

MEDICAL LANGUAGE INTERPRETER ACT

Part 1 - General Provisions

58-80-101. Title.

This chapter is known as the "Medical Language Interpreter Act."

58-80-102. Definitions.

As used in this chapter:

- (1) "Certified medical language interpreter" means a medical language interpreter who has received a certificate from the division under this chapter.
- (2) "Health care provider" means a person licensed under:
 - (a) Title 58, Chapter 5a, Podiatric Physician Licensing Act;
 - (b) Title 58, Chapter 16a, Utah Optometry Practice Act;
 - (c) Title 58, Chapter 17b, Pharmacy Practice Act;
 - (d) Title 58, Chapter 24a, Physical Therapist Practice Act;
 - (e) Title 58, Chapter 31b, Nurse Practice Act;
 - (f) Title 58, Chapter 31c, Nurse Licensure Compact;
 - (g) Title 58, Chapter 31d, Advanced Practice Registered Nurse Compact;
 - (h) Title 58, Chapter 44a, Nurse Midwife Practice Act;
 - (i) Title 58, Chapter 57, Respiratory Care Practices Act;
 - (j) Title 58, Chapter 60, Mental Health Professional Practice Act;
 - (k) Title 58, Chapter 61, Psychologist Licensing Act;
 - (l) Title 58, Chapter 67, Utah Medical Practice Act;
 - (m) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
 - (n) Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act;
 - (o) Title 58, Chapter 70a, Physician Assistant Act;
 - (p) Title 58, Chapter 71, Naturopathic Physician Practice Act;
 - (q) Title 58, Chapter 73, Chiropractic Physician Practice Act; or
 - (r) Title 58, Chapter 77, Direct-entry Midwife Act.
- (3) "Medical language interpreter" means a person who, for compensation, performs verbal language interpretation services between a health care provider who speaks English and another person for the purpose of assisting the person in seeking or obtaining medical advice, diagnoses, or treatment.
- (4) "National standards of practice" means the National Standards of Practice, published by the National Council on Interpreting in Health Care.

Part 2 - Certification

58-80-201. Certification.

- (1) The division shall issue to a person who qualifies under this chapter a certificate as a certified medical language interpreter.
- (2) A certificate described in Subsection (1) shall specify the language that the person is certified for.
- (3) This chapter prohibits a person from representing or holding oneself out as a certified medical language interpreter if the person does not have a certificate described in Subsection (1).

58-80-202. Certification is voluntary.

- (1) The certification provided under this chapter is voluntary.
- (2) This chapter does not prohibit a person from acting as a medical language interpreter, if the person does not have a certificate described in Subsection 58-80-201(1).

58-80-203. Qualifications for certification.

A person qualifies as a certified medical language interpreter if the person:

- (1) acts as a medical language interpreter between English and at least one of the following languages:
 - (a) Spanish;
 - (b) Russian;
 - (c) Bosnian;
 - (d) Somali;
 - (e) Mandarin Chinese;
 - (f) Cantonese; or
 - (g) Navajo;
- (2) passes an examination administered by, or under contract with, the division, that tests:
 - (a) the following areas, with respect to the language for which the person applies for certification:
 - (i) basic language fluency;
 - (ii) basic medical terminology, including the ability to:
 - (A) name human body parts;
 - (B) name internal human organs;
 - (C) describe basic medical symptoms; and
 - (D) describe basic medical instructions, including dosage amounts and frequency; and
 - (iii) basic cultural competency relating to medical care beliefs and practices that are common to people who speak that language;
 - (b) knowledge and understanding of the national standards of practice; and
 - (c) a basic understanding of medical confidentiality requirements, including the confidentiality requirements of the federal Health Insurance Portability and Accountability Act;
- (3) signs a statement agreeing to abide by the national standards of practice; and
- (4) pays the fee described in Section 58-80-401.

Part 3 - Unlawful Conduct

58-80-301. Unlawful conduct.

In addition to the definition in Subsection 58-1-501(1), "unlawful conduct" includes representing or holding oneself out as a certified medical language interpreter when not certified under this chapter.

58-80-302. Penalty for unlawful conduct.

A person who violates the unlawful conduct provisions described in Section 58-80-301 is guilty of a class A misdemeanor.

Part 4 - Miscellaneous

58-80-401. Fees - Rulemaking authority.

- (1) The division may charge a fee, established under Section 63J-1-504, to recover the costs of:
 - (a) administering the examination described in Section 58-80-203; and
 - (b) issuing the certificate described in Subsection 58-80-201(1).
- (2) The division may make rules, pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to accomplish the requirements of this chapter.

58-80-402. Priority for certified medical language interpreter.

The Department of Health and the Department of Human Services may give priority to contracting with companies that use certified medical language interpreters.

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