

Amendment No. 427

Senate Amendment to Senate Bill No. 179	(BDR 54-386)
Proposed by: Senator Hardy	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 179—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

MARCH 8, 2021

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to sign language interpreting and realtime captioning. (BDR 54-386)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to interpreters; revising the activities for which registration as an interpreter or realtime captioning provider is required; revising the requirements and professional classifications for registration as an interpreter or realtime captioning provider; providing for the establishment of qualifications to serve as a professional mentor and additional professional classifications in the field of interpreting; revising certain terminology related to interpreting; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the regulation of the practice of interpreting and the practice of realtime captioning by the Aging and Disability Services Division of the Department of Health and Human Services. (Chapter 656A of NRS) Existing law defines the term “practice of interpreting” to mean translating spoken language into certain visual or tactile representations of spoken language and vice versa. (NRS 656A.060) **Section 6** of this bill: (1) changes the term “practice of interpreting” to “practice of sign language interpreting” and (2) amends the definition to mean interpreting or translating between any spoken language and certain visual or tactile representations of spoken language. **Section 7** of this bill removes an exemption from provisions of existing law governing the practice of sign language interpreting and the practice of realtime captioning for persons who engage in the practice of sign language interpreting or the practice of realtime captioning solely for meetings of nonprofit civic organizations, thereby requiring, under certain circumstances, such persons to register with the Division to engage in the practice of sign language interpreting or the practice of realtime captioning, as applicable. (NRS 656A.070)

Existing law establishes requirements for an applicant for registration to engage in the practice of interpreting in: (1) a community setting as an apprentice level interpreter, a skilled interpreter or an advanced certified interpreter; and (2) an educational setting as an apprentice level, intermediate or advanced interpreter. (NRS 656A.100) **Section 9** of this bill eliminates the apprentice, intermediate, skilled and advanced levels of interpreter and instead establishes qualifications for registration or provisional registration as an interpreter. **Section 9** also: (1) requires an applicant for provisional registration to submit proof of ongoing participation in a

program of professional development for interpreters and engagement with a professional mentor; and (2) prohibits provisional registration in a professional classification for longer than 3 years in total. **Section 9** additionally eliminates a supplemental registration to practice in a legal or medical setting. **Section 18** of this bill provides that an interpreter who is registered to engage in the practice of interpreting on July 1, 2021, but who does not meet the requirements for such a registration, as amended by **section 9**, must be issued a provisional registration that expires on July 1, 2024. **Sections 5 and 8** of this bill make conforming changes to reflect that interpreters may be either registered or provisionally registered.

Sections 1, 3, 4, 9 and 14-17 of this bill make revisions so that an interpreter must register to practice as an interpreter in: (1) a primary or secondary educational setting if the person wishes to facilitate communication relating to educational programming or other school activities provided through grade 12; and (2) a community setting if the person wishes to facilitate communication in any other setting, including a postsecondary educational setting, a legal setting or a medical setting. **Section 10** of this bill: (1) requires the Division to adopt regulations prescribing qualifications for professional mentors; and (2) authorizes the Division to establish additional professional classifications of the practice of sign language interpreting.

Sections 9-12 of this bill replace the term “certification” with the term “credentialing” in provisions governing the qualifications of sign language interpreters and realtime captioning providers.

Existing law prohibits a person from holding himself or herself out as certified to engage in the practice of interpreting or the practice of realtime captioning unless he or she is registered with the Division. (NRS 656A.800) **Section 13** of this bill removes the term “certified” and instead prohibits a person from holding himself or herself out as registered or provisionally registered to engage in the practice of sign language interpreting or registered to engage in the practice of realtime captioning unless he or she is registered or provisionally registered, as applicable, with the Division. **Section 20** of this bill removes a definition of a term that is no longer used in the relevant portion of the Nevada Revised Statutes. **Section 2** of this bill makes a conforming change to indicate the proper placement in the Nevada Revised Statutes of a new definition added by **section 1**.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 656A of NRS is hereby amended by adding thereto a new section to read as follows:

“Postsecondary educational setting” means communication relating to participation by students in curricular or extracurricular programming provided by or through:

1. A university, college or community college within the Nevada System of Higher Education; or

2. A postsecondary educational institution, as defined in NRS 394.099.

Sec. 2. NRS 656A.020 is hereby amended to read as follows:

656A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 656A.023 to 656A.065, inclusive, **and section 1 of this act** have the meanings ascribed to them in those sections.

