



# Consider Professional Interpreters In AB 1850

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By José García and Lorena Ortiz Schneider, Special to CalMatters

Forty years ago Willie Ramírez entered a hospital and forever gained a place in history.

The 18-year-old baseball player, semiconscious and unable to speak, suffered a brain hemorrhage that doctors did not properly diagnose. Why? Mostly it was an incorrect understanding of a term used by the young man's girlfriend and her mother to describe what might have caused his sudden incapacity: "intoxicado."

Today this case remains a teachable moment in clinical settings throughout our nation, including California. But its impact reaches far beyond medical schools to the audio booths, computer screens, cubicles and conference stages where translators and interpreters learn our craft and earn our professional credentials.

Thousands of professional linguists are part of the backbone of California. We are not merely bilingual people but highly trained professionals, often with credentials that speak to mastery of exacting standards. Translators, who work with written words, and interpreters, who transfer meaning from one language to another verbally or visually in real time, hold our body politic together.

More than 40% of state residents speak a language other than English at home. That's also true at the hospital, at school, in court and in administrative hearing rooms. Millions of people with disabilities also contribute to every sector of civic life.

Reasonable accommodations to overcome barriers in communication for the blind and deaf and hard of hearing have been enshrined in state law since before the Americans with Disabilities Act of 1990.

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Now, four decades of progress in our state on removing language barriers to medical care and education and preventing errors in delivery of treatment and social services are in danger. COVID-19, which is banishing professional linguists from bedsides and other in-person venues, combined with a recent change in state law, which made it all but illegal for professional interpreters and translators to be independent contractors and serve clients, are re-imposing old barriers. They threaten the health and well-being of millions of Californians.

We call on state lawmakers to respect the dignity of all residents by protecting hard-won progress in language access in health care, education, human services and the administration of justice. How? By fixing state law to safeguard the ability of professional translators and interpreters, more than 75% of whom are independent contractors, to work in California. We hope heeding the past helps them summon the will.

When caregivers on call that fateful day in South Florida in 1980 heard the word "intoxicado," they wrongly concluded that Ramírez might be drunk. But when she used the term during intake at the hospital, the mother of his young girlfriend, both



of whom were Cuban Americans, meant something entirely different: that he might be experiencing a toxic shock, allergy or food poisoning from something he had recently eaten.

This fundamental error, along with stereotypes that deterred more thorough assessment of Ramírez' severe distress and reticence by an immigrant family to challenge the assumption they saw highly skilled clinicians drawing from a faulty interpretation, led downhill. A young man became a quadriplegic. A multimillion-dollar malpractice settlement ensued.

If this story had included a well-trained, professional health care interpreter, instead of an agitated bilingual teenager in the role, the nuanced meaning of that crucial word might not have been a sticking point. Awareness of the crosstalk or cues in body language among participants in those intake conversations might have led to fuller exploration of the young man's symptoms and zeroed in on their cause. That health care story might have a different outcome.

Here in California, because of access to professional interpreters, our stories often do end better. We have witnessed medical appointments and mental health hearings where an abusive husband steps in to serve as the communications conduit for a wife he seeks to confine against her will. His motive could shape what gets conveyed,

ignored and understood by a caregiver or a court and bias their determination.

Instead, the presence of an adept professional interpreter led to a diagnosis of postpartum depression. Such instances abound. The ultimate course of action honored the dignity of a vulnerable person at the most wrenching moment of their lives, saved taxpayer money in the process and laid groundwork for a happier, healthier and more independent future.

These vastly divergent results show the life-or-death importance of highly skilled language professionals to our families and our communities. State lawmakers are now weighing new legislation in Assembly Bill 1850, introduced by Assemblymember

Lorena Gonzalez, a Democrat from San Diego, that allows a few freelance translators but not professional interpreters who are self-employed to continue to work in California.

Even as signed language interpreters communicated the proceedings at a hearing of the Assembly Labor Committee on May 20, members of the committee rebuffed a request to include professional interpreters in the bill. We urge lawmakers of both parties to fix this omission. Only by doing so will they show they value the enormous bottom-line contributions we make to the state economy and the incalculable gains in Californians' health and human dignity earned by our highly skilled service.



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