



## DES Language Access Program Frequently Asked Questions

### What if I cannot locate an interpreter for a specific language?

1. You can look at the DSHS Language Testing and Certification Program webpage, and use this directory: [Find an Interpreter or Translator](#).
  - If there are no interpreters shown for a specific language, double-check with [DSHS Testing and Certification program](#) as the interpreter may not have wanted their contact information to be public.
  - For all questions regarding testing, certification, continuing education, and general information, please contact LTC: [dshsct@dshs.wa.gov](mailto:dshsct@dshs.wa.gov) or 360.890.0672
2. Reach out to these organizations to check for language coverage:
  - [Collective of Indigenous Interpreters of Oregon](#)
  - [Immigrant & Refugee Community Organization](#)

### How do I make a purchase from a Statewide Contract?

After you sign or confirm you have a signed Contract Usage Agreement:

1. Use our [Contract Search](#) to find goods and services. You can also search contracts with [small, diverse, or veteran-owned businesses](#).
2. Identify a vendor on the contract you wish to use.
3. Contact the vendor and include:
  - The contract number you wish to use.
  - The contract name.
  - Your customer number.

### Can anyone order off a Statewide Contract?

Before you can use the state's purchasing power, your organization must sign a Contract Usage Agreement (CUA).

1. Check our [list of organizations with current contract usage agreements](#). If your organization isn't listed, proceed to step 2.
2. Complete a contract usage agreement.
  - Government entities (federal, state, local, or Tribal) must use the [contract usage agreement \(PDF, 445KB\)](#).
  - Certain nonprofit organizations are eligible to use statewide contracts. [Find the instructions and forms for Public Benefit Nonprofits](#).
3. Email your signed contract usage agreement to: [CUA@des.wa.gov](mailto:CUA@des.wa.gov). Please sign the agreement electronically or it may delay processing.
4. We will email you a copy of the completed agreement.



### **What happens if an interpreter cancels an appointment?**

When/if a purchaser's appointment request is accepted then returned/cancelled by the interpreter, it is the requirement for the contractor(s) to fill that appointment, especially since our statewide contract is with the contractor and not the interpreter. The contractor needs to find a replacement for that interpreter and not just return the appointment to the purchaser unfilled. If a contractor accepts an appointment, the contractor is responsible for filling the appointment and finding a replacement.

### **What if I receive an invoice with incorrect rates?**

The price list will be published on the DES website. The prices reflected in the contractor's Statewide Contract are ceiling prices. As the contractor and state agency customer enter into individual agreements, contractor may negotiate lower pricing but cannot charge more than the listed contract price. Contractor's invoices for payment shall reflect accurate Statewide Contract prices. Invoices will not be processed for payment until receipt of a complete invoice. If you receive an incomplete or inaccurate invoice reject and return it immediately following your agency's policy and procedures.

### **What are the Interpreter & Translator Certifications?**

All Interpreters must be skilled to industry standards, expectations, and trends. Interpreters must have the proper certification based on the interpreting type of service. Below are the three main interpreter types of language access Statewide contracts will require.

- **Spoken Language Interpreter:** Acceptable industry standards and expectations include the Washington State Department of Social and Health Services (DSHS) [Language Testing and Certification Program](#) (LTC) or Authorization, guidelines outlined by the American Translation Association (ATA) for Interpreters, the Certification Commission for Healthcare Interpreters, or the National Board for Certification of Medical Interpreters. Interpreters trained through accredited higher education institution (university or college) programs, which are widely accepted by industry experts, the interpreter community, and by Washington State Purchasers are also acceptable.
- **Court Certified Interpreter:** Court interpreters interpret in court proceedings for participants, such as a witness or defendant, who speak or understand little or no English. Court interpreters must accurately interpret for people from any background without changing the language register, whether the speaker is using very formal legal language or less formal colloquial language. They interpret in both criminal and civil cases with a wide range of possible subjects. The interpreter who performs court interpreting must be certified by the Washington State Administrative Office of the Courts (AOC) [Washington State Court Interpreter Program](#).
- **Sign Language Interpreter:** The Washington State [Office of the Deaf and Hard of Hearing \(ODHH\)](#) is responsible for quality assurance and data collection. All of the Sign Language Interpreters are Certified Interpreters either through [Registry of Interpreters of the Deaf \(RID\)](#) or have obtained Board for Evaluation of Interpreters (BEI) credentials.