Sec. 3. NRS 656A.027 is hereby amended to read as follows:

656A.027 “Community setting” means any setting that is not ~~an~~ **a primary or secondary** educational setting. The term includes, without limitation, **a postsecondary educational setting**, a legal setting and a medical setting.

Sec. 4. NRS 656A.029 is hereby amended to read as follows:

656A.029 ~~“Educational”~~ **“Primary or secondary educational** setting” means ~~an~~ **all** communication relating to participation by pupils in educational

1 *programming or any other activity provided by or through a* public school, *school*
2 *district or* private school ~~for charter school~~ in this State.

3 **Sec. 5.** NRS 656A.030 is hereby amended to read as follows:

4 656A.030 “Interpreter” means a person who is registered *or provisionally*
5 *registered* with the Division to engage in the practice of *sign language* interpreting
6 in this State pursuant to NRS 656A.100.

7 **Sec. 6.** NRS 656A.060 is hereby amended to read as follows:

8 656A.060 “Practice of *sign language* interpreting” means the facilitation of
9 communication between persons who are deaf or whose hearing is impaired and
10 other persons. The term includes, without limitation:

11 1. ~~{Translating}~~ *Interpreting or translating between any* spoken language
12 ~~{into}~~ *and* American Sign Language or any other visual-gestural system of
13 communication ; ~~{or vice versa;}~~

14 2. ~~{Translating}~~ *Interpreting or translating between any* spoken language
15 ~~{into}~~ *and* a tactile method of sign language ; ~~{or vice versa;}~~

16 3. ~~{Translating}~~ *Interpreting or translating between any* spoken language
17 ~~{into}~~ *and* an oral interpretation of the speaker’s words by enunciating, repeating or
18 rephrasing those words without using the voice to assist a person who is deaf or
19 whose hearing is impaired in lipreading the information conveyed by the speaker;

20 4. ~~{Translating}~~ *Interpreting or translating between any* spoken language
21 ~~{into}~~ *and* a visual representation of spoken language that:

22 (a) Uses eight hand shapes to represent groups of consonants and the
23 placement of those hand shapes in four positions around the face to indicate groups
24 of vowel sounds; and

25 (b) Is used in conjunction with lipreading;

26 5. ~~{Translating}~~ *Interpreting or translating between any* spoken ~~{English~~
27 ~~{into}~~ *language and* a system of sign language that is based on the syntax of the
28 English language ; ~~{or vice versa;}~~ and

29 6. The use of any of the methods of interpreting or ~~{transliterating}~~
30 *translating* set forth in subsections 1 to 5, inclusive, by a person who is deaf or
31 whose hearing is impaired to facilitate communication between another person who
32 is deaf or whose hearing is impaired and an interpreter, or between two or more
33 persons who are deaf or whose hearing is impaired.

34 **Sec. 7.** NRS 656A.070 is hereby amended to read as follows:

35 656A.070 The provisions of this chapter do not apply to a person who:

36 1. Is licensed in another state to engage in the practice of *sign language*
37 interpreting or the practice of realtime captioning and who engages in the practice
38 of *sign language* interpreting or the practice of realtime captioning, respectively, in
39 this State:

40 (a) For a period of not more than 30 nonconsecutive days in a calendar year; or

41 (b) By teleconference if the interpreting services or realtime captioning
42 services provided by that person are necessary because an interpreter or realtime
43 captioning provider is unavailable to provide those services in person or by
44 teleconference;

45 2. Engages in the practice of *sign language* interpreting or the practice of
46 realtime captioning solely for meetings of ~~{nonprofit civic or}~~ religious
47 organizations;

48 3. Engages in the practice of *sign language* interpreting or the practice of
49 realtime captioning as necessary for the provision of an emergency medical or
50 governmental service to a person who is deaf or whose hearing is impaired; or

51 4. Engages occasionally in the practice of *sign language* interpreting in a
52 social situation that does not require a qualified interpreter pursuant to the
53 provisions of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et

seq., section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, or the regulations adopted pursuant to those provisions.

