

AB 667 (Solache-D)
Professions and vocations: license examinations; interpreters

Status/History: 4/01/2025 – Referred to Committees on Professions and Professions and Health

Location: 4/01/2025 – In Committee process

Introduced: 2/14/2025

Amended: 4/01/2025

Board Position: Pending

Board Staff Analysis: 4/02/2025

Bill Summary: Existing law establishes the Department of Consumer Affairs, which is composed of various boards that license and regulate various professions. Existing law provides for the certification and regulation of nurse assistants and home health aides by the State Department of Public Health. This bill would, beginning July 1, 2026, require the State Department of Public Health and boards under the jurisdiction of the Department of Consumer Affairs to permit an applicant who cannot read, speak, or write in English to use an interpreter, at no cost to the applicant, to interpret the English verbal and oral portions of the license or certification examination, as applicable, if the applicant meets all other requirements for licensure.

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the examination. The bill would also require those boards and the State Department of Public Health to post on their internet websites that an applicant may use an interpreter if they cannot read, speak, or write in English and if they meet all other requirements for licensure or certification.

This bill would require those boards and the State Department of Public Health to include in their licensure or certification applications a section that asks the applicant to identify their preferred language and, beginning July 1, 2027, to conduct an annual review of the language preferences of applicants. The bill would require the State Department of Public Health and those boards, beginning July 1, 2029, and until January 1, 2033, to annually report to specified committees of the Legislature on language preference data.

Affected Laws: An act to amend Section 41 of the Business and Professions Code and to add Section 1337.25 to the Health and Safety Code.

Staff Comment: Language for the bill originally only proposed to impact those portions of examinations which are administered verbally. However, as expected the language was amended to include written portions of exams also.

Staff has many concerns with the blanket nature of this request since there are aspects of the language which appears to target specific health-related licensing boards which may be a more pertinent environment for this service. While it is unknown how many of the Board's applicants would make this request since staff nor examination vendors used by the Board can recall ever receiving such a request, there are some knowns which do cause concerns.

Upon seeking information from National Council of Examiners for Engineers and Surveyors (NCEES), the sole provider for national engineering and surveying examinations, the Board was essentially informed that:

- Pearson Vue, NCEES's current exam administration vendor, became aware of this bill through multiple clients and would consider this to be a tremendous burden since they currently do not have the resources to meet these requests for interpreters.
- NCEES currently does not receive any requests for interpreters.
- NCEES would need to seek legal guidance before making any changes to their exam administration policies or procedures and would likely not implement this accommodation since this would just be for California and federal law does not require it.

Additionally, Prometric, contracted exam administrator for the Board's state exams, has informed staff that:

- The interpreter process is complex and differs based on client needs. Some clients use them for instructions only and some use them to interpret the actual exam material.
- While rarely requested for government clients, Prometric does offer interpreters through a third-party vendor.
- The client (Board) pays the administrative fee, a site fee since the entire testing center would be closed to other candidates, and actual fees for the interpreters which include a guaranteed minimum, travel, language-dependent, etc.

Staff notes that generally exam candidates are subject to several procedures upon arriving at CBT test centers which include checking in, verifying identification, security procedures, instruction on how to use the testing equipment, taking breaks, requesting assistance during the exam, using restrooms, etc. All of this is in addition to the actual examination materials provided by the Board. The proposed language does not differentiate between verbal portions of the actual examination materials of other procedures necessary to ensure that the examinee satisfies the secure exam environment conditions.

Additionally, the proposed language requires the Board to include an additional section in the license application that asks an applicant to identify their preferred written, spoken, and signed language and to provide an annual report to legislative committees. These requirements would cause the Board to modify their existing application instructions for all application types in Connect, the Board's online application and licensing system, which is entirely separate from the postponed need for the Board to provide an interpreter during a verbal portion of a specific examination.

The fact exists that the Board nor the state can require the providers of national examinations to provide interpreters regardless of request. Additionally, since examinees for NCEES examinations pay and schedule exam dates directly with NCEES, without any involvement of the Board, the Board has no control over the costs associated with accommodating this request for national examinations. Further, portions of this proposed language could potentially cause a significant cost to the Board's budget to implement such revisions to the current application process. There is no clear understanding or observable benefit to the Board's stakeholders and operations when the Board has no record of ever receiving requests in the past for interpreter services.

Staff Recommendation: Staff recommends the Board take an Oppose Unless Amended position on AB 667 as introduced February 14, 2025, and further authorizes staff to communicate the Board's concerns to the Author's office along with a request to exempt the Board from this language.

AMENDED IN ASSEMBLY APRIL 1, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 667

Introduced by Assembly Member Solache

February 14, 2025

An act to add Section 41 to the Business and Professions Code, and to add Sections 1337.25 and 1736.3 to the Health and Safety Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 667, as amended, Solache. Professions and vocations: license examinations: interpreters.

Existing law establishes the Department of Consumer Affairs, which is composed of various boards that license and regulate various professions. Existing law provides for the certification and regulation of *certified* nurse assistants and home health-aids *aides* by the State Department of Public Health.

