

Louisiana Department of Health Summary of Public Comments and Agency Response to the *Notice of Intent Proposed Promulgation to LAC Title 46:LXXII—Professional and Occupational Standards, Sign Language Interpreters*

Background

[ACT 128](#) of the 2022 Regular Session of the Louisiana Legislature amended [R.S. 46:2351-2355](#) relative to the functions of the Louisiana Commission for the Deaf and required the Louisiana Department of Health (LDH) to promulgate administrative rules establishing requirements for Sign Language Interpreters practicing in the state. In accordance with the legislation, LDH proceeded through the rulemaking process, which was first informed by extensive research and public engagement. In an effort to ensure that registration requirements, grievance procedures and any standards for the workforce were both rigorous and feasible, the Department began the work of development of these occupational standards with a statewide needs assessment of current and national policies and best practices related to interpreting and interpreter qualifications. This was followed by the publication of a [comprehensive report](#) to inform standards for the workforce, which was disseminated to the public in March 2023. Following the publication of the report, the Department convened an ad hoc committee of sign language interpreters, professional organizations, and a Deaf community member to function as an expert panel to inform the minimum standards and requirements for sign language interpreters in the state. This group held [six public meetings](#) and generated recommendations in accordance with their charge. Using the information from the reports, meetings and the ad hoc committee, the Department drafted potential registration requirements, qualifications, and standards for elevation to the Louisiana Commission for the Deaf Board of Commissioners for their consideration and approval. The Louisiana Commission for the Deaf Board of Commissioners then created a second ad hoc group of board members to address public comments regarding elements of the minimum qualifications for sign language interpreters working in PreK-12 settings recommended by the interpreter ad hoc group. Two additional ad hoc meetings were held in 2024, with the final recommendations being presented and approved in January 2025. Standards for sign language interpreters working in community settings were identified through the aforementioned work, plus several additional workgroups of sign language interpreters and Deaf community members, with final recommendation and approval by the Board of Commissioners during a special session in February 2025. This concluded the pre-rulemaking engagement and resulted in new minimum qualification standards and registration requirements for sign language interpreters working in the state, including those historically under the purview of the Louisiana Department of Education. The Notice of Intent (NOI) to promulgate Title 46:LXXII- Professional and Occupation Standards, Sign Language Interpreters,

Chapters 1-3, was published on pages 97-104 of the May 20, 2025 issue of the Louisiana Register. The deadline to submit written comments, via the U.S. Mail or via email, in response to the NOI or to request a public hearing was published June 10, 2025 at 4:30 p.m.

Public Comments Received in Response to the NOI

LDH received three written public comments in response to the NOI, along with seven written requests for a public hearing, by 4:30 p.m. on June 10, 2025. The Department also received several written responses requesting a public hearing after the June 10, 2025 postmarked deadline. While the seven requests for a public hearing received timely did not meet the legal requirements of a public hearing according to R.S. 49:53(A)(2)(a), LDH elected to host a public hearing to provide an additional opportunity for public comment. This hearing was held on June 26, 2025 at 10:00 a.m. and concluded at 10:50 a.m. LDH continued to accept written public comments until 4:30 p.m. on June 26, 2025. A total of 15 written responses for either public comment or request for public hearing, of which one was a duplicate, were received by the Department between May 20, 2025 through June 26, 2025.

The attendance record for the public hearing included 34 public attendees, five LDH employees, and five individuals providing communication access (contracted by the Louisiana Commission for the Deaf). Eight individuals provided verbal comments, of which four were also provided prior via written response, as not to be duplicated.

While it may not be common to receive public comments in support of an NOI, it is noteworthy that three out of eighteen written and verbal public comments received in response to this NOI were in support of the Proposed Promulgation to LAC Title 46:LXXII—Professional and Occupational Standards, Sign Language Interpreters. The favorable comments were from a practicing interpreter and interpreter mentor in PreK-12 educational settings, a leading educator of sign language interpreters in the state, and the Louisiana Association of the Deaf, the state's largest and oldest membership organization for and by individuals in Louisiana who are Deaf. LAD stated, *"As a Deaf-led, community-rooted organization dedicated to advancing language access and systemic equity, LAD applauds the Commission's work to update and formalize these important rules. We stand ready to assist in ensuring that these changes are implemented in a way that reflects the lived experiences and linguistic rights of the Deaf, DeafBlind, and Hard of Hearing communities in Louisiana."* It is also noteworthy that while several public comments reflected concern or opposition to elements outlined in the NOI, they also expressed general support for "raising the bar" and establishing new standards for sign language interpreters in Louisiana.

