

LIMITED ENGLISH PROFICIENCY PLAN

for

**WRIGHT COUNTY HEALTH & HUMAN SERVICES
1004 COMMERCIAL DRIVE
BUFFALO, MINNESOTA 55313**

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A. Purpose and Legal Basis

The purpose of this Limited English Proficiency (*LEP*) Plan is to ensure meaningful access to program information and services for persons with limited English language proficiency. The legal basis for this plan comes from Title VI of the Civil Rights Act of 1964. This plan implements the Title VI language access responsibilities of human services providers receiving Federal financial assistance from the U.S. Department of Health and Human Services.

B. Legal Authorities/References

According to the Office for Civil Rights (OCR), in order to avoid discrimination on the basis of national origin against persons with limited English language proficiency, recipients of federal financial assistance from the U.S. Department of Health and Human Services must take adequate steps to ensure that persons with limited English proficiency receive the language assistance necessary to allow them meaningful access to services, free of charge. This Limited English Proficiency Plan for Wright County Health & Human Services has been completed at OCR's instruction. In OCR's August 30, 2000, policy guidance, issued to interpret the regulations under Title VI, OCR states that a recipient of federal financial assistance can ensure effective communication (which leads to meaningful access) by implementing a Limited English Proficiency Plan that accounts for how the recipient (Agency) will provide language assistance services when they are needed by applicants, clients, and members of the public.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000 et seq.; 45 CFR 80, Nondiscrimination Under Programs Receiving Federal Financial Assistance Through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964.

Office for Civil Rights Policy Guidance, 65 Fed. Reg. 52762 (2000), Department of Health and Human Services, Office for Civil Rights, Policy Guidance on the Prohibition Against National Origin Discrimination As It Affects Persons With Limited English Proficiency (August 30, 2000). For OCR Policy Guidance, see the [OCR website](#).

Department of Justice Regulation, 28 CFR 42.405 (d) (1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Program.

C. Written Plan

D) Persons Covered by Policy - Identifying Clients with Limited English Proficiency

Wright County Health & Human Services' Limited English Proficiency (*LEP*) Plan has been developed to serve its clients, prospective clients, family members of clients or prospective clients, or other interested members of the public (hereafter called "clients") who do not speak English, or who speak limited English.

A client has limited English Language Proficiency (LEP) when he/she is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with Wright County Health & Human Services staff. Sometimes it is not easy to identify a person with LEP. Some clients may know enough English to manage basic life skills, but may not speak, read or understand English well enough to understand in a meaningful way some of the more

complicated concepts they may encounter within the human services system (i.e., legal, medical or program language). These clients may also fit the description of a person with LEP.

2) Statement of Commitment to Meaningful Access

No person will be denied access to Wright County Health & Human Services' programs or program information because he/she does not speak English or speaks limited English. Wright County Health & Human Services will provide for effective communication between clients with LEP and Wright County Health & Human Services staff, by making appropriate language assistance services available when clients need these services. Clients will be provided with access to programs and services in a timely manner and at no cost to the client.

3) Offering Language Assistance Services

Staff will initiate and offer language assistance to clients who have difficulty communicating in English, or when a client asks for language assistance. Staff will provide free interpretation and/or translation services to persons with LEP in a language they understand, in a way that preserves confidentiality, and in a timely manner. The Agency will provide an interpreter when there is a legal matter (e.g. custody study, out of home placement, termination of rights, etc.). (See the rule for using family and friends as interpreters on page 6.)

4) Uncommon Languages; In-Person Interpreter Services

When interpreter services are needed in a language not commonly used, the client with LEP will be connected to the Language Line, which is a telephone interpretation service used by Wright County **Health** & Human Services. (See contact information on **Attachment 1**.)

If an interpreter is needed in-person, rather than over the telephone, arrangements will be made to have an interpreter available at a time and place that is convenient for both the interpreter and the client.