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All sign language interpreters are required to obtain an updated background check through [Washington State Department of Social and Health Services \(DSHS\) Background Check Central Unit \(BCCU\)](#). All approved and registered Sign Language Interpreters are certified (or have received credentials as qualified by ODHH) and abide by the Code of Professional Conduct of the National Association of the Deaf and the Registry of Interpreters for the Deaf.

- **Translator:** Prior to any translator performing services for this contract, the Contractor shall verify and/or perform an assessment and determine the translator as approved and qualified. A qualified translator is a translator who has passed a qualification examination offered by a testing program or translation agency. Should Contractor not be able to meet this requirement, Contractor will be placed into a corrective action plan. Contractor shall comply with Customers' certification requirements as specified by the Customer, which includes but is not limited to the following entities:
  - American Translation Association (ATA). The ATA is a professional association of translators and interpreters in the U.S. with over 11,000 members in more than 90 countries. ATA's primary goals include fostering and supporting the professional development of translators and interpreters and promoting the translation and interpreting professions.
  - Language Testing And Certification Program (LTC). This is a Washington State DSHS program that provides bilingual testing and certification services. Contractor's translators performing work on this contract shall meet this requirement for DSHS and other state agencies as requested.

If the ATA or LTC does not providing testing services for the language requested by the Customer, at minimum the work must be performed by a qualified translator as defined above. As such, the Contractor must have a process which includes training and a two-person Quality Assurance check system in place. The translator must be certified by an accredited academic institution of higher education certificate or possess other verification of successful completion of an examination or test of written language fluency in both English and the other tested language(s), as well as have a minimum of 2 years' experience in document translation.

### **An interpreter stated they have not been paid by the contractor. Can we assist?**

No, issues between interpreters and contractors are not a matter for the purchaser or DES to get involved. The Statewide Contract is written between the State and the Contractor.

Here are the options for interpreters to recuperate the amount owed to them depending on whether they are independent contractors or employees:

- **Employees** can file a wage complaint with L&I and we will investigate the case to assist employees with getting paid the owed wages.
- **Independent interpreters** are considered subcontractors, L&I does not have the enforcement authority to investigate complaints filed by a business against another business. In this case, interpreters can file a civil claim against the hiring contractor with their Small Claims Court.



If it is unclear whether interpreters are employees or subcontractors, or for any other questions, please send an email to L&I's Employment Standards Technical Team: [estechanicaladvice@LNI.WA.GOV](mailto:estechanicaladvice@LNI.WA.GOV).

Note: DES asks that interpreter reaches out to the contractor and inquire about the pending interpreter invoices. If the interpreter already tried to resolve the issue with the contractor and still has not received payment, DES may assist to reach out to the contractor to understand why the invoices are pending (but we don't recommend this option). We may also work with agencies bill payment departments to understand why the invoices have not been paid to a contractor, if that is the case (but we don't recommend this option).

Please know ultimately DES does not have the enforcement authority between the contractor and interpreter.