All but one comment received in response to the NOI were focused on sign language interpreters working in PreK-12 educational settings. Additionally, one comment addressed the certifications that are allowable for sign language interpreters working in community settings. There were no comments related to the grievance policy or process, nor were there any regarding terms for denying, suspending, or revoking an interpreter's registration. Furthermore, there were no comments related to the registration process, the expiration cycle, or the fees required for registration.

Response to Public Comments received in Response to the NOI

The professional credentialing of sign language interpreters is vital to promoting the general welfare of individuals who are d/Deaf, DeafBlind, and Hard of Hearing through high-quality communication access. Extensive research from the Registry of Interpreters for the Deaf, National Association of Interpreters in Education, and the National Association of the Deaf has demonstrated that a limited and well-managed scope of practice for effective communication access empowers individuals from the Deaf community to gain greater independence. The responses to the public comments received include references to these national professional and policy organizations.

The concerns raised through the public comment processes originated primarily from sign language interpreters currently working in PreK-12 educational settings. There were statements that the new education and examination score requirements are significantly different from historical requirements previously under the Louisiana Department of Education, and concerns that new requirements would negatively impact sign language interpreters and students receiving interpretation services. The information below outlines the areas of concern and the Department's response.

1. **Concern:** the new standards for sign language interpreters working in PreK-12 educational settings will **require interpreters to have or attain higher education** (associates degree or equivalent), in addition to proof of sign language interpreting knowledge and skills based competencies as measured by a formal assessment.

Response: Sign language interpreters working in PreK-12 settings have historically been required to have only a high school diploma or GED. The new standard will require interpreters to have an associate's degree or higher, or a minimum of 60 semester hours from an accredited institution in any area of study. Sign language interpreters who hold an "Ancillary Certificate" issued by the Louisiana Department of Education prior to July 1, 2026 for educational interpreters will be allowed to apply for various exemptions or extensions to the new educational standard. Furthermore, an interpreter

can apply for provisional certification while they work to satisfy the academic requirements.

National recommended standards are more stringent than what will be required in Louisiana. The [National Association of Interpreters in Education](#) (NAIE) recommends that sign language interpreters working in PreK-12 educational settings have a 4-year degree, preferably in interpreting, and participate in specialized training designed for educational interpreting. Education, along with proof of relevant knowledge and skills through professional credentialing, signifies a strong foundation for providing high-quality sign language interpretation in an educational setting. Just as teachers are required to have knowledge of the content they are teaching, so too sign language interpreters must have knowledge of the content they are interpreting. Research shows sign language interpreters working in educational settings should, in addition to studies specific to the nature of services being provided, study core subjects such as English, science, math, and social studies, and be familiar with other subjects such as art, music, health education, and social-emotional development. In addition, secondary settings often require advanced or specialized knowledge in order to effectively interpret topics such as chemistry and geometry. The Department recognizes there is only one, two-year interpreter training program in Louisiana, located in New Orleans. LDH is committed to supporting increased opportunities for formal interpreter training programs in Louisiana, a charge that is also outlined in the duties of the Louisiana Commission for the Deaf (R.S. 46:2353).

2. **Concern:** The new standards for sign language interpreters working in PreK-12 educational settings will require interpreters to **have or attain a score of a 4.0 or higher on the *Educational Interpreter Performance Assessment (EIPA)* test** (3.0 is this historical requirement and 5.0 is the highest possible score), if the interpreter chooses to satisfy the skills-based competency requirement through the EIPA. (Note: the EIPA is one way sign language interpreters will be allowed to satisfy the skills-based competency requirement; two new nationally recognized tests will also be allowed with the promulgation of the rules).

Response: Sign language interpreters working in PreK-12 educational settings, historically under the purview of the Louisiana Department of Education (LDOE), were required to demonstrate their technical proficiency by completing the *Educational Interpreter Performance Assessment (EIPA)* test and scoring at least a 3.0 on this assessment. This requirement was established in 2002 by the LDOE, when research of the time supported the requirement. However, the National Association of Interpreters