Arrangements for in-person interpreting will be made by contacting the vendors registered with the **Minnesota Department of Health's Spoken Language Health Care Interpreter Roster.**

2012 Minnesota Statutes

Chapter 256B.0625 Covered Services, Subdivision 18a. Access to medical services., (d) Coverage for face-to-face oral language interpreter services shall be provided only if the oral language interpreter used by the enrolled health care provider is listed in the registry or roster established under section

144.057 (Interpreter Services Quality Initiative).

5) Emergency Situations

When programs require access to services within short time frames, Wright County Health & Human Services will take whatever steps **reasonable** to ensure that all clients, including clients with LEP, have access to services within the appropriate time frames. For example, when a client needs an interpreter or other language assistance services to obtain expedited program services, Wright County Health & Human Services' goal is to make the services accessible within the required time frame, whether that means using an interpreter or any other appropriate type of language assistance.

6) Interpretation and Translation Defined

For purposes of this policy, interpretation is defined as a spoken or visual explanation provided to help two or more people who do not speak the same language to communicate with each other.

Translation is defined as a written version of a document provided in a different language than the original document.

7) Assisting Clients Who Don't Read Their Language

Wright County Health & Human Services must assist a client with LEP who does not read his/her primary language to the same extent as staff would assist an English speaker who does not read English.

8) Assigning Clients with LEP to Bilingual Staff

Where applicable, and as a program practice, Wright County Health & Human Services will use its best efforts to assign clients with LEP to bilingual staff who speak their language.

D. Procedure for Using Interpretation

I) Verification of Client's Identity

Wright County Health & Human Services staff should continue the existing practice of verifying the identity of the client before releasing case-specific information. Bilingual staff, Language Line staff, or other private companies providing interpretation or translation services through contracts with the State (hereafter "contractors"), may be used in making verifications.

2) Language Assistance Resources - Order of Preference for Use

As much as possible, staff should use these language assistance services in the order set out below.

a) Telephone Interpreter Services

Staff should use the Language Line Services for interpreter assistance.

Staff shall receive a badge card containing all contact information required to access interpreter services from Language Line. The card is small and can be clipped directly to their Wright County door badge card for ease of access.

Wright County Health & Human Services staff should familiarize themselves with the Language Line before they actually need to use it. Being familiar with how to use this service will help staff act quickly when clients need interpreter assistance. See, " Helpful Hints for Using Telephone Interpreters," ***Attachment 2*** of this Policy.

b) Interpretation and Translation Services

Attachment 1 of this Plan contains the information for how to access telephone, in-person, sign language and translation services. Wright County Health & Human Services staff can access this information on the Wright County Intranet Directory, under (***Health & Human Services Plans***). Any vendor not defined in ***Attachment 1*** must be prior authorized by the ***Agency Office Manager II***, so credentials may be verified prior to using them for interpreter services.

c) Using Family and/or Friends as Interpreters

Wright County Health & Human Services may expose itself to liability under Title VI if it requires, suggests, or encourages a client with LEP to use friends, minor children or family members as interpreters because family, friends or minor children may not be competent to serve as interpreters.

Use of family or friends could result in a breach of confidentiality or reluctance on the part of clients to reveal personal information critical to their situations. Family and friends may not be competent to act as interpreters because they may not be proficient enough in both languages, may lack training in interpretation, and/or have little familiarity with specialized program terminology.

If a client still prefers a family member or friend to interpret after Wright County Health & Human Services offers free interpreter services, Wright County Health & Human Services may use the family member or friend, if doing so will not compromise the effectiveness of the interpretation and/or violate the client's confidentiality. Wright County Health & Human Services staff should document in the client's case file their offer of interpreter assistance and the fact that the client declined the offer. Even if a client elects to use a family member or friend as an interpreter, Wright County Health & Human Services will suggest that a trained interpreter listen in on the interview to ensure accurate interpretation.

