# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control NoDepartmen	t or Agency <u>The Alak</u>	oama Licensure Board For Interpreters an
Transliterators Rule number and Title:		atement of Permit (Repealed) laint Procedure (New)
	400-X-1-, 12- COMp	adiir Frocedule (MEM)
XNewAmend	X_Repeal	Adopt by Reference
Would the absence of the harm or endanger the pub		
Is there a reasonable relative state's police power and the public health, safety, or we	he protection of the	<u>Yes</u>
Is there another, less restr regulation available that of the public?		ect <u>No</u>
Does the proposed rule had or indirectly increasing the services involved and, if services involved and, if services involved and its services invol	costs of any goods	
Is the increase in cost, if a public than the harm that i absence of the proposed i	might result from the	
Are all facets of the rulems solely for the purpose of, a their primary effect, the pr	and so they have, as	? Yes
Does the proposed rule ha	ave an economic imp	pact? <u>No</u>
	ote prepared in acco	he proposed rule is required to be ordance with subsection (f) of Section
Certification of Authorized	Official	
requirements of Chapter 2 applicable filing requireme Reference Service.	2, Title 41, Code of Ants of the Administra	een proposed in full compliance with the Alabama 1975, and that it conforms to all ative Procedure Division of the Legislative
Signature of certifying office Date	ser	- The second

## Alabama Licensure Board For Interpreters and Transliterators

#### **NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Licensure Board For Interpreters and Transliterators

### **RULE NO. & TITLE:**

488-X-1-.01-Continuing Education Program

488-X-1-.02-Fees

488-X-1-.03- Board Meetings

488-X-1-.04-Initial License

488-X-1-.05-Renewal of License

488-X-1-.06-Initial (1st Application) Permit (Repealed)

488-X-1-.06-Permit (New)

488-X-1-.07-Renewal of Permit (Repealed)

488-X-1-.07- Permit Renewal (New)

488-X-1-.08-Subsequent renewable permit (Repealed)

488-X-1-.08-Non-renewable Permit (New)

488-X-1-.09-Exemptions (Repealed)

488-X-1-.09- Deaf Interpreter and Transliterator exemption request (New)

488-X-1-.10-Extensions (Repealed)

488-X-1-.10- Deaf Interpreter & Transliterator Exemption Renewal (New)

488-X-1-.11-Complaint Procedure (Repealed)

488-X-1-.11- Exemptions (New)

488-X-1-.12-Reinstatement of Permit (Repealed)

488-X-1-.12- Complaint Procedure (New)

488-X-1-.13-Reinstatement of Licensure (New)

488-X-1-.14-Reinstatement of Permit (New)

488-X-1-.15-Licensure/ Permit Limitations (New)

Appendices I, Forms List

#### INTENDED ACTION:

Repealed, Amended and New

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Licensure Board For Interpreters and Transliterators proposes to adopt an 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 Board of Interpreters and Transliterators until 4:30 p.m. on November 6, 2014. Comments should be directed to Brandy L. Isenhour, Executive Director, at Post Office Box 240187, Montgomery, AL 36124-0636, or via fax at 334-277-0188.

#### FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

November 6, 2014

CONTACT PERSON AT AGENCY:

Brandy L. Isenhour 334.277.8881

Brandy L. Isenhour, Executive Director

400-2k-1-,12,	Keinstatement Of Permit.
(1)	Any permitted interpreter in good standing who is one day to ten
	enewing his or her permit of the current cycle may be granted
reinstatement up	oon submission of:
<del>(a)</del>	Payment fee for the current cycle,
<del>(b)</del>	All required documentation,
<del>(c)</del>	Plus a late fee.
All such reinstat	ed permits will be retroactive to the original license cycle of March 16th
to March 15th-o	f the year of reinstatement.
(2)	Any permitted interpreter in good standing who is more than ten
months but loss	than two years late in renewing his or her permit of the current cycle may
	tatement upon submission of:
	- -
	Payment of prior reinstatement fee for each year in arrears plus
<del>current reinstate</del>	ment fee, and
<del>(b)</del>	All required documentation, and
<del>(c)</del>	Late fee per year in arrears, and
(d)	Documentation of meeting continuing education requirements
during the year l	pefore application for restoration of permit.
Permit will not b	be retroactive but will be made current within the year and cycle of
<del>application.</del>	·
(3)	Any person in good standing who seeks restoration of a permit tha
	more than two but less than three years shall file an application for
	• • • • • • • • • • • • • • • • • • • •
review by the Bo	oard and must submit:
(a)	Current fee plus all past due renewal and late fees, up to two years
	on for restoration, and
(b)	All required documentation for application, and
(0)	1 in required documentation for approximation, and
	Proof of meeting continuing education requirements for two years
prior to restorati	<del>on and</del>
(d)	Letters of verification of skill level by three licensed interpreters
	labama-licensure law).

(4) Any person in good standing and who seeks restoration of a permit that has been expired for more than three years may be reinstated by submission of "First Time Permit" application form and the required accompanying documentation. Permit will not be retroactive but will be made current within the year and cycle of application.

# 488-X-1-.12 Complaint Procedures

- (1) Upon receipt of a written complaint to the ALBIT Board, alleging that an Interpreter or Transliterator has violated a statute or rule, the Executive Director shall perform a preliminary review to determine if there is merit and sufficient evidence to warrant formal proceedings. Complaints must be submitted to the Board within ninety (90) days of the alleged occurrence.
- (2) When the Executive Director determines there may be merit and sufficient evidence exists to warrant proceedings, an investigative committee shall be formed consisting of one (1) Board member, one (1) Board counsel, and the Executive Director.
  - (a) When the Board receives a complaint against a licensee or unlicensed Interpreter or Transliterator, the Board or its designee shall provide the respondent with the allegations. The Interpreter or Transliterator may submit, to the Executive Director, a written, or in the case of a deaf interpreter transcribed response and any supporting documentation.
  - (b) The committee shall review the complaint and other information submitted to determine if further investigation is warranted.
    - (i) If further investigation is warranted, an investigator may be retained. The investigator shall work under the direction of the Executive Director to conduct further investigation;
    - (ii) At the conclusion of the investigation, the investigator shall submit an investigation report to be reviewed by the investigative committee, which has the authority to act on the report.
    - (i) The investigative committee shall send written notification to the complainant and Interpreter or Transliterator against whom the complaint was made of any action it decides to take in response to the investigation report.
  - (c) If the committee determines that an investigation is not warranted, the Executive Director may close the investigative file, The Executive Director shall notify the complainant and the Interpreter against whom the complaint was made that the investigation has been closed.
- (3) When a preliminary review discloses that further investigation is not warranted, the complaint will be brought to the Board for dismissal with out any further action.

- (4) Board action following Investigation, the Board or its authorized designee shall have the power to act on the report of the investigation as follows:
  - (a) Dismiss the complaint.
  - (b) Enter into settlement negotiations.
  - (c) Commence disciplinary proceedings.
  - (d) Accept voluntary surrender of a License or Permit

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

Amended Filed: September 12, 2014; Effective Date: November 7, 2014