## What are the language Access Service Types?

- **Interpretation (Spoken Language):** Interpreters provide verbal interpretation. Language interpretation is the method of converting a spoken message into another language, keeping the meaning of the source language content. A language interpreter must not only interpret the meaning, but also tone and intent of the source message into the target language.
- **Translation (Written Language):** Translation focuses on written communication. Translation process and resources; It is important to ensure that documents are translated accurately and effectively. Some sections of the organization's documents will need to be translated verbatim. It is also critical to ensure that, once translated, the content is conceptually, linguistically, and culturally accurate. It is also helpful to work directly with the communities served to ensure that translations are culturally relevant.
- **Sign Language (Hand Interpreting):** A sign language interpreter must accurately convey messages between two different languages. An interpreter is there for both deaf and hearing individuals. The act of interpreting occurs when a hearing person speaks, and an interpreter renders the speaker's meaning into sign language, or other forms used by the deaf party(ies). The interpreting also happens in reverse: when a deaf person signs, an interpreter renders the meaning expressed in the signs into the oral language for the hearing party, which is sometimes referred to as voice interpreting or voicing.

## What are the Language Access Modalities?

Interpreting services can be delivered in multiple modalities. The most common modality through which interpreting services are provided is on-site interpreting.

- **On-site:** Also called "in-person interpreting" or sometimes colloquialized as "face-to-face", this delivery method requires the interpreter to be physically present in order for the interpretation to take place. In on-site interpreting settings, all of the parties who wish to speak to one another are usually located in the same place. This is by far the most common modality used for most public and social service settings.



- **Telephone:** Also referred to as "over-the-phone interpreting," "telephonic interpreting," and "tele-interpreting," telephone interpreting enables interpretation via telephone. Telephone interpreting can be used in community settings as well as conference settings. Telephone interpreting may be used in place of on-site interpreting when no on-site interpreter is readily available at the location where services are needed. However, it is more commonly used for situations in which all parties who wish to communicate are already speaking to one another via telephone (e.g. telephone applications for insurance or credit cards, or telephone inquiries from consumers to businesses).
- **Video:** Interpretation services via Video Remote Interpreting (VRI), Video Interpreting (VI) and Video Relay Service (VRS) interpreting is useful for spoken language barriers where visual-cultural recognition is relevant, and even more applicable where one of the parties is deaf, hard-of-hearing or speech-impaired (mute). With video interpreting, sign language interpreters work remotely with live video and audio feeds, so that the interpreter can see the deaf or mute party, converse with the hearing party and vice versa. Much like telephone interpreting, video interpreting can be used for situations in which no on-site interpreters are available. However, video interpreting cannot be used for situations in which all parties are speaking via telephone alone. VRI, VI and VRS interpretation requires all parties to have the necessary equipment. Some advanced equipment enables interpreters to control the video camera, in order to zoom in and out, and to point the camera toward the party that is signing.

### **How exactly is Video Interpreting (VI) different from Video Remote Interpreting (VRI)?**

Video Interpreting (VI) is the same as Video Relay Service (VRS) which allows someone who is Deaf &/or Hard of Hearing (D/HoH) to communicate with a hearing person via telephone. The VI/VRS caller uses a computer or device with a camera and an internet connection to contact an interpreter. They communicate in ASL through a video link. The interpreter then places a telephone call to the person the ASL user wishes to call. The interpreter relays the conversation in ASL with the VI/VRS user and by voice with the hearing party. When a hearing person calls a Deaf person, the call is also routed via VI/VRS.

### **Why is Stakeholder Engagement so important?**

The language access program encourages stakeholders from state agencies and the community to be involved within the State of Washington. Understanding culture is important as well and collaborating with stakeholders can help ensure that the organization's efforts are culturally and linguistically appropriate. DES plans to consult with stakeholders by:

- Soliciting feedback from community-based organizations and other stakeholders, before the plan is finalized, about the organization's effectiveness and performance in ensuring meaningful access for individuals with limited English proficiency; and



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- Allowing state agency customers to submit a satisfaction survey of applicants and beneficiaries with limited English proficiency about their experience accessing the organization's benefits, programs, information, or services. This can be submitted selecting the Vendor and Contract Performance Feedback dropdown under Resources located on the Statewide contract summary page.