In situations whereby a client is being given information that may negatively impact his/her eligibility for services or answers to complicated or detailed questions are required, options 2(a) or 2(b) should be used for interpreter service needs.

Wright County Health & Human Services must consider the requirements for the Minnesota Data Practices Act when determining whether or not, or in what capacity, a family member or friend may be used to interpret.

- Rule for Minor Children
Wright County Health & Human Services will *not* use minor children as interpreters.

d) Minnesota Data Practices Act

Minnesota Data Practices Act requires Minnesota government agencies to maintain the privacy of data that they collect in the course of their business. In the case of Wright County Health & Human Services, the information that it collects regarding its clients is considered private data. Except in emergencies, this data may not be released to anyone other than the client, Wright County Health & Human Services employees, the agents of Wright County Health & Human Services, or others authorized by the courts or federal law, without the client's written, informed consent.

For purposes of the Data Practices Act, organizations and persons who contract to provide translation and interpretation services to Wright County Health & Human Services' clients are considered agents of Wright County Health & Human Services. They may be privy to Wright County Health & Human Services clients' private data and are bound by the same requirements for confidentiality as is Wright County Health & Human Services.

e) Competency of Interpreters

Wright County Health & Human Services will assure that interpreters, hired for services have

been trained and demonstrate competency, which ***includes verification of their registration status with the Minnesota Department of Public Health site and*** may include a certificate of their training or certification. To be competent to provide interpreter services, the interpreter must be proficient in both English and the target language and be able to convey information in both languages accurately, have had orientation/training that includes the skills and ethics of interpreting, have basic knowledge in both languages of specialized program terms or concepts, and be sensitive to the client's culture.

E. Notice of Rights to Language Assistance

Wright County Health & Human Services staff ***must*** inform all clients with LEP of the public's right to free interpreter services and that these services must be provided in a timely manner and must be available during Wright County Health & Human Services' business hours.

Wright County Health & Human Services will use "Interpretation Services Available" chart, which are located in both reception areas. There is also a poster with all languages in each lobby, which helps clients with LEP be able to identify their language needs for staff. Wright County Health & Human Services will also use the "I Speak" posters in the Agency to help staff inform clients that language interpreters are available at no cost to the client.

F. Braille Availability

Materials can be provided tactilely. With such request, contact State Services for the Blind. One page of print normally requires two pages of Braille, depending on font and paper size. There may be fees associated with this transcription. Contact State Services for the Blind (SSB) at (651)642-0500 or 1-800-652-9000.

G. Translation Plan

Wright County Health & Human Services Fiscal/Technology ***Division*** will track all languages used each year, and report to the Agency Director by January 15th of each year. If documents require translation, staff must contact the ***Agency Office Manager II***. The ***Office Manager II*** will contact the list of translation service providers (as defined in ***Attachment I***) and oversee the negotiation of these translation projects.

All Wright County Health & Human Services' forms are available in other forms to people with disabilities by contacting Wright County Health & Human Services at (763)682-7400 (Voice), (763)682-7719 (TTY), or through the Minnesota Relay Service at 1-800-627-3529 or 1-877-627-3848 (speech to speech relay service), or dial 711.

H. LEP Training for Wright County Health & Human Services Staff

Wright County Health & Human Services publishes the **LEP Plan** on the Agency Intranet site, ***under (Health & Human Services Plans)*** so all staff may learn the policies and procedures required to make language assistance available to clients with LEP. A summary of the LEP Plan has also been given to all new employees in their orientation packet since 2002. All staff with ongoing client contact will receive yearly reminders on the LEP Plan, through staff meetings, annual staff training, and the Agency newsletter.

LEP training will include information on the following topics: Wright County Health & Human Services' legal obligation to provide language assistance to clients with LEP; the substance of Wright County Health & Human Services LEP Plan, including its policies and procedures to access language assistance services; list of interpreters; tips on working with interpreters; and how to properly document information about a client's language needs in the client's case file.

