

Medical Language Interpreter

This Act provides that a person who renders language interpretation services between a health care provider who speaks English and another person in Spanish, Russian, Bosnian, Somali, Mandarin Chinese, Cantonese, or Navajo, can get certified by the state division of occupational and professional licensing as a medical language interpreter. The Act provides that a person may provide medical interpreter services without obtaining the certification described in the preceding paragraph. The bill describes the requirements that a person must comply with in order to obtain certification. It makes it a misdemeanor to represent or hold oneself out as a certified medical language interpreter when not certified under the provisions of the bill.

The Act permits the state division of occupational and professional licensing to charge a fee to recover the costs of administering the certification examination and issuing the certificate described in this bill. It allows the state department of health and the state department of human services to give priority to contracting with companies that use certified medical language interpreters.

Submitted as:

Utah

[HB144/Session Law Chapter 49](#)

Status: Enacted into law in 2009.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as the “Medical Language Interpreter
2 Act.”

3
4 Section 2. [*Definitions.*] As used in this Act:

5 (1) “Certified medical language interpreter” means a medical language interpreter who
6 has received a certificate from the [division] under this Act.

7 (2) “Health care provider” means a person licensed under the:

8 (a) [Podiatric Physician Licensing Act];

9 (b) [Optometry Practice Act];

10 (c) [Pharmacy Practice Act];

11 (d) [Physical Therapist Practice Act];

12 (e) [Nurse Practice Act];

13 (f) [Nurse Licensure Compact];

14 (g) [Advanced Practice Registered Nurse Compact];

15 (h) [Nurse Midwife Practice Act];

16 (i) [Respiratory Care Practices Act];

17 (j) [Mental Health Professional Practice Act];

18 (k) [Psychologist Licensing Act];

19 (l) [Medical Practice Act];

20 (m) [Osteopathic Medical Practice Act];

21 (n) [Dentist and Dental Hygienist Practice Act];

22 (o) [Physician Assistant Act];

23 (p) [Naturopathic Physician Practice Act];

24 (q) [Chiropractic Physician Practice Act]; or
25 (r) [Direct-Entry Midwife Act].

26 (3) “Medical language interpreter” means a person who, for compensation, performs
27 verbal language interpretation services between a health care provider who speaks English and
28 another person for the purpose of assisting the person in seeking or obtaining medical advice,
29 diagnoses, or treatment.

30 (4) “National standards of practice” means the National Standards of Practice, published
31 by the National Council on Interpreting in Health Care.

32
33 Section 3. [*Certification.*]

34 (A) The certification provided under this Act is voluntary.

35 (B) This Act does not prohibit a person from acting as a medical language interpreter if
36 the person does not have a certificate described in this Section.

37 (C) The [division] shall issue to a person who qualifies under this Act a certificate as a
38 certified medical language interpreter.

39 (D) A certificate described in Subsection (C) shall specify the language that the person is
40 certified for.

41 (E) A person qualifies as a certified medical language interpreter if the person:

42 (1) acts as a medical language interpreter between English and at least one of the
43 following languages:

- 44 (a) Spanish;
- 45 (b) Russian;
- 46 (c) Bosnian;
- 47 (d) Somali;
- 48 (e) Mandarin Chinese;
- 49 (f) Cantonese; or
- 50 (g) Navajo;

51 (2) passes an examination administered by, or under contract with, the [division],
52 that tests:

53 (a) the following areas, with respect to the language for which the person
54 applies for certification:

- 55 (i) basic language fluency;
- 56 (ii) basic medical terminology, including the ability to:
 - 57 (aa) name human body parts;
 - 58 (bb) name internal human organs;
 - 59 (cc) describe basic medical symptoms; and
 - 60 (dd) describe basic medical instructions, including dosage

61 amounts and frequency; and
62 (iii) basic cultural competency relating to medical care beliefs and
63 practices that are common to people who speak that language;

64 (b) knowledge and understanding of the national standards of practice; and
65 (c) a basic understanding of medical confidentiality requirements,
66 including the confidentiality requirements of the federal Health Insurance Portability and
67 Accountability Act;

68 (3) signs a statement agreeing to abide by the national standards of practice; and

69 (4) pays the fee described in Section 4 of this Act.

70 (F) A person may not represent or hold oneself out as a certified medical language
71 interpreter if they do not have a certificate described in this Section.

72 (G) A person who represents or holds themselves out as a certified medical language

73 interpreter when not certified under this Act commits “unlawful conduct” as defined under
74 [insert citation] and is guilty of a [class A misdemeanor].

75

76 Section 4. [*Fees.*]

77 (A) The [division] may charge a fee, established under [insert citation] to recover the
78 costs of administering the examination described in Section 3 of this Act and issuing the
79 certificate described in Section 3 of this Act.

80 (B) The [division] may make rules, pursuant to the state [administrative rulemaking act]
81 to accomplish the requirements of this Act.

82

83 Section 5. [*Priority for Certified Medical Language Interpreter.*]

84 The [department of health] and the [department of human services] may give priority to
85 contracting with companies that use certified medical language interpreters.

86

87 Section 6. [*Severability.*] [Insert severability clause.]

88

89 Section 7. [*Repealer.*] [Insert repealer clause.]

90

91 Section 8. [*Effective Date.*] [Insert effective date.]