



MOTION 2022-13: Ms. Gilliam made the motion to approve the December meeting minutes as presented. The motion was seconded by Mr. Walker and, following a roll call vote, the following members voted “aye”: Mr. Deuel, Ms. Gilliam, Mr. Walker, Ms. Cox, and Ms. Hayes. With no members opposed, the motion was unanimously approved.

#### IV. Reports

A. Board Chair Report: Vice Chair Darling called on Board Chairperson Hayes for comments. Ms. Hayes reported that she had no new information to report at this time and Vice Chair Darling indicated the same, with no new business to report.

B. Executive Director Report: Mr. Warren presented the Executive Director Report, which included financial activities of the Board for the period ending February 28, 2022. He reported on the current number of licensees (294) and the number of complaints received in current fiscal year 2022.

Motion: 2022-14: Mr. Walker made a motion to accept the financial report as presented. The motion was seconded by Ms. Cox and, following a roll call vote, the following members voted “aye”: Mr. Deuel, Ms. Gilliam, Mr. Walker, Ms. Cox, and Ms. Hayes. With no members opposed, the motion was unanimously approved.

Mr. Warren also presented the Administrator’s report of activities performed by staff since the last Board meeting in December 2021. Ms. Moorer reported that renewal of licenses was in progress.

C. Legal Counsel Report: Ms. Saxon report that she was retiring from the Attorney General’s office at the end of April and introduced Mr. Andy Crowder as the Board’s new Legal Counsel.

Ms. Saxon requested that the agenda be modified to present the Complaint Committee’s recommendation prior to the Board Training Refresher. The members, through unanimous comments, had no objections.

1. Complaint Committee Recommendations: Ms. Saxon reported on Case 2022-001, which involved a religious connection and was not a service-related complaint. She reported that the recommendation of the Committee was to close the case as outside of the Board’s jurisdiction.

Motion: 2022-15: Ms. Gilliam made a motion to accept the recommendations of the Complaint Committee to close the case due to no jurisdiction. The motion was seconded by Mr. Walker and, following a roll call vote, the following members voted “aye”: Mr. Deuel, Ms. Gilliam, Mr. Walker, Ms. Cox, and Ms. Hayes. With no members opposed, the motion was unanimously approved.

2. Proposed Revised Compliant Form: Ms. Saxon reported that the Complaint Committee recommended changes to the consumer complaint form. The Committee recommended the two complaint forms, currently in use, be combined into one complaint form, with the ability of the complainant to submit the form via email, to include a video or flash

drive. The Board discussed the nature of a complaint regarding suspected ethics violations or Board rules or violations as an unlicensed individual providing interpreter services for remuneration. The Board discussed the importance of explaining to the public the complaint process in a manner that complainants could understand, e.g., video submitted by the complainant must follow the subjects outlined on the complaint form, anonymous complaints would not be investigated, emphasize confidentiality of complainant maintained during the process, explanation and link about the video instructions being developed by the Board and state on the form that any questions be directed to the Board's office, etc.

Motion: 2022-16: Ms. Gilliam made a motion to approve the complaint form with the changes discussed by the Board. The motion was seconded by Ms. Cox and, following a roll call vote, the following members voted "aye": Mr. Deuel, Ms. Gilliam, Mr. Walker, Ms. Cox, and Ms. Hayes. With no members opposed, the motion was unanimously approved. Ms. Saxon indicated that the complaint form would be modified and presented at the next meeting for final review.

3. Board Training Refresher: Ms. Saxon presented information about a Board members' role, e.g., active participation and review of meeting materials, absences at meetings, board governance and jurisdiction outlined in the Board's statute and creating board rules, requirements of the Open Meetings Act regarding public notice of meetings and quorum of members at meetings, limited communications between board members on matters that are appropriate for discussion at formal meetings of the Board and restrained communications with the public regarding interpretation of rules, initiated complaints, etc. that would be better referred to the Board's office, to prevent a board member from recusing from future action taken by the Board. Ms. Saxon also reviewed the Public Hearing process when approving Rule changes.

The Board thanked Ms. Saxon for her service and the progress made by the Board while she served as Legal Counsel.

V. Old Business

- A. Adoption of Final Rules: Mr. Warren reported this matter was deferred until later in the meeting and public hearing regarding the proposed rules was scheduled at 1:00 p.m., following the Board's business meeting.