Sec. 8. NRS 656A.080 is hereby amended to read as follows:

656A.080 The Division shall:

1. Establish a registry of persons who are registered *or provisionally registered* with the Division to engage in the practice of interpreting or the practice of realtime captioning. The registry must include, without limitation:

(a) The name of the person and any other information prescribed by the Division; and

(b) If the person is registered *or provisionally registered* to engage in the practice of interpreting, each professional classification in which the person is registered *or provisionally registered* to practice;

2. Make the registry available on an Internet website maintained by the Division; and

3. Provide a copy of the registry without charge to any person upon request.

Sec. 9. NRS 656A.100 is hereby amended to read as follows:

656A.100 1. A person who wishes to *register or provisionally register to* engage in the practice of *sign language* interpreting in this State must submit to the Division:

(a) Proof that the applicant is at least 18 years of age;

(b) An application in the form prescribed by the Division;

(c) Proof that the applicant has complied with the requirements for education, training, experience and ~~certification~~ *credentialing* required for each professional classification of the practice of *sign language* interpreting pursuant to this section or prescribed by a regulation of the Division pursuant to NRS 656A.110;

(d) If the applicant wishes to *register to* practice *sign language* interpreting in a community setting ~~as an apprentice level interpreter;~~, proof ~~for~~:

~~— (1) That the applicant possesses intermediate interpreting skills;~~

~~— (2) Of current participation in a program of mentoring or an agreement to participate in a program of mentoring with an interpreter in a community setting other than an apprentice level interpreter; and~~

~~— (3) Of ongoing participation in a training program for the professional development of interpreters;~~ *that the applicant holds, in good standing, a nationally recognized sign language interpreter or transliterator certification approved by the Division;*

(e) If the applicant wishes to *provisionally register to* practice *sign language* interpreting in a community setting, ~~as a skilled interpreter;~~ proof:

(1) That the applicant ~~is certified as an interpreter by a nationally recognized public or private organization which is approved by the Division or~~ possesses the skills necessary to practice interpreting at ~~a skilled~~ *an intermediate* level; ~~in a community setting;~~ and

(2) Of ongoing participation in a ~~training~~ program for the professional development of interpreters ~~for~~:

~~— (f) If the applicant wishes to practice interpreting in a community setting as an advanced certified interpreter, proof:~~

~~— (1) That the applicant is certified as an interpreter at an advanced level by a nationally recognized public or private organization which is approved by the Division or possesses the skills necessary to practice interpreting at an advanced level in a community setting; and~~

~~— (2) Of ongoing participation in a training program for the professional development of interpreters;~~

~~— (g) and engagement with a professional mentor;~~

(f) If the applicant wishes to **register to** practice **sign language** interpreting in ~~{an}~~ **a primary or secondary** educational setting , ~~{as an apprentice level interpreter;}~~ proof:

(1) That the applicant has ~~{completed;}~~ :

(I) **Completed** the Educational Interpreter Performance Assessment ~~{administered by a public or private organization which is}~~ **or holds another credential for interpreters in a primary or secondary educational setting that is** approved by the Division ; and ~~{received}~~

(II) **Received** a rating of his or her level of proficiency in providing interpreting services at least at level ~~{3.0;}~~ **4.0 or its equivalent; and**

(2) Of ~~{current}~~ **ongoing** participation in a program ~~{of mentoring or an agreement to participate in a program of mentoring with an interpreter in an educational setting other than an apprentice level interpreter; and~~

~~_____ (3) Of an individualized plan}~~ for **the** professional development ~~{as an interpreter which includes, without limitation, specific goals for the applicant's professional development as an interpreter;~~

~~_____ (h)} of interpreters;~~

(g) If the applicant wishes to **provisionally register to** practice **sign language** interpreting in ~~{an}~~ **a primary or secondary** educational setting , ~~{as an intermediate interpreter;}~~ proof:

