

BOARDS AND COMMISSIONS
Board of Interpreters for the Deaf and Hard of Hearing
(New Administrative Regulation)

201 KAR 39:075. Supervision.

RELATES TO: KRS 309.304(3), 309.312(3)

STATUTORY AUTHORITY: KRS 309.304(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.304(3) requires the Kentucky Board of Interpreters for the Deaf and Hard of Hearing to promulgate necessary and reasonable administrative regulations to effectively carry out and enforce the provisions of KRS 309.300 to 309.319, pertaining to the practice and licensure of a deaf or hearing interpreter. This administrative regulation establishes regulations relating to the supervision of temporary licensees, or a licensee under discipline with supervisory conditions, as referenced in KRS 309.312(3) and 309.316(3).

Section 1. Qualification for Supervision Status. To qualify as a board-approved supervisor of record for a temporary licensee or a licensee under discipline, a licensed interpreter shall:

- (1) Complete an application to become a board-approved supervisor;
- (2) Meet the requirements for licensure in Kentucky as set forth in KRS 309.300 to 309.319 and 201 KAR Chapter 39;
- (3) Hold a valid certificate meeting the requirements for full licensure for a minimum of three (3) years prior to application to serve as a supervisor, with the exception of those who are fully licensed who do not have a nationally recognized certification and who shall not be eligible to serve as a supervisor;
- (4) Have completed forty-five (45) hours of continuing education since obtaining certification; and
- (5) Be approved by the board as a board-approved supervisor pursuant to the requirements of this section.

Section 2. Supervision Requirements.

(1) General obligations.

- (a) An interpreter who has applied and been approved as a supervisor by the board as required in Section 1 of this administrative regulation, shall supervise a temporary license or a licensee under discipline.
- (b) During the period of supervision, the board-approved supervisor shall meet with the temporary licensee or licensee under discipline on a quarterly basis. One (1) of the meetings shall be face-to-face between the supervisor and temporary licensee or the licensee under discipline. The remaining meetings may be through the use of video or video teleconferencing or any other method outlined in the approved plan of supervision.
- (c) The board-approved supervisor shall direct and oversee each supervisee who holds a temporary licensee or who is a licensee under discipline with supervisory conditions imposed as the result of an investigation of a complaint, taking responsibility for the professional interpreting practice of the supervisee.
- (d) The supervisor shall have access to, and shall review, the supervisee's documentation, and when needed:
 1. Review the supervisee's documentation and records;
 2. View the supervisee's services in face-to-face format, recorded format, or both, if available; and
 3. Communicate with the supervisee's clients, if applicable, regarding the supervisee's performance.

- (e) The supervisor shall use observations from the supervisee's documentation, client sessions, and communications with any third parties, including the administrative supervisor, if applicable, to inform supervision and shall document these observations in his or her supervisory notes.
- (2) Extension of Temporary License. The board-approved supervisor shall provide the board with the following information upon the request by a supervisee applying for extension of a temporary license:
 - (a) A letter recommending extension which describes the progress achieved by the supervisee; and
 - (b) For supervision of a temporary licensee, a revised plan of supervision for the upcoming licensure year.

Section 3. Plan of Supervision.

- (1) A temporary licensee shall enter into a written plan of supervision with an approved supervisor which shall be submitted with the application for temporary licensure as provided in 201 KAR 39:070. The plan of supervision shall contain:
 - (a) The name and address of the supervisee;
 - (b) The name, address, license or certification number, and number of years of practice of the supervisor of record;
 - (c) The name, address, license or certification number, and number of years of practice of other supervisors;
 - (d) The nature, duration, and frequency of the supervision, including the:
 - 1. Number of hours of supervision per quarter;
 - 2. Number of hours of individual supervision;
 - 3. Methodology for transmission of information; and
 - 4. Number of hours of face-to-face supervision;
 - (e) The conditions or procedures for termination of the supervision;
 - (f) A statement that:
 - 1. The supervisor of record understands that the supervisor shall be held accountable to the board for the interpreting services given to the supervisee's clients; and
 - 2. The supervisor of record meets the criteria established in Section 1 of this administrative regulation;
 - (g) The signatures of both the supervisor and the supervisee.
- (2) If a supervisee changes his or her supervisor of record, the supervisee shall submit a new plan of supervision, which sets forth the information required by this section.
- (3) The supervisee may begin the practice of interpreting services upon the board's approval of the plan.
- (4) A supervisee shall not continue to practice interpreting services if:
 - (a) The conditions for supervision set forth in the plan of supervision are not followed; or
 - (b) The plan of supervision is terminated for any reason other than the extenuating circumstances as authorized by the board.
- (5) If the terms of the plan of supervision are not being met by the supervisee, the supervisor shall immediately notify this board in writing.

Section 4. A supervisor of record shall assume responsibility for the practice of the supervisee. A supervisor shall not serve as a supervisor of record for more than six (6) persons obtaining experience for licensure at the same time. Any supervisor with more than six (6) supervisees on or before January 1, 2025, shall reduce the number of supervisees to six (6) or less through attrition and shall not accept new supervisees until the supervisor has fewer than six (6) supervisees of record.

Section 5. A supervisor who is placed under discipline shall be ineligible to act as a supervisor and shall not become eligible to apply for reinstatement as a supervisor earlier than two (2) years following the completion of any disciplinary action, including completion of any suspension or probationary period. Further, a board-approved supervision training shall be required prior to reinstatement.

Section 6. Incorporation by Reference.

(1) "Application for Board Approved Supervisor", DPL-KBI-007, April 2024, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Interpreters for the Deaf and Hard of Hearing, 500 Mero St, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:00 p.m. This material is also available on the board's Web site at www.kbi.ky.gov.

MARVA JOHNSON, Chair

APPROVED BY AGENCY: June 12, 2024

FILED WITH LRC: June 12, 2024 at 4:20 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 27, 2024, at 11:00 a.m., at the Mayo-Underwood Building, Room 127CW, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person by using the PPC public comment portal at the address listed below.

CONTACT PERSON: Sara Boswell Janes, Staff Attorney III, Department of Professional Licensing, Office of Legal Services, 500 Mero Street, 2 NC WK#2, phone (502) 782-2709, fax (502) 564-4818, email Sara.Janes@ky.gov, link to PPC public comment portal: https://ppc.ky.gov/reg_comment.aspx.