in Education (NAIE, 2019) recommends sign language interpreters working in PreK-12 educational settings achieve an **EIPA score of 4.0, of which they state is not an optimal level, but a truly minimal skill level needed for adequacy in the provision of educational accessibility.** According to [Boys Town National Research Hospital](#), the creators of the EIPA diagnostic test, NAIE and other published literature, sign language interpreters who score a 4.0 or higher on the EIPA consistently convey classroom content accurately. In contrast, those with a score below 4.0, such as a 3.5, may produce a message, but the information is relayed with **frequent semantic, grammatical, and prosodic errors that can lead to student misunderstanding.** Sign language interpreters with an EIPA score of 3.0 or below are **unable to successfully convey classroom content and should not interpret for d/Deaf and Hard of Hearing students in a K-12 environment.** Furthermore, studies show that direct instruction in American Sign Language produced the most significant outcomes, followed by a sign language interpreter with an EIPA score of 4.0 or higher. There are **currently individuals practicing in Louisiana schools at these lower levels.**

LDH recognizes sign language interpreters play a critical role in promoting academic success for students who are d/Deaf, DeafBlind, and Hard-of-Hearing students through quality access to information, educational content, and facilitating effective communication. As such, rather than maintaining lower standards, LDH seeks to support sign language interpreters in achieving the new standards. Additionally, with the promulgation of the new rules, Louisiana's sign language interpreters working in PreK-12 educational settings will now have new options to demonstrate their technical proficiency. Two additional tests will be recognized by the state in addition to the EIPA: the national Registry of Interpreters for the Deaf (RID) certification and the Board for Evaluation of Interpreters (Texas). LDH has also recently become an authorized testing site for both the EIPA and the RID certification exams. Overall, sign language interpreters providing services in educational settings will now have multiple pathways and convenient access for meeting the new professional standards.

3. **Concern:** A misperception that existing educational interpreters who hold the "Ancillary Certificate" issued by the Louisiana Department of Education (LDOE) will be required to meet the new standards to maintain employment.

Response: The new rules include provisions that allow for current Educational Interpreter Ancillary Certificate holders who do not meet the new standards by July 1, 2026 to apply for extensions or exemptions to the rule standards to maintain employment. If a sign language interpreter utilizes the extensions provided within the

rule, they will have up to five years from the date of July 1, 2026 to obtain the new requirements. Currently, there are no provisions in the rule that prohibit an interpreter from maintaining their employment, as long as they satisfy one or more options for provisional or full registration outlined in the rule.

4. **Concern:** The standards may create a more significant shortage to the number of sign language interpreters in Louisiana.

Response: Historically, opportunities for sign language interpreters working in the state to attain professional training and ongoing support have been nearly non-existent. This has resulted in many challenges maintaining and retaining highly-qualified sign language interpreters in the state, both in educational settings and beyond. LDH acknowledges that the current and emerging workforce requires professional training and support in order to meet the needs of the d/Deaf, DeafBlind and Hard of Hearing communities and to advance as professionals. The Department is committed to addressing these concerns.

In State Fiscal Year (SFY) 2025, the Louisiana Commission for the Deaf, which is under the direction of the Office of Public Health - Bureau of Family Health, piloted several new workforce development initiatives to support sign language interpreters practicing in the state. A hallmark of this effort was the establishment of a structured [mentorship program for sign language interpreters](#) working in educational settings. In SFY 26, the mentor program will be expanded and other initiatives launched with an aim of increasing the quality and quantity of sign language interpreters working in Louisiana. Furthermore, formal partnerships have been established between the Louisiana Commission for the Deaf, the Louisiana Association for the Deaf, Louisiana Registry of Interpreters for the Deaf, and the New Orleans Deaf Black Advocates to offer ongoing professional development opportunities tailored to the needs of the d/Deaf, DeafBlind and Hard of Hearing community and the interpreter workforce.

Overall, the Department's workforce development plan focuses on maintaining a rigorous statewide interpreter mentoring program, offered at no cost to the participant; financial assistance to cover the cost of certification exams; access to local testing opportunities; tuition reimbursement for higher education programming; and, ongoing professional development opportunities that qualify as continuing education. The approach to workforce development addresses all levels of a sign language interpreter's professional career: beginning with exposure to the interpreting profession during post-secondary schooling, internship opportunities during higher education training, 1:1

coaching for developing interpreter skills and to achieve certification, and ongoing training and support for current professionals. While LDH recognizes there is a shortage of sign language interpreters in Louisiana and nationwide, the workforce development initiatives that are being developed aim to address these concerns.

The topics of concern raised throughout the public comment processes are consistent with considerations that informed the standards and the development of flexible pathways for support and professional development to attain the new standards. The Department remains committed to supporting the development and growth of this vital workforce.