(1) That the applicant has ~~{completed;}~~ :

(I) **Completed** the Educational Interpreter Performance Assessment ~~{administered by a public or private organization which is}~~ **or holds another credential for interpreters in a primary or secondary educational setting that is** approved by the Division ; and ~~{received}~~

(II) **Received** a rating of his or her level of proficiency in providing interpreting services at least at level ~~{3.1;}~~ **3.5 or its equivalent; and**

(2) Of ~~{an individualized plan}~~ **ongoing participation in a program** for **the** professional development ~~{as an interpreter which includes, without limitation, specific goals for the applicant's professional development as an interpreter;~~

~~_____ (i) If the applicant wishes to practice interpreting in an educational setting as an advanced interpreter; proof:~~

~~_____ (1) That the applicant has completed the Educational Interpreter Performance Assessment administered by a public or private organization which is approved by the Division and received a rating of his or her level of proficiency in providing interpreting services at least at level 4.0;~~

~~_____ (2) That the applicant possesses at least 4 years of experience practicing as an interpreter in a classroom; and~~

~~_____ (3) Of an individualized plan for professional development as an interpreter which includes, without limitation, specific goals for the applicant's professional development as an interpreter;~~

~~_____ (j) If the applicant wishes to obtain a supplemental registration specifically to practice interpreting in a legal setting or medical setting in addition to obtaining registration pursuant to paragraphs (d) to (i), inclusive, any information or evidence as prescribed by a regulation of the Division pursuant to NRS 656A.110; and~~

~~_____ (k)} of interpreters and engagement with a professional mentor; and~~

(h) Any other information or evidence the Division may require to determine whether the applicant has complied with the requirements to engage in the practice of **sign language** interpreting.

2. The Division may, for good cause shown, waive any requirement set forth in subsection 1.

3. An applicant must identify each professional classification of the practice of *sign language* interpreting for which he or she requests registration ~~or~~ *or provisional registration*.

4. ~~The~~ *Except as otherwise provided in subsection 5, the* Division shall:

(a) Register *or provisionally register* each applicant who complies with the applicable provisions of this section as an interpreter described in the applicable paragraph of subsection 1; and

(b) Issue to the applicant proof of *registration or provisional* registration.

5. The Division shall not issue a provisional registration for a professional classification of the practice of sign language interpreting to any person for more than a total of 3 years, including renewals.

Sec. 10. NRS 656A.110 is hereby amended to read as follows:

656A.110 1. The Division shall, by regulation:

~~1.1~~ (a) Prescribe for each professional classification of interpreters:

~~1.1(a)~~ (1) The level of education and professional training, experience and ~~certification~~ *credentialing* required to engage in the practice of *sign language* interpreting in that classification.

~~1.1(b)~~ (2) The authorized scope of practice, including, without limitation, any condition, restriction or other limitation imposed on a person who practices in that classification.

~~1.2. Establish ethical~~

(3) *Ethical* standards for persons who engage in the practice of *sign language* interpreting ~~including, without limitation, standards for maintaining confidential communications between an interpreter and a person who receives his or her services.~~ *in that professional classification.*

(b) *Prescribe qualifications for professional mentors of interpreters, including, without limitation, the level of education, training, experience and credentialing required to provide mentoring.*

2. The Division may adopt regulations establishing professional classifications of the practice of sign language interpreting in addition to those set forth in NRS 656A.100.

Sec. 11. NRS 656A.400 is hereby amended to read as follows:

656A.400 1. A person who wishes to engage in the practice of realtime captioning in this State must submit to the Division:

(a) Proof that the applicant is at least 18 years of age;

(b) An application in the form prescribed by the Division;

(c) Proof that the applicant has complied with the requirements for education, training, experience and ~~certification~~ *credentialing* required for the practice of realtime captioning as prescribed by a regulation of the Division pursuant to NRS 656A.410; and

(d) Any other information or evidence the Division may require to determine whether the applicant has complied with the requirements to engage in the practice of realtime captioning.

2. The Division shall register each applicant who complies with the provisions of this section and issue to the applicant proof of registration.

