

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Licensure Board For Interpreters and Translitterators

Rule No. 488-X-1-.11

Rule Title: Exemptions.

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date: July 20, 2015

APA-2
07/04

The Alabama Licensure Board for Interpreters & Transliterators

NOTICE OF INTENDED ACTION

AGENCY NAME:

The Alabama Licensure Board for Interpreters & Transliterators

RULE NO. & TITLE:

488-X-1-.02 – Fees
488-X-1-.04 – Initial License
488-X-1-.05 – Renewal of License
488-X-1-.06 – Permit
488-X-1-.07 – Permit Renewal
488-X-1-.08 – Non-Renewable Permit
488-X-1-.09 – Deaf Interpreter & Transliterators Exemption Request
488-X-1-.10 – Deaf Interpreter & Transliterators Exemption Renewal
488-X-1-.11 – Exemptions
488-X-1-.12 – Complaint Procedures
488-X-1-.13 – Reinstatement of License
488-X-4-.14 – Reinstatement of Permit

INTENDED ACTION:

To amend Rules and Regulations.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Licensure Board for Interpreters & Transliterators proposes to amend its Administrative Code or Rules and Regulations under which to operate.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board for Interpreters & Transliterators until 4:30 p.m. on September 4, 2015. Comments should be directed to Paula McCaleb, Executive Director, at Post Office Box 240187, Montgomery, AL 36124, or via fax at 334-277-0188.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 4, 2015

CONTACT PERSON AT AGENCY:

Paula McCaleb, Executive Director
334.277-8881


Paula McCaleb, Executive Director

488-X-1-11 Exemptions.

~~(1) In certain Limited Circumstances for hearing Interpreters & Transliterators the board may grant exemptions status from licensure or permitting for a period of ninety (90) days for only the following reasons:~~

~~(a) A catastrophic emergency, including protracted illness under the care of a physician, reasonable precludes the meeting of CEU requirements or compliance of testing in a timely manner to receive certification before March 15th. Failure to receive test results shall not be grounds for this exemption.~~

~~(b) Service by a military person on active duty in the Armed Forces of the United States, Which precludes them from reasonably completing completion of the requirements for licensure or Permitting.~~

The following persons shall be exempt from licensure or permitting:

- (1) Any student who is enrolled in a formal American sign language program, a formal interpreter training program, or a formal interpret or transliterator internship program. The student shall be allowed to interpret or transliterate as part of his or her training for a maximum of 16 weeks in an educational setting or 120 hours in an agency or business.
- (2) Any person who interprets or transliterates solely in a church, synagogue, temple or other religious setting.
- (3) Any person residing outside of the State of Alabama may provide interpreting and transliterating services for up to 14 days per calendar year without a license.
- (4) Any person desiring to interpret for remuneration where circumstances do not allow for fulfillment of the stated requirements for licensure or permitting may petition the board for exemption status.
- (5) Those public education personnel and State Department of Rehabilitation personnel, who are not hired as interpreters and transliterators and who are not as a part of their job description responsible for providing interpreting or transliteration services, in circumstances that may necessitate their function as interpreters and transliterators in emergency or incidental situations.
- (6) All other public education personnel hired prior to March 15, 2000, who provide interpreting and transliterating services to students. These personnel shall apply for and receive a permit specifying that their permits are restricted to interpreting and transliteration services provided in the public education setting only. The application for this permit shall be submitted to the board prior to October 1, 2000. It shall be the responsibility of the permit holder to annually renew the permit by earning continuing education units in compliance with the requirements of the interpreters and transliterators licensure law. If personnel, who have been grandfathered in pursuant to this subdivision, for any reasons should allow their permits to lapse or expire, those personnel shall lose all privileges of this exemption and shall adhere to all requirements of the interpreters and transliterators licensure law to renew their permits.

Author: The Alabama Board of Interpreter and Transliterators

Statutory Authority: Code of Ala. 1975, §34-16-7(4).

Filed: July 20, 2015 **Effective Date:** September 11, 2015