

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Signed Language Interpreting Practices Board (“Board”) will hold a rule hearing on Monday, November 23, 2020, at 9:00 a.m. Following the rule hearing, the Board will convene a board meeting to consider adoption of the rules and address regular business. The rule hearing and board meeting will be held via Cisco WebEx Meetings.

The purpose of the rule hearing is to consider proposed amendment/repeal/replace to the following rules:

- 16.28.1 NMAC - General Provisions
- 16.28.2 NMAC - Education and Continuing Education Requirements
- 16.28.3 NMAC - Application and Licensure Requirements
- 16.28.4 NMAC - Statutory Authority
- 16.28.5 NMAC - Code of Professional Conduct
- 16.28.7 NMAC - Licensure for Military Service Members, Spouses and Veterans

To obtain and review copies of the proposed changes you may go to the Board’s website at: http://www.rld.state.nm.us/boards/signed_language_interpreting_practices.aspx or contact the New Mexico Signed Language Interpreting Practices Board at (505)476-4622 or by email at signlanguage.board@state.nm.us.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Theresa Montoya, Board Administrator, via electronic mail at signlanguage.board@state.nm.us or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Monday, November 23, 2020. Persons will also be given the opportunity to present their comments at the rule hearing. All written comments will be posted to the Board’s website at: http://www.rld.state.nm.us/boards/signed_language_interpreting_practices.aspx, no more than three business days following receipt to allow for public viewing.

An individual with a disability who is in need of a reader, amplifier, qualified signed language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact Theresa Montoya, Board Administrator at (505) 476-4622.

Statutory Authority: The Signed Language Interpreting Practices Act, Sections 61-34-8 NMSA 1978, among other provisions, specifically authorizes the Board to “promulgate rules pursuant to the State Rules Act Chapter 14, Article 4, 1978 to effectively carry out and enforce provisions of the Signed Language Interpreting Practices Act.”

Summary of Proposed Changes:

In addition to making minor clarification changes, the proposed rules are summarized as follows:

16.28.1.7 NMAC - Definitions:

The amendments to this section add a new definition for the term BEI that will increase an applicant’s opportunity for licensure.

16.28.2.8 NMAC - Education Requirements:

The amendments to this section will create flexibility for applicants to submit documentation that they have fulfilled the educational requirements for licensure.

16.28.2.9 NMAC - Continuing Education Requirements:

The amendments to this section are to provide clarity regarding compliance with the Board’s continuing education requirements and the submission of documents necessary to prove compliance with this section.

16.28.3.11 NMAC - Application for Licensure:

The amendments to this section will create greater opportunity and provide clarity for those applicants who hold a BEI certification to apply for licensure, which is consistent with the Board's requirements for licensure under Sections 61-34-9 NMSA 1978.

16.28.3.12 NMAC - Requirements for a License for a Community Signed Language Interpreter:

The amendments to this section will create greater opportunity and provide clarity for those applicants who hold a BEI certification to apply for licensure, which is consistent with the Board's requirements for licensure under Subparagraph (d) of Paragraph (2) of Subsection A of Section 61-34-9 NMSA 1978.

16.28.3.13 NMAC - Requirements for a License for an Educational Signed Language Interpreter:

The amendments to this section are to clarify that the requirements for an educational signed language interpreter license are consistent with the requirements outlined in Subsection D of 16.28.3.11 NMAC.

16.28.3.14 NMAC - Requirements for a One-time, Five-Year Provisional License to a Person Not Meeting the Community Signed Language Interpreter or Educational Signed Language Interpreter Requirements for Licensure:

The amendments to this section will create greater opportunity and provide clarity for those applicants who have completed a substantially equivalent interpreter education program or interpreter preparation program to apply for licensure, which is consistent with the Board's requirements for licensure under Subparagraph (c) of Paragraph (1) of Section 61-34-9 NMSA 1978.

16.28.3.16 NMAC - License Expiration:

The amendments to this section clarifies the expiration date for provisional signed language interpreter licenses.

16.28.3.17 NMAC - License Renewal:

The amendments to this section clarifies the requirements for reinstatement for each class of license issued pursuant to the Signed Language Interpreter's Practices Act.

16.28.3.19 NMAC - Exemptions:

The amendments to this section are strictly for reformatting purposes so the section is more fluid and easily comprehensible.

16.28.3.20 NMAC - License Denial, Suspension, or Revocation:

The amendments to this section provide clarity regarding the revocation or relinquishment of licenses where a licensee has failed to maintain proper certification. The amendments also provide clarification regarding whether a licensee who has allowed their license to lapse is eligible for a provisional license.

16.28.4.7 NMAC - Definitions:

The amendments to this section correct minor grammatical and/or typographical errors.

16.28.4.11 - Standards of Practice Committee:

The amendments to this section correct minor grammatical and/or typographical errors.

16.28.5.8 - Standards of Practice:

The amendments to this section correct minor grammatical and/or typographical errors.

16.28.7.10 - Renewal Requirements:

The amendments to this section will create greater opportunity and provide clarity for those applicants who are military service members, a spouse or a veteran and who hold a BEI certification to apply for licensure which is consistent with the Board's requirements for licensure under Subparagraph (d) of Paragraph (2) of Subsection A of Section 61-34-9 NMSA 1978. Additionally, this section also provides clarity for those applicants who have completed a substantially equivalent interpreter education program or interpreter preparation program to apply for licensure which is consistent with the Board's requirements for licensure under Subparagraph (c) of Paragraph (1) of Section 61-34-9 NMSA 1978.