

**NOTICE OF PUBLIC MEETING  
WORKERS' COMPENSATION  
MANAGEMENT-LABOR ADVISORY COMMITTEE  
INTERPRETERS SUBCOMMITTEE**

July 23, 2009  
2:00 p.m. – 3:00 p.m.  
Conference Room 260, Labor & Industries Building  
350 Winter Street NE, Salem, Oregon

***Committee Members Present:***

Kathy Nishimoto, Duckwall-Pooley Co., Hood River  
Mike O'Rourke, Plumbing and Steamfitters UA 290, Tualatin  
Jeri Ray, Timber Products Company, Springfield  
Linda Barno, ESIS, Inc., Portland  
Bob Shiprack, Oregon Building Trades Council, Portland

***Committee Members Excused:***

Cory Streisinger, Ex-Officio Member, Department of Consumer and Business Services, Salem  
Lon Holston, Laborers' International, Local 483, Portland  
Greg Miller, Gunderson LLC, Portland  
Sheri Sundstrom, Hoffman Construction Company, Portland  
Tracy Brill, Portland Fire Fighters Association, Portland  
John Kirkpatrick, IUPAT District Council, Portland

**INTERPRETERS SUBCOMMITTEE**

Lon Holston, subcommittee chair, called the meeting to order at 2:02 p.m.

**OVERVIEW**

Kara Olsen, Workers' Compensation Division, provided an overview of background information on interpreters. Ms. Olsen presented information from Department of Consumer and Business Services (DCBS), out-of-state agencies, as well as from some stakeholders.

Ms. Olsen informed the subcommittee that she will present information from other stakeholders and identify issues with the current system during the next subcommittee meeting.

Ms. Olsen noted there is significant amount of contact with non-English speakers within the agency. Most of the contact with non-English speakers is done in Spanish by in-house staff interpreters. Ms. Olsen also informed that the agency has an outside service it can contact for additional interpreters.

Ms. Olsen pointed out there are only two other state agencies in Oregon with programs that address foreign languages. Those agencies are Department of Human Services (DHS) and Oregon Judicial Department (OJD).

Ms. Olsen noted the way other states deal with the issue of interpreters varies by state and she mentioned the example of Washington state that pays for interpreter services, and has been addressing issue of the rising cost of interpreter services.

Lou Savage inquired about the Washington's approach asking Ms. Olsen at what point in the process does the state pay and how does it work?

Ms. Olsen responded that Washington state pays throughout the whole process.

Mr. Savage asked if it is one person that gets assigned to one person?

Bob Shiprack asked what does Oregon do now?

Ms. Olsen responded there is no formal process in place for interpreters in Oregon as insurers can choose if they want to pay for the services.

Lon Holston requested a copy of House Bill 790 introduced in 2001 legislative session, as well as rules that were adopted pertaining to that law.

Mr. Shiprack asked if DCBS provides claim forms in other languages?

Ms. Olsen responded that DCBS does provide some forms in Spanish, Vietnamese, and Russian.

Mr. Savage asked the Ombudsman for Injured Workers (OIW), Jennifer Flood, if she had any information about how many people call her office.

Ms. Flood responded that her office receives an average of one thousand inquires per month, out of which over 24-25 percent are bilingual calls, and explained that her office employs three bilingual assistants who handle those calls.

Mr. Savage asked how many of the bilingual calls received by the OIW office are requesting assistance in communicating with insurers in a second language, as opposed to bilingual calls simply asking for more information about the insurers?

Ms. Flood explained that SAIF has bilingual adjusters and any communication with them goes very easily, occasionally when the insurer doesn't have a bilingual adjuster they will call the OIW office asking for assistance with communication, and in some situations the staff at OIW office will use a conference call with the medical adjuster and the client to make sure the client understands.

Kathy Nishimoto noted that about 85 percent of the workers in her company are Hispanic. Ms. Nishimoto explained that the last ten workers injured in her company all preferred using family members as translators, because they perceive communication about injuries as very personal. Ms. Nishimoto also informed the committee that she called hospitals and found out they provide volunteer translators.

Ms. Flood pointed out that using family members as translators can sometimes pose its own problems and expressed her belief that there needs to be a choice.

Ms. Flood inquired as to what medical providers are required to do outside of workers compensation.

Ms. Flood also noted that by current statute and rule, the only time an insurer is required to pay for an interpreter is for an IME.

Ron Vrooman, A and R Enterprises, Inc., thanked the subcommittee for working on the issue.

Roger Pearson, Workers' Compensation Board (WCB), explained that the interpreter program is handled through the hearings division, and generally there are interpreter services provided through the Board for people who request such services at hearings.

Mr. Savage asked where do the interpreters that WCB use come from?

Mr. Pearson will submit the information to the subcommittee.

Mr. Holston asked about the selection process of these interpreters.

Mr. Pearson explained that these interpreters get certified through the Judicial Department.

#### **SUBCOMMITTEE DISCUSSION**

The subcommittee raised questions about the certification process and requested more information about this process for the next subcommittee meeting.

Mr. Holston asked to hear from other stakeholders and the process they use, as well as hearing of any concerns they might have.

The subcommittee decided that testimony will be taken September 9, 2009. October 1, 2009 will be the final deadline.

The meeting adjourned at 2:35 p.m.