- a) Wright County Health & Human Services will adopt the definition of vital document or information as it appears in the OCR Guidance. According to OCR, a document or information should be considered vital if it contains information that is critical for accessing a federal fund recipient's services or benefits, or is required by law. Vital documents include, but are not limited to, applications, consent forms, letters containing information regarding eligibility or participation criteria, notices pertaining to the reduction, denial or termination of services or benefits, notices that require a response from beneficiaries, and documents that advise of free language assistance.

I. Monitoring of the LEP Plan

Wright County Health & Human Services will conduct an annual evaluation of its LEP Plan, to determine its overall effectiveness. The evaluation will consider what is working and what is not, and make adjustments to the LEP Plan accordingly. The evaluation will also determine whether new languages will be added for translation and whether existing languages will be dropped. Wright County Health & Human Services' LEP Coordinator will lead the annual evaluation activities, with the help of a team of staff persons familiar with the LEP Plan and how it functions.

Wright County Health & Human Services' annual evaluation of its LEP Plan will include the following activities:

- 1) Assessment of the numbers of persons with LEP in the service delivery area.
- 2) Assessment of the current language needs of clients with LEP to determine whether clients need an interpreter and/or translated materials to communicate effectively with staff; updating files which lack information about a client's language needs; and confirming information with clients about their language preference at re-certification.
- 3) Determining if existing language assistance services are meeting the needs of clients with LEP.
- 4) Assessing whether staff members understand Wright County Health & Human Services' LEP policies and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.

J. LEP Plan Posted for Public Review.

A copy of the LEP Plan will be posted on the bulletin board in the central lobby at the Financial Offices in the Government Center and the Human Services Center, and also posted on the Human Services Internet homepage.

K. Responsible Authority/Complaint Process - Contact Person

Each department of Wright County Health & Human Services is responsible for implementing this LEP Plan in its area. ***This approved LEP plan for Wright County Health & Human Services will follow the established complaint process identified in the approved Civil Rights Plan, also published for staff and client access by the agency.*** The Wright County Health & Human Services ***Office Manager II and/or Agency Director*** will provide information about this complaint procedure to all clients in a language they understand.

WRIGHT COUNTY HEALTH & HUMAN SERVICES
PROCEDURE FOR ACCESSING LANGUAGE INTERPRETERS FOR WRIGHT COUNTY

The following is a reference guide of how to access interpreter services at Wright County Health & Human Services. Questions related to accessing interpreter services may be directed to the Agency Office Manager II or Agency Director, both of whom serve in the role of agency LEP Coordinator.

Staff has discretion to determine the level of service needed for their client (in-person interpreter service or phone interpreter service). Whenever possible, phone service should be accessed (even for in-person visitors) when this level of service meets the needs of the person with LEP.

When the identity of the person is known at the time of accessing interpreter services, staff must verify if the person is open to PMAP. Our contracted Health Plans do have a protocol for the provision of interpreter services to covered recipients. Staff may utilize these programs to verify PMAP Coverage:

SSIS	(1) Perform a person search -Action - View Cnty Detail (2) Expand the Healthcare Eligibility from MMISfolder. (3) Select the PPHP Data folder. (4) Coverage information will display in the grid on the right side of your screen.
MMIS	(1) Launch MMIS. (2) Navigate to the Recipient File Application Menu (3) Perform an (I) Inquiry of the client's name and/or recipient ID. (4) Select (X) the correct recipient. (5) View the PPHP Begin/End Date panels in the center of the screen. The health plan will be listed by ID versus specific health plan name.

When a person is found to be covered under one of these health plans, please follow the steps below ..