Sec. 12. NRS 656A.410 is hereby amended to read as follows:

656A.410 The Division shall, by regulation:

1. Prescribe the level of education and professional training, experience and ~~certification~~ *credentialing* required to engage in the practice of realtime captioning.

2. Establish ethical standards for persons who engage in the practice of realtime captioning, including, without limitation, standards for maintaining

confidential communications between a realtime captioning provider and a person who receives his or her services.

Sec. 13. NRS 656A.800 is hereby amended to read as follows:

656A.800 1. Except as otherwise provided by specific statute, it is unlawful for a person to:

(a) Engage in the practice of *sign language* interpreting in this State;

(b) Hold himself or herself out as ~~certified~~ *registered, provisionally registered, or otherwise* qualified to engage in the practice of *sign language* interpreting in this State; or

(c) Use in connection with his or her name any title, words, letters or other designation intended to imply or designate that the person is an interpreter,

➤ unless the person is registered *or provisionally registered* with the Division pursuant to NRS 656A.100.

2. It is unlawful for a person to:

(a) Engage in the practice of realtime captioning in this State;

(b) Hold himself or herself out as ~~certified~~ *registered or otherwise* qualified to engage in the practice of realtime captioning in this State; or

(c) Use in connection with his or her name any title, words, letters or other designation intended to imply or designate that he or she is a realtime captioning provider,

➤ unless the person is registered with the Division pursuant to NRS 656A.400.

3. A person who violates the provisions of subsection 1 or 2:

(a) Is guilty of a misdemeanor; and

(b) May be assessed a civil penalty of not more than \$5,000.

4. An action for the enforcement of a civil penalty assessed pursuant to this section may be brought in any court of competent jurisdiction by the district attorney of the appropriate county or the Attorney General.

5. Any civil penalty recovered pursuant to this section must be deposited with the State Treasurer for credit to the Account for Services for Persons With Impaired Speech or Hearing created by NRS 427A.797.

6. The Division shall report a violation of a provision of subsection 1 or 2 to the district attorney of the county in which the violation occurred or the Attorney General.

Sec. 14. NRS 50.050 is hereby amended to read as follows:

50.050 1. As used in NRS 50.050 to 50.053, inclusive, unless the context requires otherwise:

(a) "Interpreter" means a:

(1) Registered *community* interpreter; *or*

(2) ~~Registered legal interpreter; or~~

~~— (3) Person who is appointed as an interpreter pursuant to subsection 2 of NRS 50.0515.~~

(b) "Person with a communications disability" means a person who, because the person is deaf or has a physical speaking impairment, cannot readily understand or communicate in the English language or cannot understand the proceedings.

(c) "Registered *community* interpreter" means a person registered with the Aging and Disability Services Division of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of *sign language* interpreting ~~+~~

~~— (d) "Registered legal interpreter" means a person registered with the Aging and Disability Services Division of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of interpreting} in a {legal} community setting.~~

2. In all judicial proceedings in which a person with a communications disability appears as a witness, the court, magistrate or other person presiding over the proceedings shall appoint an interpreter to interpret the proceedings to that person and to interpret the testimony of that person to the court, magistrate or other person presiding.

3. The court, magistrate or other person presiding over the proceedings shall fix a reasonable compensation for the services and expenses of the interpreter appointed pursuant to this section. If the judicial proceeding is civil in nature, the compensation of the interpreter may be taxed as costs, except that the person with a communications disability for whose benefit the interpreter is appointed must not be taxed, charged a fee or otherwise required to pay any portion of the compensation of the interpreter.

4. Claims against a county, municipality, this State or any agency thereof for the compensation of an interpreter in a criminal proceeding or other proceeding for which an interpreter must be provided at public expense must be paid in the same manner as other claims against the respective entities are paid. Payment may be made only upon the certificate of the judge, magistrate or other person presiding over the proceedings that the interpreter has performed the services required and incurred the expenses claimed.

