

46:31:02:03. Initial registration. The department shall register any individual who submits a completed registration form provided by the department, the applicable fee, and one of the following documentations:

- (1) A current NAD or RID certificate; or
- (2) An assessment score of 3.5 or higher on the EIPA performance test obtained not more than five years prior to the date of initial registration; ~~or~~
- ~~(3) A South Dakota interpreter certificate obtained within the previous year and the required contact hours pursuant to subdivision 46:31:02:04(2).~~

The department shall deny registration of any individual who fails to comply with the requirements of this section

Source: 33 SDR 107, effective December 26, 2006; 35 SDR 165, effective December 22, 2008; 37 SDR 111, effective December 7, 2010.

General Authority: SDCL 1-36A-10.5.

Law Implemented: SDCL 1-36A-10.1, 1-36A-10.5.

46:31:02:04.01. Continuing education maintenance cycle. Each interpreter must complete a minimum of 80 contact hours during a four-year maintenance cycle. Each cycle is four years in length. However, the first cycle for an interpreter initially registering with an EIPA assessment score may be longer based on when the division grants the certificate. All subsequent cycles for that interpreter will be exactly four years and will begin September 1 and end August 31.

~~The first four-year maintenance cycle for any currently certified South Dakota interpreter shall begin September 1, 2011.~~

Source: 37 SDR 111, effective December 7, 2010.

General Authority: SDCL 1-36A-10.5, 1-36A-12.

Law Implemented: SDCL 1-36A-10.1, 1-36A-10.5, 1-36A-12.

46:31:06:01. Certification level required for medical, educational, or legal settings. Any individual registered and certified in South Dakota and holding a level III South Dakota certificate, level III NAD certificate, RID certificate, ~~NIC~~ or a South Dakota provisional certificate, may interpret in all settings except for criminal proceedings or serious medical procedures as defined in § 46:31:06:02. An individual certified by the department using the EIPA assessment score of 3.5 or higher may only interpret in elementary and secondary educational settings.

Source: 33 SDR 107, effective December 26, 2006; 37 SDR 111, effective December 7, 2010.

General Authority: SDCL 1-36A-12.

Law Implemented: SDCL 1-36A-12.

46:31:06:02. Certification level required for criminal proceedings or serious medical procedures. Any individual registered and certified in South Dakota and holding a level IV or V South Dakota certificate, level IV or V NAD certificate, NIC, NIC advanced or master level, RID certificate of interpretation or certificate of transliteration, RID combined certificate of interpretation and transliteration, or RID special certificate - legal, may provide interpreting services in all settings, including the following areas:

(1) Any criminal proceeding, any interrogation by law enforcement which could result in a criminal charge, any arrest or booking at a police station, any meeting with a probation or parole officer, any meeting with an attorney relating to a potential criminal charge or proceeding, any

deposition relating to a potential criminal charge or proceeding, and any grand jury proceeding;
or

(2) Any serious medical procedure which includes treatment of any health condition that may be life threatening or potentially life threatening, any surgical procedure, any medical examination other than routine, alcohol and drug, psychological, and psychiatric evaluation or treatment.

Source: 33 SDR 107, effective December 26, 2006.

General Authority: SDCL 1-36A-12.

Law Implemented: SDCL 1-36A-12.

Cross-Reference: Interpreters for deaf and mute persons--Proceedings for which required,

SDCL 19-3-10.