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# Language Testing and Certification Advisory Committee: Decertification Request Review Subcommittee

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The subcommittee will discuss the following:

- Policies and procedures to complement WAC 388-03-170, 388-03-171, 388-03-172, 388-03-173, 388-03-174, and 388-03-176
- The subcommittee members will give recommendations to LTC regarding the revocation or upholding of an interpreter's or translator's credentials based on the Revocation Request Form 02-638 and investigation information

Below are the final recommendations to which this subcommittee agreed.

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*Recommendation 1: Form a subcommittee to investigate and provide input on the discipline and decertification of Social Service and Medical Interpreters*

## **Composition of the "Decertification Request Review Subcommittee":**

Number of representatives from each of the following organizations:

- Three members affiliated with the Union
- Three members affiliated with the State
- One member affiliated neither with the state nor the Union

## **Meeting Frequency:**

Meetings as needed, not necessarily face to face.

## **Statement of Purpose:**

In an effort to maintain all interpreters and translators to the same standard, those who are found to be in violation of [WAC 388-03-170](#), will be decertified/deauthorized due to any of the proved acts listed within the WAC, and will be ineligible indefinitely for recertification/reauthorization. The Subcommittee will provide guidance to LTC regarding policies, procedures and best practices regarding decertification of an interpreter or translator in addition to those outlined in [WAC 388-03-172](#). The Subcommittee members will also give their recommendation regarding whether or not an individual in question should have their credential revoked, upheld, or offer a third option (such as education/discipline/etc.)

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**Policies and Procedures In Accordance with [WAC 388-03-172](#):**

1. LTC receives Revocation Request Form 02-638 and supporting documents.
2. Form 02-638 and supporting documents will be emailed to DRRS members within 5 business days from receipt complaint.
  - a. Preliminary decision from DRRS members sent to LTC within 5 business days.
  - b. Possible scenarios:
  - c. If members have questions for the interpreter in question or the investigating agency:
    - i. LTC will make contact with the appropriate party to relay Subcommittee questions
    - ii. When LTC receives answers, LTC will relay information back to Subcommittee within 5 business days.
  - d. If members need to meet:
    - i. Quorum: 4/7 members (at least one person from each section).
    - ii. Meeting should happen within 15 business days of receipt of revocation request.
  - e. If decision has not been made within 30 calendar days after receiving revocation request:
    - i. Within thirty days of receiving the official revocation request and investigation findings, send written notification to investigating entity and interpreter in question to inform them of decision status.
    - ii. "Regarding the final decision of your revocation request, LTC has requested an additional xx day's extension to further review information."
    - iii. Extensions should not exceed a 60 calendar day timeframe from the original receipt of the revocation request.
  - f. Subcommittee makes final recommendation to LTC
3. LTC makes final decision to revoke or uphold certification/authorization, or require additional education.
4. LTC sends letter to affected parties
5. If procedures lead to a decertification/deauthorization:
  - a. LTC sends email to LISTSERV, and is to include the following:
    - i. Individual's name, all /authorization certification number(s), date credentials revoked
    - ii. Include language regarding the appeal process (WAC 388-03-176)

**Policies in Accordance with [WAC 388-03-170](#)**

In addition to an alert to discontinue the misconduct not listed in sections 1 through 7, or instead of decertification for the misconduct listed in sections 1 through 7, the Subcommittee may require related education within a required timeframe. This education does not count toward the already-required 20 continuing education credits for certification/authorization renewal. Completion of the required education will be verified by LTC.

**Appeals Process in Accordance with [WAC 388-03-174](#), and [WAC 388-03-175](#)**

If your certification or authorization is denied or revoked, you have the right to appeal the decision by using the adjudicative proceeding process in chapters [34.05](#) RCW and [388-02](#) WAC.

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To request an adjudicative hearing, you must file a written application for hearing with the department's board of appeals within twenty-one days of receiving the department's decision to deny or revoke your certification or authorization. Your written application must include:

- A copy of the decision that you are contesting; and
- A specific statement of the issue(s) and the law involved; and
- Your reasons for contesting the decision.

Your written application for hearing must be delivered to the board of appeals in person, electronically by fax or by certified mail. (See WAC [388-02-0030](#).)

Once the board of appeals receives your written application, an adjudicative hearing will be scheduled. The adjudicative hearing will be governed by the provisions of chapters [34.05](#) RCW and [388-02](#) WAC.