

## N E W S L I N E

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### **DWC Final Interpreter Services Regulations Now in Effect**

The Office of Administrative Law (OAL) has approved the Division of Workers' Compensation's (DWC) final version of interpreter services regulations, one of the sections that implemented major reform provisions of Senate Bill 863. The interpreter services [regulations](#) went into effect yesterday.

DWC filed its certificate of compliance for the emergency regulations with the Office of Administrative Law on July 1. The final version of the interpreter services regulations differs from the emergency regulations as follows:

The regulations specify different standards for interpreters based on where services are provided. The first standard applies to interpreters providing services at a hearing, deposition or arbitration; while the second set applies for those interpreting for a medical appointment or medical legal exam.

#### Interpreting at a hearing, deposition or arbitration:

Interpreters must be certified or provisionally certified to qualify to be paid for interpreter services at a hearing, deposition or arbitration. Names of certified interpreters are listed on the State Personnel Board [webpage](#) or the California Courts [webpage](#).

Provisional certification indicates that the individual has been deemed qualified to perform interpreter services when a certified interpreter cannot be present. Provisional certification is made by agreement of the parties, based on a finding by the workers' compensation administrative law judge conducting a hearing that the individual is qualified to interpret at the hearing, or by an arbitrator conducting an arbitration that the interpreter is qualified to interpret at the arbitration.

#### Interpreting for a medical appointment or medical legal exam:

Interpreters must be certified, certified for medical treatment appointments or medical legal exams, or provisionally certified in order to be paid for interpreter services at a medical treatment appointment or medical legal exam.

Certified interpreters' names are listed on the State Personnel Board [webpage](#) or the California Courts [webpage](#).

Interpreters certified for medical treatment appointments or medical legal exams qualify through successfully passing the Certification Commission for Healthcare Interpreters (CCHI) exam or by passing the National Board of Certification for Medical Interpreters (National Board). A CCHI certification or credential indicates the name of the interpreter and the language for which he or she is certified to provide interpreter services. The certification procedure is detailed on the CCHI [website](#). CCHI credentials are valid for four years and specify the language the interpreter for which the interpreter is certified. The National Board [certification](#) is valid for five years.

Interpreters can also be provisionally certified as an interpreter in this category if the claims administrator has given prior written consent to the interpreter providing services or if the injured worker requires interpreter services in a language other than Spanish, Tagalog, Arabic, Cantonese, Japanese, Korean, Portuguese, and Vietnamese. In this case, the physician may use a provisionally certified interpreter if the record of the medical evaluation documents the need and the language required.

Interpreter directories are maintained as follows:

- Certified interpreters are listed at on the State Personnel Board [webpage](#) or the California Courts [webpage](#);
- Certified interpreters for the purposes of medical treatment appointments and medical legal exams are listed in the registry for Certification Commission for Healthcare Interpreters ([CCHI](#)) or National Board of Certification for Medical Interpreters ([National Board](#)).

Proof of certification may be requested by the claims administrator and shall be provided by the certified interpreter for the purposes of medical treatment appointments and medical legal exams if the interpreter is not listed on the CCHI or National Board website directory.

Interpreter services FAQs with additional information on the new regulations are posted [here](#).

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