Sec. 15. NRS 50.0515 is hereby amended to read as follows:

50.0515 1. Except as otherwise provided in this section, in any judicial or other proceeding in which the court, magistrate or other person presiding over the proceeding is required to appoint an interpreter for a person with a communications disability, the court, magistrate or other person presiding over the proceeding shall appoint a registered ~~Hegall~~ **community** interpreter to interpret the proceeding to that person and to interpret the testimony of that person to the court, magistrate or other person presiding over the proceeding.

2. If a registered ~~Hegall~~ **community** interpreter cannot be found or is otherwise unavailable, or if the appointment of a registered ~~Hegall~~ **community** interpreter will cause a substantial delay in the proceeding, the court, magistrate or other person presiding over the proceeding may, after making a finding to that effect and conducting a voir dire examination of prospective interpreters, appoint ~~to a registered interpreter or~~ any other interpreter that the court, magistrate or other person presiding over the proceeding determines is readily able to communicate with the person with a communications disability, translate the proceeding for him or her, and accurately repeat and translate the statements of the person with a communications disability to the court, magistrate or other person presiding over the proceeding.

Sec. 16. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the Commission shall adopt regulations:

(a) Prescribing the qualifications for licensing teachers and other educational personnel and the procedures for the issuance and renewal of those licenses. The regulations:

(1) Must include, without limitation, the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure which provides that the required education and training may be provided by any qualified provider which has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education. The regulations adopted pursuant to this subparagraph must:

(I) Establish the requirements for approval as a qualified provider;

(II) Require a qualified provider to be selective in its acceptance of students;

(III) Require a qualified provider to provide in-person or virtual supervised, school-based experiences and ongoing support for its students, such as mentoring and coaching;

(IV) Significantly limit the amount of course work required or provide for the waiver of required course work for students who achieve certain scores on tests;

(V) Allow for the completion in 2 years or less of the education and training required under the alternative route to licensure;

(VI) Provide that a person who has completed the education and training required under the alternative route to licensure and who has satisfied all other requirements for licensure may apply for a regular license pursuant to subparagraph (VII) regardless of whether the person has received an offer of employment from a school district, charter school or private school; and

(VII) Upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person pursuant to the provisions of this chapter and the regulations adopted pursuant to this chapter.

(2) Must require an applicant for a license to teach middle school or junior high school education or secondary education to demonstrate proficiency in a field of specialization or area of concentration by successfully completing course work prescribed by the Department or completing a subject matter competency examination prescribed by the Department with a score deemed satisfactory.

(3) Must not prescribe qualifications which are more stringent than the qualifications set forth in NRS 391.0315 for a licensed teacher who applies for an additional license in accordance with that section.

(b) Identifying fields of specialization in teaching which require the specialized training of teachers.

(c) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(d) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(e) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being registered with the Aging and Disability Services Division of the Department of Health and Human Services pursuant to NRS 656A.100 to engage in the practice of **sign language** interpreting in ~~an~~ **a primary or secondary** educational setting.

(f) Requiring teachers and other educational personnel to be registered with the Aging and Disability Services Division pursuant to NRS 656A.100 to engage in the practice of **sign language** interpreting in ~~an~~ **a primary or secondary** educational setting if they:

(1) Provide instruction or other educational services; and

(2) Concurrently engage in the practice of **sign language** interpreting, as defined in NRS 656A.060.

(g) Prescribing course work on parental involvement and family engagement. The Commission shall work in cooperation with the Office of Parental Involvement and Family Engagement created by NRS 385.630 in developing the regulations required by this paragraph.

(h) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in cultural competency.

(i) Authorizing the Superintendent of Public Instruction to issue a license by endorsement to an applicant who holds an equivalent license or authorization issued by a governmental entity in another country if the Superintendent determines that the qualifications for the equivalent license or authorization are substantially similar to those prescribed pursuant to paragraph (a).

(j) Establishing the requirements for obtaining an endorsement on the license of a teacher, administrator or other educational personnel in teaching courses relating to financial literacy.

2. Except as otherwise provided in NRS 391.027, the Commission may adopt such other regulations as it deems necessary for its own government or to carry out its duties.

3. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the Commission.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.