VI. New Business

- A. Annual Election of Officers: Mr. Warren reported that the annual election of Board officers was due and Board Secretary position is vacant.

Ms. Hayes nominated Ms. Gilliam as Board Chair. Ms. Gilliam accepted the nomination. There were no other nominations from the floor and Ms. Darling called for a vote: Mr. Deuel, aye, Mr. Walker, aye, Ms. Cox, aye, and Ms. Hayes, aye. Ms. Gilliam abstained from vote. The motion was unanimously approved.

Ms. Hayes nominated Mr. Deuel as Board Vice Chair. Mr. Deuel accepted the nomination. There were no other nominations from the floor and Ms. Darling called for a vote: Ms.

Gilliam, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. Mr. Deuel abstained from vote. The motion was unanimously approved.

Ms. Gilliam nominated Ms. Cox as Board Secretary. Ms. Cox accepted the nomination. There were no other nominations from the floor and Ms. Darling called for a vote: Mr. Deuel, aye, Ms. Gilliam, aye, Mr. Walker, aye, Ms. Hayes, aye, and Ms. Darling, aye. Ms. Cox abstained from vote. The motion was unanimously approved.

- B. Complaint Committee Appointment: Mr. Warren reported that with the election of new officers, a member is needed on the Board's Complaint Committee. The Board discussed having more than one board member serve on the Committee and Ms. Saxon reviewed the Committee's role.

Motion 2022-17: Ms. Gilliam made the motion that Ms. Darling serve on the Committee. The motion was seconded by Ms. Cox. Ms. Darling called for a vote: Mr. Deuel, aye, Ms. Gilliam, aye, Mr. Walker, aye, Ms. Hayes, aye, and Ms. Cox, aye. The motion was unanimously approved.

VII. Other Business and Announcements

- A. Next Board Meeting: Vice Chair Darling announced that the next regular meeting was the Board was scheduled Thursday, May 19, 2022. Mr. Warren reported that the location of the meeting would be announced.

- B. Public Hearing on Proposed Rules: Mr. Warren reminded the members that the Public Hearing regarding proposed Rules was scheduled after lunch, beginning at 1:00 p.m. at the current location at the AUM TechnaCenter.

VIII. Recess from Business Meeting

Vice Chair Darling called for any announcements or new business, and there were none.

Motion 2022-18: Mr. Deuel made a motion to recess for lunch and reconvene for the 1:00 p.m. for the Public Hearing. The motion was seconded by Ms. Gilliam and unanimously approved by the Board. Vice Chair Darling recessed the meeting at 11:34 a.m.

IX. Reconvene Meeting – Public Hearing Regarding Proposed Rules

The meeting was reconvened at 1:12 p.m. by Ms. Wendy Darling, Board Vice Chair. The following Board members were in attendance: Ms. Wendy Darling (Board Vice Chair), Ms. Nancy Hayes (Board Chair attending virtually), Mr. Michael Deuel (member), Ms. Judith Gilliam (member), Mr. Melvin Walker (member), Ms. Angie Carmody-Cox (member). Absent Board members were Ms. LaShawn Washington, Ms. Beth Overland and Mr. Chris McGaha. Others participating were Mr. Keith Warren (Executive Director), Ms. Yvonne Saxon (Assistant Attorney General), Mr. Andy Crowder (Assistant Attorney General), Ms. Leigh Mooror (Board Administrator) Ms. Beverly Bownds (Interpreter), Ms. Syndi Sikes (Interpreter) and Ms. Renee' Reames (recording secretary) and guests attending in-person and virtually.

### Proposed Adoption of Final Rules

Mr. Warren announced that guests would be allowed 2 minutes to address the Board regarding proposed rules being presented for final adoption. He indicated that Mr. Kris Courson had requested to speak. Ms. Saxon commented on the purpose of the public hearing to establish method and procedures in support of the Board's statute, both of which were to properly regulate the profession.

Mr. Warren reported that the Board had approved the proposed rules at the Fall 2021 Board meeting and the proposed rules had been published for public comment. He indicated that the Rules Committee was comprised of three Board members, and Mr. Walker served as Committee Chair. Mr. Warren explained that the proposed rules would be presented individually by a single motion from the Board's Rules Committee, with no second motion required, followed by a 2-minute comment period by public members, then Board discussion of the public comments and voting by the Board on the Final Rules.