Legislative Response

In consideration of the mandate to promote the general welfare of individuals in Louisiana who are d/Deaf, DeafBlind and hard of hearing, LDH asserts that proposed Title 46: LXXII- Professional and Occupational Standards, Sign Language Interpreters, Chapters 1-3, answers the legislative mandate and direction to the Department, and meets all legislative requirements set forth for rulemaking in Act 128:

1. Establish, administer, and promote a statewide program to standardize interpreting services for those who are d/Deaf, DeafBlind, or hard of hearing (Page 724, First Column, Lines 33-52)
 - a. The Commission shall do all of the following:
 - i. Establish the process and set the criteria for the professional credentialing of interpreters (Page 725, Second Column, Lines 19-32)
 - ii. Develop and maintain a registry of credentialed interpreters, including administrative guidelines for the registration process (Page 725, Second Column, Lines 19-23).
 - iii. Establish administrative guidelines for the minimum qualifications and registration of interpreters working in educational settings, in collaboration with the Department of Education. The Commission shall review for approval applications and renewals of state of Louisiana provisional and ancillary certificates for interpreters working for the department or any of the local educational agencies or special school boards throughout the state under the supervision of the State Board of Elementary and Secondary Education (Page 729, First Column, Lines 48-61; Second Column Lines 1-61; Page 730, First and Second Column, Lines 1-60; Page 731, First Column, Lines 1-12).
 - iv. Establish criteria regarding the minimum qualifications and registration of persons who may serve as interpreters during a judicial or quasi-judicial

proceeding in this state or its political subdivisions for a person who is d/Deaf, DeafBlind, or hard of hearing that align with and expand upon the rules of the Louisiana Supreme Court. No person shall serve as an interpreter in the courts of this state without the required interpreter certification. (Page 728, Second Column, Lines 20-25; Page 730, First Column, Line 44; Page 731, First Column, Line 13. Reserved for rule-making Fall 2025).

- b. The commission shall promulgate rules for the regulation of interpreters in this state. The rules shall, at a minimum, do all of the following:
 - i. Charge reasonable fees to cover the administrative costs of applications, examination of applications, and renewal of registration (Page 725, Second Column, Lines 39-43).
 - ii. Accept registration for applicants with valid credentialing from another state, based on the board's recommendation for reciprocity (Page 729, Second Column, Lines 46-52; Page 730, First Column, Lines 37-43).
 - iii. Adopt conditions under which registration will expire (Page 727, Second Column, Lines 60-62; Page 728, Column 1, Lines 9-11; 21, and 32).
 - iv. Specify procedures outlining grounds for denying, suspending, or revoking an interpreter's registration with the state (Page 725, Column 2, Lines 48-57; Page 726, Column 1, Lines 1-56).
 - v. Adopt and specify grievance policy and procedures and the process for disciplining interpreters (Page 726, Second Column, Lines 1-60; Page 727, First Column, Lines 5-63, Second Column, Lines 1-46).
 - vi. Provide for a deaf or hard of hearing person's right to choose their interpreter to the extent possible and appropriate (Page 724, Column 1, Lines 48-52; Page 725, Second Column, Lines 48-57).
 - vii. Exempt interpreters of religious services or those interpreting voluntarily without compensation from the requirement of registration (Page 725, Second Column, Lines 33-25).

Conclusion

LDH asserts that the practice of sign language interpretation is a learned profession, affecting public health, safety, and welfare, and should be subject to regulation to protect the general public from unqualified persons practicing sign language. While thoroughly addressing each of the legislative requirements for rulemaking, LDH asserts that proposed Title 46:LXXII, Chapters 1-3, remains as brief and straightforward as possible in the endeavor and accomplishes the Legislature's goal of promoting the general welfare of individuals who are d/Deaf, DeafBlind or Hard of Hearing through the establishment of minimum qualification standards and registration

requirements for sign language interpreters in Louisiana. In discharging its obligation to protect the public welfare, LDH adheres to best practices established by national professional organizations that oversee the certification and ethical compliance of all sign language interpreters. LDH strives to reduce as many barriers to implementation as possible in this process, while ensuring sign language interpreters maintain the highest professional standards all Louisianans deserve.

With these considerations, in addition to the significant support expressed in public comments, The Department recommends moving forward with the promulgation and finalization of Title 46: LXXII- Professional and Occupational Standards, Sign Language Interpreters, Chapters 1-3 of the Louisiana Administrative Code, regarding the minimum qualifications and registration requirements of sign language interpreters in Louisiana as proposed.