This bill would, beginning July 1, 2026, require the State Department of Public Health and boards under the jurisdiction of the Department of Consumer Affairs to permit an applicant who cannot read, speak, or write in English to use an ~~interpreter, at no cost to the applicant,~~ *interpreter* to interpret the English-~~verbal~~ *written* and oral portions of the license or certification examination, as applicable, if the applicant meets all other requirements for ~~licensure~~. *licensure, as specified.*

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the examination. The bill would also require those boards and the State Department of Public Health to post on their internet websites that an applicant may use an interpreter if they cannot read, speak, or write in

~~English and if English, the examination is not offered in their preferred language, and they meet all other requirements for licensure or certification.~~

This bill would require those boards and the State Department of Public Health to include in their licensure or certification applications a section that asks the applicant to identify their preferred language and, beginning July 1, 2027, to conduct an annual review of the language preferences of applicants. The bill would require the State Department of Public Health and those boards, beginning July 1, ~~2029~~ 2029, and until January 1, 2033, to annually report to specified committees of the Legislature on language preference data.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 41 is added to the Business and
2 Professions Code, to read:
3 41. (a) For purposes of this section:
4 (1) “Board” means any board under the jurisdiction of the
5 Department of Consumer Affairs, as specified in Section 101.
6 (2) “Interpreter” means an individual who satisfies all of the
7 following conditions:
8 (A) Is fluent in English and in the ~~preferred language of the~~
9 ~~applicant.~~ *applicant’s preferred language.*
10 (B) Has not acted as an interpreter for the examination within
11 the year preceding the ~~date of the examination.~~ *examination date.*
12 (C) Is not licensed and has not been issued the license for which
13 the applicant is taking the examination.
14 (D) Is not a current or former student in an educational program
15 for the license for which the applicant is taking the examination.
16 (E) Is not a current or former student in an apprenticeship or
17 training program for the license for which the applicant is taking
18 the examination.
19 (F) Is not a current or former owner or employee of a school
20 for the license for which the applicant is taking the examination.
21 (b) Notwithstanding any other law, beginning July 1, 2026, each
22 board shall do all of the following:
23 (1) Permit an applicant ~~who to use an interpreter, if the applicant~~
24 ~~cannot read, speak, or write in English to use an interpreter, at no~~

1 cost to the applicant, *English*, to interpret the English verbal written
2 and oral portions of a state-administered or contracted license
3 examination to their preferred language, provided the applicant
4 meets all other requirements for licensure.

5 (A) *An interpreter shall not assist the applicant with any section*
6 *of an examination that is explicitly intended to test an applicant's*
7 *English language skills.*

8 (B) *An interpreter shall not assist the applicant if an examination*
9 *is offered in the applicant's preferred language.*

10 (C) *The board shall not charge an applicant a fee, penalty, or*
11 *surcharge for the applicant's use of an interpreter.*

12 (2) Post on the board's internet website that an applicant may
13 use an interpreter to interpret a license examination if the applicant
14 cannot read, speak, or write in ~~English~~, *English and the*
15 *examination is not offered in their preferred language*, provided
16 the applicant meets all other competency requirements for
17 licensure. This notice shall be posted in English, Spanish, Farsi,
18 Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese,
19 Tagalog, and Arabic.

20 (3) Include an additional section in a license application that
21 asks an applicant to identify their preferred written, spoken, and
22 signed languages.

23 (c) Beginning July 1, 2027, each board shall conduct an annual
24 review of the language preferences of applicants for licensure that
25 is applicants' language preferences that are collected from license
26 applications.

27 (d) (1) Beginning January 1, 2029, each board shall annually
28 report to the Senate Business, Professions, and Economic
29 Development and the Assembly Business and Professions
30 Committees on language preference data collected from license
31 applications.

32 (2) The report shall be submitted in compliance with Section
33 9795 of the Government Code.

34 (3) Pursuant to Section 10231.5 of the Government Code, this
35 subdivision shall become inoperative on January 1, 2033.

36 SEC. 2. Section 1337.25 is added to the Health and Safety
37 Code, immediately following Section 1337.2, to read:

38 1337.25. (a) For purposes of this section, "interpreter" means
39 an individual who satisfies all of the following conditions:

1 (1) Is fluent in English and in the ~~preferred language of the~~
2 ~~applicant.~~ *applicant's preferred language.*

3 (2) Has not acted as an interpreter for an examination for
4 certification as a *certified* nurse assistant within the year preceding
5 ~~the date of the examination.~~ *examination date.*

6 (3) Is not a certified nurse assistant and has not held a ~~certificate~~
7 ~~as a nurse assistant in the state.~~ *state certified nurse assistant*
8 *certificate.*

9 (4) Is not a current or former student in an educational program
10 for certification as a *certified* nurse assistant.

11 (5) Is not a current or former student in a certified nurse assistant
12 apprenticeship or training program.

13 (6) Is not a current or former owner or employee of a school
14 for certification as a *certified* nurse assistant.