### Proposed Rule 488-X-1 Definitions.

Motion 2022-19: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1 be approved as a final rule.

Mr. Warren called for comments. Mr. Courson present comments in opposition the rule changes (a written statement available for review in the Board's Official Book of Minutes). The Board discussed the changes related an Intermediary interpreter and nationally recognized certifications or assessments.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, nay, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion passed with 5 ayes and 1 nay by the Board.

### Proposed Rule 488-X-1-.02 Fees

Motion 2022-20: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.02 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

### Proposed Rule 488-X-1-.04 Licensure/Permit Limitations.

Mr. Walker reported a typographical error and corrected item (5) to read as "insight" when pertaining to Apprentice in proposed Rule 488-X-1-.04(5) and future sections of the proposed rules.

Motion 2022-21: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.04 be approved as a final rule with the amended change. The motion was seconded by Mr. Deuel.

Mr. Warren called for comments. Mr. Courson presented comments in opposition to the rule changes (a written statement available for review in the Board's Official Book of Minutes). Mr. Walker reported that the category of apprentice would be tracked for future licensure activities

and no fee had been assigned to the category. Mr. Warren reported that there were currently five (5) licensees in the Limited Permit category.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, abstained, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion passed with 5 ayes and 1 abstention by the Board.

Proposed Rule 488-X-1-.05 Application for License or Permit; issuance; rejection.

Motion 2022-22: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.05 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.06 License required; application; issuance; renewal.

Motion 2022-23: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.06 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members. Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.07 Initial Professional License.

Motion 2022-24: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.07 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Ms. Hayes left the virtual meeting.

Proposed Rule 488-X-1-.08 Renewal of License.

Motion 2022-25: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.08 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.09 Reinstatement of License.

Motion 2022-26: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.09 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Ms. Hayes rejoined the meeting virtually.

Proposed Rule 488-X-1-.10 Permit to practice; renewal; ethics examination; lapse of permit.

Motion 2022-27: Mr. Warren made the motion to strike in proposed rule 488-X-1-.10(1) the words: “mentors, models, or”. The motion was seconded by Mr. Deuel.

Mr. Warren called for comments. Mr. Courson commented in opposition to the published sub-categories as rule changes (a written statement available for review in the Board’s Official Book of Minutes). Mr. Walker reported that the categories allow for national standard to track licensure and registration. Ms. Saxon reported that the categories assisted consumers to make a distinction in licensure and registration designations and the Board’s statute allowed for broad authority in establishing designations.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Ms. Saxon supported the minor change to amend the regulation.

Motion 2022-28: Mr. Walker made the motion that to replace in proposed rule 488-X-1-.10(2) and (3) and in future sections, the word “Occupational” and replace with “Professional” and to approve the Rules Committee recommendation to approve as a final rule as amended. The motion was seconded by Mr. Deuel.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Ms. Saxon supported the minor amends in the regulation, e.g., Deaf Professional Permit rather than Deaf Occupational Permit, etc.

Proposed Rule 488-X-1-.11 Initial Permit.

Motion 2022-29: Mr. Walker made the motion to strike in section (1)(b)2. in proposed rule 488-X-1-.11 referencing “college diploma and transcripts”. Mr. Walker withdrew his motion.

Vice Chair Darling called a 5-minute break at 2:15 p.m.

Vice Chair Darling reconvened the Public Hearing at 2:17 p.m.

Motion 2022-30: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.11 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor the members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.12 Permit Renewal.

Motion 2022-31: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.12 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.13 Non-Renewable Permits.

Motion 2022-32: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.13 be approved as a final rule.

Mr. Warren called for comments and there were none from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.09 Deaf Interpreter and Transliterator Exemption Request.

Motion 2022-33: Mr. Walker moved to accept the Rules Committee recommendation to repeal previously numbered Rule 488-X-1-.09 as published.

Mr. Warren called for comments and reported that this section was proposed for repeal of the Rule. There were no additional comments from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Mr. Warren reported that this section would be removed from the Table of Contents.

Proposed Rule 488-X-1-.10 Deaf Interpreter and Transliterator Exemption.

Motion 2022-34: Mr. Walker moved to accept the Rules Committee recommendation to repeal previously numbered Rule 488-X-1-.10 as published.

Mr. Warren called for comments and reported that this section was proposed for repeal of the Rule. There were no additional comments from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Mr. Warren reported that this section would be removed from the Table of Contents.

