

112 CMR: COMMISSION FOR THE DEAF AND HARD OF HEARING

112 CMR 3.00: INTERPRETER SERVICES FOR THE DEAF AND HARD OF HEARING:
PROCEDURES AND STRUCTURES FOR THE PROVISION OF INTERPRETERS
FOR THE DEAF AND HARD OF HEARING BY STATE AGENCIES

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3.01: Statement of Purpose

The purpose of 112 CMR 3.00 is to establish centralized structures and procedures to facilitate the provision and purchase of interpreter services for the Deaf and Hard of Hearing by State Agencies.

3.02: Application and Scope

- (1) Application. 112 CMR 3.00 shall apply to any state agency as defined in 112 CMR 3.03.
- (2) Scope. 112 CMR 3.00 includes:
 - (a) designation of the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) Interpreter/CART Referral Service as the central point for State Agencies to obtain interpreter services;
 - (b) procedures to establish and maintain a MCDHH administered contract for use by all State Agencies to purchase interpreter services; and
 - (c) procedures to establish and periodically review rates and related fees for purchase of interpreter services.

3.03: Definitions

Commissioner. The Commissioner of the MCDHH.

Contractor. A sign language interpreter or other provider of communication access whose services are contracted through MCDHH and who provides services directly to or on behalf of a State Agency. Sign language interpreter contractors may not utilize employees or subcontractors.

Interpreter for the Deaf and Hard of Hearing also referred to as an interpreter. An individual who has appropriate knowledge, training, and credentials, is approved by MCDHH, and is skilled in:

- (a) sign language/English interpretation or transliteration; or
- (b) oral interpretation or transliteration.

MCDHH Approved Legal interpreter. A freelance or staff interpreter who has National RID Certification with Legal Specialist Certification.

MCDHH Contract for Interpreters for the Deaf and Hard of Hearing. A standard form contract entered into between MCDHH, acting as an agent of the Commonwealth of Massachusetts, and

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interpreters and transliterators, who agree to provide a specified service(s) at a specified rate(s) to any State Agency or other contract participant within the duration of the contract to promote communication access during business transactions and service delivery on behalf of individuals who are deaf, deafblind, late-deafened, or hard of hearing.

Rate. The dollar amount to be paid to the contracted interpreter for unit of service provided.

3.03: continued

Services. Sign language/English or oral interpretation or transliteration provided by interpreters or other types of communication access services as defined in the governing contract.

State Agency. Any executive office, department, agency, office, board, commission, or institution of the Executive Department. The Legislature, the Constitutional Offices, the Public Institutions of Higher Education, and Independent Public Authorities are encouraged but not required to comply with 112 CMR 3.00. Provision of Interpreters for the Deaf and Hard of Hearing by the Judiciary is dealt with separately.

3.04: Central Point for Interpreter Referrals

In accordance with M.G.L. c. 6, §§ 194 and 196, the MCDHH operates the MCDHH Interpreter /CART Referral Service which processes requests from State Agencies as well as other public and private entities and individuals. The MCDHH Interpreter /CART Referral Service maintains a roster of approved interpreters and providers of other types of communication access.

3.05: MCDHH Contract for Interpreter Services

(1) General. MCDHH shall establish and administer contracts with approved interpreters and other providers of communication access services for use by all State Agencies in accordance with all applicable Commonwealth of Massachusetts requirements governing purchases of services. The contracts shall include any additional terms and conditions considered necessary by MCDHH to achieve its legislative mandate.

(2) Qualifications of Contracting Interpreters. MCDHH shall establish standards of knowledge, training and credentials required for MCDHH approval and participation in the contract.

3.06: Rates

Purchase of Interpreter Services. The MCDHH shall establish rates for the purchase of interpreter services and shall review those rates periodically. All rates will be adjusted as appropriate and needed after consideration of comments and relevant information solicited from representatives of organizations, associations, and service providers of or working with deaf, hard of hearing, deafblind, and late-deafened persons in the Commonwealth, including but not limited to the Massachusetts Registry of Interpreters for the Deaf, the Massachusetts State Association of the Deaf, and the Massachusetts chapters of the Association of Late Deafened Adults, the Alexander Graham Bell Association for the Deaf, and the Hearing Loss Association of America or their successors.

REGULATORY AUTHORITY

112 CMR 3.00: M.G.L. c. 6, §§ 192 and 196.