Sec. 17. NRS 427A.040 is hereby amended to read as follows:

427A.040 1. The Division shall, consistent with the priorities established by the Commission pursuant to NRS 427A.038:

(a) Serve as a clearinghouse for information related to problems of the aged and aging.

(b) Assist the Director in all matters pertaining to problems of the aged and aging.

(c) Develop plans, conduct and arrange for research and demonstration programs in the field of aging.

(d) Provide technical assistance and consultation to political subdivisions with respect to programs for the aged and aging.

(e) Prepare, publish and disseminate educational materials dealing with the welfare of older persons.

(f) Gather statistics in the field of aging which other federal and state agencies are not collecting.

(g) Stimulate more effective use of existing resources and available services for the aged and aging.

(h) Develop and coordinate efforts to carry out a comprehensive State Plan for Providing Services to Meet the Needs of Older Persons. In developing and revising the State Plan, the Division shall consider, among other things, the amount of money available from the Federal Government for services to aging persons and the conditions attached to the acceptance of such money, and the limitations of legislative appropriations for services to aging persons.

(i) Coordinate all state and federal funding of service programs to the aging in the State.

2. The Division shall:

(a) Provide access to information about services or programs for persons with disabilities that are available in this State.

(b) Work with persons with disabilities, persons interested in matters relating to persons with disabilities and state and local governmental agencies in:

(1) Developing and improving policies of this State concerning programs or services for persons with disabilities, including, without limitation, policies

1 concerning the manner in which complaints relating to services provided pursuant
2 to specific programs should be addressed; and

3 (2) Making recommendations concerning new policies or services that may
4 benefit persons with disabilities.

5 (c) Serve as a liaison between state governmental agencies that provide
6 services or programs to persons with disabilities to facilitate communication and
7 the coordination of information and any other matters relating to services or
8 programs for persons with disabilities.

9 (d) Serve as a liaison between local governmental agencies in this State that
10 provide services or programs to persons with disabilities to facilitate
11 communication and the coordination of information and any other matters relating
12 to services or programs for persons with disabilities. To inform local governmental
13 agencies in this State of services and programs of other local governmental
14 agencies in this State for persons with disabilities pursuant to this subsection, the
15 Division shall:

16 (1) Provide technical assistance to local governmental agencies, including,
17 without limitation, assistance in establishing an electronic network that connects the
18 Division to each of the local governmental agencies that provides services or
19 programs to persons with disabilities;

20 (2) Work with counties and other local governmental entities in this State
21 that do not provide services or programs to persons with disabilities to establish
22 such services or programs; and

23 (3) Assist local governmental agencies in this State to locate sources of
24 funding from the Federal Government and other private and public sources to
25 establish or enhance services or programs for persons with disabilities.

26 (e) Administer the following programs in this State that provide services for
27 persons with disabilities:

28 (1) The program established pursuant to NRS 427A.791, 427A.793 and
29 427A.795 to provide services for persons with physical disabilities;

30 (2) The programs established pursuant to NRS 427A.800, 427A.850 and
31 427A.860 to provide services to persons with traumatic brain injuries;

32 (3) The program established pursuant to NRS 427A.610 to provide hearing
33 aids to children who are hard of hearing;

34 (4) The program established pursuant to NRS 427A.797 to provide devices
35 for telecommunication to persons who are deaf and persons with impaired speech
36 or hearing;

37 (5) Any state program for independent living established pursuant to 29
38 U.S.C. §§ 796 et seq., with the Rehabilitation Division of the Department of
39 Employment, Training and Rehabilitation acting as the designated state unit, as that
40 term is defined in 34 C.F.R. § 385.4, or the designated state entity, as that term is
41 defined in 45 C.F.R. § 1329.4, as applicable; and

42 (6) Any state program established pursuant to the Assistive Technology
43 Act of 1998, 29 U.S.C. §§ 3001 et seq.

44 (f) Provide information to persons with disabilities on matters relating to the
45 availability of housing for persons with disabilities and identify sources of funding
46 for new housing opportunities for persons with disabilities.