15 (b) Notwithstanding any other law, beginning July 1, 2026, the
16 department shall do all of the following:

17 (1) Permit an applicant ~~who to use an interpreter, if the applicant~~
18 ~~cannot read, speak, or write in English to use an interpreter, at no~~
19 ~~cost to the applicant,~~ *English, to interpret the English verbal written*
20 *and oral portions of a state-administered or contracted certified*
21 *nurse assistant examination to their preferred language, provided*
22 *the applicant meets all other requirements for certification.*

23 (A) *An interpreter shall not assist the applicant with any section*
24 *of an examination that is explicitly intended to test an applicant's*
25 *English language skills.*

26 (B) *An interpreter shall not assist the applicant if an examination*
27 *is offered in the applicant's preferred language.*

28 (C) *The board shall not charge an applicant a fee, penalty, or*
29 *surcharge for the applicant's use of an interpreter.*

30 (2) Post on the department's internet website that an applicant
31 may use an interpreter to interpret the certified nurse assistant
32 examination if the applicant cannot read, speak, or write in ~~English,~~
33 *English and the examination is not offered in their preferred*
34 *language, provided the applicant meets all other competency*
35 *requirements for certification. This notice shall be posted in*
36 *English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin,*
37 *Korean, Vietnamese, Tagalog, and Arabic.*

38 (3) Include an additional section in the certified nurse assistant
39 application that asks an applicant to identify their preferred written,
40 spoken, and signed languages.

1 (c) Beginning July 1, 2027, the department shall conduct an
2 annual review of ~~the language preferences of applicants for nurse~~
3 ~~assistant certification that is~~ *applicants' language preferences*
4 collected from applications.

5 (d) (1) Beginning January 1, 2029, the department shall annually
6 report to the Senate and Assembly Health Committees on language
7 preference data collected from *certified* nurse assistant certification
8 applications.

9 (2) The report shall be submitted in compliance with Section
10 9795 of the Government Code.

11 (3) Pursuant to Section 10231.5 of the Government Code, this
12 subdivision shall become inoperative on January 1, 2033.

13 SEC. 3. Section 1736.3 is added to the Health and Safety Code,
14 to read:

15 1736.3. (a) For purposes of this section, "interpreter" means
16 an individual who satisfies all of the following conditions:

17 (1) Is fluent in English and in ~~the preferred language of the~~
18 ~~applicant.~~ *applicant's preferred language.*

19 (2) Has not acted as an interpreter for an examination for
20 certification as a home health aid within the year preceding the
21 ~~date of the examination.~~ *examination date.*

22 (3) Is not a certified home health aid and has not held a
23 certificate as a *certified* home health ~~aid~~ *aide* in the state.

24 (4) Is not a current or former student in an educational program
25 for certification as a ~~nurse assistant.~~ *certified home health aide.*

26 (5) Is not a current or former student in a certified home health
27 ~~aid~~ *aide* apprenticeship program.

28 (6) Is not a current or former owner or employee of a school
29 for certification as a ~~nurse assistant.~~ *certified home health aide.*

30 (b) Notwithstanding any other law, beginning July 1, 2026, the
31 department shall do all of the following:

32 (1) Permit an applicant ~~who to use an interpreter if the applicant~~
33 ~~cannot read, speak, or write in English to use an interpreter, at no~~
34 ~~cost to the applicant, English,~~ to interpret the English ~~verbal~~ *written*
35 and oral portions of the certified home health ~~aid~~ *aide* examination
36 to their preferred language, provided the applicant meets all other
37 requirements for certification.

38 (A) *An interpreter shall not assist the applicant with any section*
39 *of an examination that is explicitly intended to test an applicant's*
40 *English language skills.*

1 (B) *An interpreter shall not assist the applicant if an examination*
2 *is offered in the applicant's preferred language.*

3 (C) *The board shall not charge an applicant a fee, penalty, or*
4 *surcharge for the applicant's use of an interpreter.*

5 (2) Post on the department's internet website that an applicant
6 may use an interpreter to interpret the certified home health aid
7 examination if the applicant cannot read, speak, or write in ~~English,~~
8 *English and the examination is not offered in their preferred*
9 *language*, provided the applicant meets all other competency
10 requirements for certification. This notice shall be posted in
11 English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin,
12 Korean, Vietnamese, Tagalog, and Arabic.

13 (3) Include an additional section in the certified home health
14 aid application that asks an applicant to identify their preferred
15 written, spoken, and signed languages.

16 (c) Beginning July 1, 2027, the department shall conduct an
17 annual review of ~~the language preferences of applicants for home~~
18 ~~health aid certification that is~~ *applicants' language preferences*
19 collected from applications.

20 (d) (1) Beginning on January 1, 2029, the department shall
21 annually report to the Senate and Assembly Health Committees
22 on language preference data collected from *certified* home health
23 ~~aid~~ *aide* certification applications.

24 (2) The report shall be submitted in compliance with Section
25 9795 of the Government Code.

26 (3) Pursuant to Section 10231.5 of the Government Code, this
27 subdivision shall become inoperative on January 1, 2033.