Proposed Rule 488-X-1-.11 Deaf Interpreter and Transliterator Exemption Request.

Motion 2022-35: Mr. Walker moved to accept the Rules Committee recommendation to repeal previously numbered Rule 488-X-1-.11 as published.

Mr. Warren called for comments and reported that this section was proposed for repeal of the Rule. There were no additional comments from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Mr. Warren reported that this section would be removed from the Table of Contents.



Proposed Rule 488-X-1-.15 Exemptions.

Motion 2022-36: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.15 be approved as a final rule.

Mr. Warren called for comments. Mr. Courson presented comments opposing the proposed rule change concerning students (a written statement available for review in the Board's Official Book of Minutes). The Board discussed notifying entities affected by the exemption changes, e.g., Board of Education, hospital association, government jurisdictions, etc. and Ms. Saxon indicated that she would drafting a notice for the Executive Director. The Board also discussed the qualifications of an exempt individual, as a measure to protect deaf public when receiving interpreter services and discussed modifying the rule for the purpose of tracking registrations annually.

Motion 2022-37: Ms. Cox made the motion to amend proposed rule 488-X-1-.15(4) with the addition of "per calendar year" for the maximum number of days. The motion was seconded by Ms. Gilliam.

Mr. Warren called for comments. Ms. Cox and Ms. Gilliam withdrew their motion.

Motion 2022-38: Mr. Walker made the motion to remove in proposed rule 488-X-1-.15(4) all reference to 90 days and replace with "determined by the Board on a case-by-case basis." The motion was seconded by Mr. Deuel.

Mr. Warren called for comments and there were none. Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Motion 2022-39: Ms. Cox made the motion to replace in proposed rule 488-X-1-.15(3) the word "may" with "should" in establishing or extend the allowable time. The motion was seconded by Ms. Gilliam.

Mr. Warren called for comments. Ms. Cox and Ms. Gilliam withdrew the motion.

Motion 2022-40: Mr. Walker made a motion to amend his motion #2022-36 to state that the published proposed Rule 488-X-1-.15 be approved as a final rule as amended in motion #2022-38. The motion was seconded by Mr. Deuel.

Mr. Warren called for comments and there were none. Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.16 Reciprocity

Motion 2022-41: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.16 be approved as a final rule.

Mr. Warren called for comments. Mr. Courson presented comments about consistency with the statute that a reciprocal agreement shall be entered into. Mr. Walker reported that the Board may enter into an agreement.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.17 Complaint Procedures

Motion 2022-42: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Rule 488-X-1-.17 be approved as a final rule.

Mr. Warren called for comments and reported that this section had been renumbered as a Rule. There were no additional comments from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

Proposed Rule 488-X-1-.13 and 1-.14 and 1-.15

Motion 2022-43: Mr. Walker moved to accept the Rules Committee recommendations to repeal previously numbered Rule 488-X-1-.13, Rule 488-X-1-.14, and Rule 488-X-1-.15 as published.

Mr. Warren called for comments and explained that these sections had been moved and renumbered and were proposed for repeal. There were no additional comments from the public nor Board members.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board. Mr. Warren reported that this section would be removed from the Table of Contents.

Proposed Appendices I NAD-RID Code of Professional Conduct

Motion 2022-44: Mr. Walker moved to accept the Rules Committee recommendation that the published proposed Appendices I be approved as a final rule.

Mr. Warren called for comments and there were none.

Vice Chair Darling called for a roll call vote: Mr. Deuel, aye, Ms. Gillian, aye, Mr. Walker, aye, Ms. Cox, aye, Ms. Hayes, aye, and Ms. Darling, aye. The motion was unanimously approved by the Board.

IV. Adjournment

Vice Chair Darling called for other business or announcements and there were no comments.

Motion 2022-45: Mr. Deuel made a motion to adjourn the meeting of the Board. The motion was seconded by Mr. Walker. Vice Chair Darling called for a vote: Mr. Deuel, aye, Ms. Gilliam, aye, Mr. Walker, aye, and Ms. Cox, aye. With no members opposed, the motion was unanimously approved. Vice Chair Darling adjourned the meeting at 3:29 p.m.

Respectfully submitted,

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Judith Gilliam  
*Board Chair*

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Keith E. Warren  
*Executive Director*

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