Including stakeholders in the organization's efforts around communication and language services can help ensure that DES can provide information about its programs in a manner that will resonate with the community. DES would like to let the community know that DES is working to be inclusive and ensure that their language needs are met. By engaging with stakeholders from the community, the organization may be able to foster relationships and form connections with individuals that can be mutually beneficial.

### What if the Statewide Contract doesn't meet our needs?

If a statewide contract cannot fulfill a purchaser's needs, the purchaser may purchase from a contractor that is not on contract and document the reason. We review these decisions during the [delegation of authority](#) process.

### Are there any Statewide Contract news subscriptions I can receive?

- Sign up in our [Customer Communication Profile database](#) to receive information about contract usage agreements and your business needs. We do not share this information with vendors.
- Subscribe to [Contracts Connection](#), our semimonthly email newsletter with statewide contracts news and updates.

### Why is there a Spoken Language Interpreter Services CBA Statewide Contract?

[Senate Bill 6245](#) calls for change in how Washington State agencies procure interpreter services. It requires the DES to create a procurement model that can be used by all eligible purchasers\* by directly contracting through scheduling and coordinating entities or interpreters or both. The bill also calls for the OPI and VRI services to be provided through a single entity/vendor. Bill changes have to be in place by September 1, 2020\*\*. Codified in [RCW 39.26.300](#).

\*Note: DES is required to ensure that Statewide Contract's resulting from this bill implementation, meets all purchaser requirements so that they are able to use the Statewide Contract's. This includes requirements related to security, technology, privacy, and Collective Bargaining Agreements (CBA).

View the [Collective Bargaining Agreement \(CBA\) for Language Access Providers \(WFSE LAP\)](#) to learn more about Terms & Conditions of the CBA.

### What is a Statewide Contract?

The Enterprise Services Contracts & Procurement Division leads all statewide contract procurements, vendor relationship management, and contract performance tracking for all



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statewide contracts. We conduct customer and market research to identify opportunities to procure statewide contracts that will help our customers reduce costs, optimize resources, and meet their contracting needs.

**What is a Statewide Contract?** A Statewide Contract is a contract established and administered by DES and used by state, local, and tribal governments, higher education institutions, and qualifying non-profits to purchase products and services directly from contractors. Statewide Contracts meet the state's competitive procurement requirements.

The Enterprise Services statewide contracts team:

- Develops and manages statewide/multistate contracts and solicitations.
- Develops and presents statewide contract training/education.
- Provides consultations on statewide contracts, solicitations, and procurement statutes, rules, procedures, and authorities.
- Evaluates opportunities for new or modified statewide contracts.

Enterprise Services oversees more than 1,500 vendors supplying goods and services through statewide contracts. These contracts are available to state, local, and tribal governments. We offer contractors and vendors access to open, competitive business opportunities for goods, services and construction projects.

### Why does DES create and manage purchaser Statewide Contracts?

In accordance with the [Washington State Legislature Revised Code of Washington \(RCW\) Chapter 39.26, Procurement of Goods and Services](#), it is the intent of this chapter to promote open competition and transparency for all contracts for goods and services entered by state agencies, unless specifically exempted under this chapter, therefore the DES was created.

It is further the intent of this chapter to centralize within one agency the authority and responsibility for the development and oversight of policies related to state procurement and contracting. To ensure the highest ethical standards, proper accounting for contract expenditures, and for ease of public review, and the intent to centralize the location of information about state procurements and contracts. It is also the intent of the legislature to provide state agency contract data to the public in a searchable manner.

**What does this mean exactly?** State agencies will not be required to complete the state policy competitive procurement process because Enterprise Services has already done this on their behalf.

Please note, DES is not every state agency contracts department representative just because DES completed the procurement. DES cannot speak on behalf of state agencies. Each state agency has their own internal contracts department. Please be sure to speak to the agencies internal contracts if you have any technical questions.