Diana will bring information to the next meeting for more discussion.

#### Petition for Waiver

Brent indicated that he had to recuse himself from the Petition for Waiver. At 11:16 a.m., Brent left the room and Judy led the discussion. The Van Sants were using two interpreters who were unable to pass the exam for licensure. A motion was made to deny the Petition for Waiver for the Van Sants on the basis that the petition was requesting a waiver of law which is not allowed in Iowa Code 17A.9 Paragraph 1. (MSC: Gouldsmith/Crawford) A roll call vote was taken and the motion passed unanimously.

The Board took a five minute break at 11:20 a.m.

Brent returned to the room at 11:27 a.m.

#### Discussion regarding 154E.4 Exceptions

The Board discussed whether or not licensees with inactive licenses can continue to work under the conditions specified in 154E.4 paragraph "2d." Pierce indicated there was a difference in opinion. Chapter 147.10 is very clear that they can't work with an inactive license. Meghan expressed her opinion that she believed 154E would allow a person with an inactive license to work under the conditions of 154E.4 paragraph "2d." It was suggested that the Board ask Pam Griebel, AAG supervisor, to provide a written opinion. This would be an informal written opinion. Once we have this, Pierce said we could do a Declaratory Order, which is the formal process for getting a formal opinion. A motion was made to have Pam Griebel, AAGs Office, provide the board with a written opinion of their interpretation of 154E.4 vs. 147. We would like this opinion in time for the next meeting so the Board can take action. (MSC: Kautzky/Lyons) Motion passed unanimously.

#### Licensing Standards Discussion

The board discussed the EIPA examination score of 3.5. Diana Kautzky was on the study committee formed at the beginning of licensure. She mentioned that at the time, we said we would accept 3.5 but would look at raising it to 4.0 in the future. Diana proposed raising the 3.5 score to 4.0 as a minimum standard. Those who have a 3.5 would be "grandfathered" at that level. David Theobald stated that a score of less than 4.0 is knowledge lean skills. Interpreters scoring below a 4.0 understand discourse at the most basic level. RID requires a score of 4.0 and also requires interpreters to take the RID ethics and knowledge test. David suggested that if the Board raised the minimum standard to 4.0, we would also need to determine if the RID standard should be used which includes the ethics and knowledge test.

Cindy Crawford mentioned that we accept NAD 3 and an NAD 3 does not equal an EIPA 4.0. She also stated she would like to see graduation from an ITP required for temporarily licensed interpreters. David questioned how much time those who could not get the required score on the EIPA were spending in test preparation. He noted that interpreters should be doing something beyond just working and getting a paycheck. Cindy questioned the timing of changing the score and preferred to focus on the qualifications for temporary licensure. No action was taken but the item will be discussed in future board meetings.

Pierce stated a person could hold a temporary license for up to four years. A Board member suggested reducing this to two years. Pierce also mentioned that the Board needs to take a look at the exams required for licensure. Some of the exams are not given anymore and that may be still be appropriate. Mr. Wilson suggested board members review for the future what changes he or she might suggest for discussion at a future meeting.

#### **Closed Session**

The Board did not go into closed session.

Brent noted the dates of future meetings were November 21, 2011 and February 20, 2012.

#### **Adjournment**

Motion was made to adjourn the meeting at 12:13 p.m. (MSC: Lyons/Gouldsmith)  
Motion passed unanimously.

Approved as amended November 21, 2011