Blue Plus	Call the 800 number that is provided to the client on the back of their member card. The Customer Service Department will arrange for interpreter service and arrange payment from Blue Cross at that time.
Medica	Information yet to be determined.
Health Partners	Contact Interpreter Services at 952-967-7998 or 1-866-885-8880 (toll free). This is also the number for member services, so Health Partners will review benefits with the recipient and assure the service is set up correctly

For persons not enrolled in a PMAP, please follow this process for accessing interpreter services for persons with LEP. (Our de ault hone inter reter services is Lan ua e Line.)

All Languages	<u>Language Line Services</u>	<p>(2)Dial 1-844-663-2140 (3)ndicate: Language (4)Provide Division Code (Financial, Public Health, Social Services or Administration/FTS) (5)Provide 4 digit phone extension <u>assigned</u> to staff (<u>!Y OT</u> 4 digit code you are calling from) (6)Provide Client's PM/#, Case #, SS# or Client DOB.</p> <p>If the client information is not known at the time of the call, you must press the <u>e button twice</u> and then <u># sign</u> to bypass step #5 above. You will still be connected t an interpreter for service at that point. When client information is unknown, stajj is also required to complete the Interpreter Access Form and submit this information to Fiscal or reconciliation with the billin invoice.</p>
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New staff joining the agency also receive a badge card with the above information as a quick reference guide for accessing interpreter services.

WRITTEN TRANSLATION SERVICES

Written translation services must be pre-approved by the Agency Office Manager II who will seek comparable quotes for services to be provided. All translation service providers selected must be registered with the Minnesota Department of Public Health. Some common providers accessed/or this service include . . .

NAME & ADDRESS	TELEPHONE NUMBER
<i>Garden & Associates, Inc. Translators & Interpreters 10000 Highway 55, Suite 400 Plymouth, MN 55441 http://gardentranslation.com/</i>	<i>Phone: 952-920-6160 Toll Free: 877-859-8800</i>
<i>Betmar Languages 6260 Highway 65 NE Suite 308 Minneapolis MN 55432 http://betmar.com/ Email: Translation: best(ii)betmar.com</i>	<i>Phone: 763-572-9711 FAX: 763-571-3467</i>
<i>Bridge World Language Center Inc. 110 2nd Street South Suite 213 Waite Park MN 56387</i>	<i>Phone: 320-259-9239 Toll Free: 800-835-6870</i>
<i>Language Line Solutions To request a quote: translation(a)language_line.com or call 888-763-3364</i>	

Attachment 2

WRIGHT COUNTY HEALTH & HUMAN SERVICES HELPFUL HINTS FOR *ACCESSING* TELEPHONE INTERPRETERS

- 1) Tell the interpreter the purpose of your call & describe the type of information you are planning to convey.
- 2) Enunciate your words and try to avoid contractions, which can be easily misunderstood as the opposite of your meaning. (e.g., "can't - cannot")
- 3) Speak in short sentences, expressing one idea at a time.
- 4) Speak slower than your normal speed of talking, pausing after each phrase.
- 5) Avoid the use of double negatives, (e.g., "If you don't appear in person, you won't get your benefits." Instead, "You must come in person in order to get your benefits.")
- 6) Speak in the first person. Avoid the, " he said/she said." Always speak directly to the client (not the interpreter) and allow the interpreter to translate your words spoken to the client.
- 7) Avoid using colloquialisms and acronyms (e.g., MFIP, MA, GA, GAMC, etc.). If you must do so, please explain their meaning.
- 8) Provide brief explanations of technical terms, or terms of art. (e.g., "Spend-down means the client must use up some of his/her monies or assets in order to be eligible for services.")
- 9) Pause occasionally to ask the interpreter if he/she understands the information that you are providing, or if you need to slow down or speed up in your speech patterns. If the interpreter is confused, so is the client.
- 10) Ask the interpreter if, in his/her opinion, the client seems to have grasped the information that you are conveying. You may have to repeat or clarify certain information by saying it in a different way.
- 11) ABOVE ALL, BE PATIENT with the interpreter, the client, and yourself!
- 12) Thank the interpreter for performing a very difficult and valuable service.