

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Interpreter and Transliterater Licensing Board

RULE CITATION: 21 NCAC 25 .0205

DEADLINE FOR RECEIPT: June 6, 2016

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Please check your font throughout this rule – it seems to shift. 10 point font is required, and we prefer Times New Roman.

Line 3 – delete the quotation marks

Lines 8 and 9 – move the commas within the quotation marks (e.g. “Licensed Interpreter for the Deaf,” NOT “Licensed Interpreter for the Deaf”,)

Line 14 – replace “cannot” with “shall not”

Lines 16-17 – replace “shall be suspended as well until” with “shall also be suspended until”

Line 19 – delete “, in its discretion,”

Line 22 – delete “to the Board’s satisfaction”

Line 29 – delete or define “reasonably”

Line 30 – replace the period after “thereof” with a semicolon and don’t capitalize “provided”

Line 38 – insert a comma after “Board”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason S. Thomas
Commission Counsel
Date submitted to agency: May 23, 2016

Permanent Amendment for Publication in the NCAC

1 NCAC 21 NCAC 25 .0205 is amended as published in 30:13 NCR 1405-06 as follows:

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3 **21 NCAC 25 .0205 “RENEWAL OF A PROVISIONAL LICENSE”**

4 (a) An application for the renewal of a provisional license is not timely filed unless it is received by the Board on or
5 before the expiration date of the license being renewed.

6 (b) If a licensee does not timely file an application for the renewal of a provisional license, the licensee shall not
7 practice or offer to practice as an interpreter or transliterator for a fee or other consideration, represent himself or
8 herself as a licensed interpreter or transliterator, or use the title "Licensed Interpreter for the Deaf", "Licensed
9 Transliterator for the Deaf", or any other title or abbreviation to indicate that the person is a licensed interpreter or
10 transliterator until he or she receives either a renewed provisional license, as described in Paragraph (c) of this Rule,
11 or an initial full license.

12 (c) An application to renew an expired provisional license shall be approved by the Board if it is received by the
13 Board within one year after the provisional license expired and if the application demonstrates that the applicant
14 continues to qualify for a provisional license. A provisional license cannot be renewed after it has expired a second
15 time.

16 (d) If the license being renewed has been suspended by the Board, any renewal license issued to the applicant shall
17 be suspended as well until the term of the suspension has expired.

18 (e) The Board shall renew a provisional license as many as three times upon receipt of timely applications that
19 demonstrate that the applicant continues to qualify for a provisional license. The Board may, in its discretion, ~~renew~~
20 extend a provisional license ~~a fourth or fifth time~~ on an annual basis after the third renewal if the applicant timely files an
21 application prior to the expiration of the third renewal, and on an annual basis thereafter if further extension is sought by
22 the applicant, that demonstrates to the Board's satisfaction that the applicant's progress toward full licensure was delayed
23 by:

24 (1) a life-altering event, such as the birth or adoption of a child to the applicant or the applicant's spouse or an acute or
25 chronic illness suffered by either the applicant or a member of the applicant's immediate family;

26 (2) active military service; ~~or~~

27 (3) a catastrophic natural event, such as a flood, hurricane, or tornado; ~~or~~

28 (4) the certifying organization identified in G.S. 90D-7 having imposed a moratorium on testing or certification that
29 has reasonably prevented the applicant from sitting for the qualifying examination and obtaining the results thereof
30 prior to the expiration of the provisional license or any annual extension thereof. Provided, however, that a
31 provisional license that has been extended because of a moratorium may be extended one additional time following
32 the end of the moratorium to allow sufficient time for the applicant to take the qualifying examination and to
33 receive the results thereof, but it shall not be extended thereafter on the basis of a moratorium.

34 ~~(f) The Board shall not for any reason renew a provisional license for a sixth time.~~

35 ~~(g) (f)~~ (f) The Board shall not issue an initial provisional license to anyone who has previously held a provisional
36 license.

37 ~~(h) (g)~~ (g) The Board shall extend the deadline for filing a license renewal application for any individual who currently holds
38 a provisional license and is in good standing with the Board if the individual is serving in the armed forces of the United

Permanent Amendment for Publication in the NCAC

1 States and if G.S. 105-249.2 grants the individual an extension of time to file a tax return. The extension shall be in effect
2 for any period that is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's liability
3 for a federal tax.

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5 *Authority G.S. 90D-6; 90D-8; 90D-11; 90D-12; 93B-15;*

6 *Eff. March 21, 2005;*

7 *Amended Eff. July 1, 2016; May 1, 2011; August 1, 2007.*