47 (g) Before establishing policies or making decisions that will affect the lives of
48 persons with disabilities, consult with persons with disabilities and members of the
49 public in this State through the use of surveys, focus groups, hearings or councils of
50 persons with disabilities to receive:

51 (1) Meaningful input from persons with disabilities regarding the extent to
52 which such persons are receiving services, including, without limitation, services

described in their individual service plans, and their satisfaction with those services; and

(2) Public input regarding the development, implementation and review of any programs or services for persons with disabilities.

(h) Publish and make available to governmental entities and the general public a biennial report which:

(1) Provides a strategy for the expanding or restructuring of services in the community for persons with disabilities that is consistent with the need for such expansion or restructuring;

(2) Reports the progress of the Division in carrying out the strategic planning goals for persons with disabilities identified pursuant to chapter 541, Statutes of Nevada 2001;

(3) Documents significant problems affecting persons with disabilities when accessing public services, if the Division is aware of any such problems;

(4) Provides a summary and analysis of the status of the practice of *sign language* interpreting and the practice of realtime captioning, including, without limitation, the number of persons engaged in the practice of *sign language* interpreting in ~~that~~ *a primary or secondary* educational setting in each professional classification established ~~pursuant to~~ *by* NRS 656A.100 *or the regulations adopted pursuant to NRS 656A.110* and the number of persons engaged in the practice of realtime captioning in ~~that~~ *a primary or secondary* educational setting; and

(5) Recommends strategies and, if determined necessary by the Division, legislation for improving the ability of the State to provide services to persons with disabilities and advocate for the rights of persons with disabilities.

3. The Division shall confer with the Department as the sole state agency in the State responsible for administering the provisions of this chapter and chapter 435 of NRS.

4. The Division shall:

(a) Administer the provisions of chapters 435 and 656A of NRS; and

(b) Assist the Board of Applied Behavior Analysis in the administration of the provisions of chapter 437 of NRS as prescribed in that chapter.

5. The Division may contract with any appropriate public or private agency, organization or institution, in order to carry out the provisions of this chapter and chapter 435 of NRS.

Sec. 18. 1. A registration to engage in the practice of interpreting in a community setting or an educational setting that is held by a person who does not meet the requirements prescribed by NRS 656A.100, as amended by section 9 of this act, for registration to engage in the practice of sign language interpreting in a community setting or a primary or secondary educational setting, as applicable, on July 1, 2021, expires on that date.

2. Notwithstanding the provisions of NRS 656A.100, as amended by section 9 of this act, on July 1, 2021, the Aging and Disability Services Division of the Department of Health and Human Services shall issue:

(a) A provisional registration to engage in the practice of sign language interpreting in a community setting to any person whose registration to engage in the practice of interpreting in a community setting expires pursuant to subsection 1.

(b) A provisional registration to engage in the practice of sign language interpreting in a primary or secondary educational setting to any person whose registration to engage in the practice of interpreting in an educational setting expires pursuant to subsection 1.

3. A provisional registration issued pursuant to this section expires on July 1, 2024.

1 **Sec. 19.** The Legislative Counsel shall:

2 1. In preparing the reprint and supplements to the Nevada Revised Statutes,
3 appropriately substitute the term “practice of sign language interpreting” for the
4 term “practice of interpreting.”

5 2. In preparing supplements to the Nevada Administrative Code,
6 appropriately:

7 (a) Substitute the term “practice of sign language interpreting” for the term
8 “practice of interpreting,” as previously used in any chapter of NAC; and

9 (b) Substitute the term “primary or secondary educational setting” for the term
10 “educational setting,” as previously used in chapter 656A of NAC.

11 **Sec. 20.** NRS 656A.023 is hereby repealed.

12 **Sec. 21.** 1. This section becomes effective upon passage and approval.

13 2. Sections 1 to 20, inclusive, of this act become effective:

14 (a) Upon passage and approval for the purpose of adopting any regulations and
15 performing any other preparatory administrative tasks that are necessary to carry
16 out the provisions of this act; and

17 (b) On July 1, 2021, for all other purposes.

TEXT OF REPEALED SECTION

656A.023 “Charter school” defined. “Charter school” has the meaning ascribed to it in NRS 385.007.