



MENTAL RETARDATION BULLETIN

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF PUBLIC WELFARE

DATE OF ISSUE
May 10, 2006

EFFECTIVE DATE
IMMEDIATELY

NUMBER
00-06-10

SUBJECT:

Payment for Sign Language Interpreters
and/or Transliterators

BY:


Kevin T. Casey
Deputy Secretary for Mental Retardation

SCOPE:

Administrative Entities
Supports Coordination Entities
Non-State ICF/MR Directors
State ICF/MR Directors

PURPOSE:

This bulletin replaces MR Bulletin 00-06-03, entitled, "*Payment for Sign Language Interpreters*" and provides an update on interpreter and/or transliterator registration information and payment issues.

BACKGROUND:

The Americans with Disabilities Act (ADA) ensures the provision of equal access for all individuals with disabilities. This law requires that 'reasonable accommodation' be made to allow individuals with disabilities to participate and receive the same services and benefits available to those without disabilities. Such services include qualified interpreters and/or other functional processes of making auditory materials available to individuals who are deaf or hard of hearing.

A sign language interpreter is one who provides individuals who are deaf and hard of hearing with interpretation or transliteration services. Interpretation is the process of using American Sign Language (ASL) to relay a spoken English message to individuals who are deaf or hard of hearing. ASL is a visual language with its own gestures and linguistic features that cannot be translated "word for word".

Transliteration is the process of using sign language to relay a spoken message to an individual who is deaf or hard of hearing, using hand gestures, mouth movements and elements of American Sign Language and English.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

The Appropriate Regional Program Office

In accordance with Act 57 of 2004, also known as the Sign Language Interpreter and Transliterators State Registration Act, the Registry of Interpreters for the Deaf (RID) has separate certifications for interpreters and transliterators. More information regarding certification can be found at <http://www.rid.org> or the state chapter, PA RID, at <http://www.parid.org>.

Administrative Entities (AEs) or the Department of Public Welfare will provide interpretation and/or transliteration funding for eligible individuals under the conditions described in this bulletin.

DISCUSSION:

AEs are required to pay for necessary interpretation and/or transliteration services; however, services are not funded under the Consolidated and Person/Family Directed Support (P/FDS) Waivers.

Sign language interpretation and/or transliteration costs for people receiving Consolidated and P/FDS waiver services can be reimbursed by:

- Non-waiver funding sources as determined by the AE that are not otherwise excluded for these services.

Sign language interpretation and/or transliteration costs for people receiving OBRA Waiver services can be reimbursed by:

- Building the costs into the reimbursement service rate negotiated between the service providers and the Administrative Entity.
- Including costs as part of the Administrative Entity administration costs if there is an interpreter and/or transliterator already on staff.

Sign language interpretation and/or transliteration costs can be reimbursed for people receiving Intermediate Care Facilities for Individuals with Mental Retardation (ICF/MR) services by building them into the ICF/MR rate as a direct cost if costs are not covered by Medical Assistance (MA). Sign language interpretation and/or transliteration costs reimbursed as a part of the ICF/MR service rate are subject to federal financial participation at the current federal service matching rate.

Sign language interpretation and/or transliteration costs for people receiving Targeted Services Management (TSM) services may not be charged to TSM or included in the calculation of the TSM service rate.

Administrative Entities may utilize base funding to cover interpretation and/or transliteration costs.

Costs for sign language interpretation and/or transliteration services cannot be passed on to recipients or deducted from the individual's budget.

PROCEDURE:

Interpreters and/or transliterators must be registered with the Pennsylvania Department of Labor and Industry, Office of Vocational Rehabilitation, Office for the Deaf and Hard of Hearing (ODHH) prior to providing interpretation and/or transliteration services. Prior to registering with the ODHH, interpreters and/or transliterators must have proof of passing the national certification tests that are recognized and/or issued by the Registry of Interpreters for the Deaf.

If necessary, other accommodations such as assistive listening devices and/or Computer Assisted Real-Time (CART) Translation should be provided to allow communication access for people who have hearing impairments and do not use sign language.

OBSOLETE BULLETIN:

MR Bulletin 00-06-03 entitled, "*Payment for Sign Language Interpreters*".