DEPARTMENT OF HEALTH & HUMAN SERVICES
LIMITED ENGLISH PROFICIENT IMPLEMENTATION PLAN
MONTGOMERY COUNTY
2/4/05
Note: Updated Dec 2023

I. PURPOSE

The Montgomery County Department of Health and Human Services (DHHS) is committed to serving all County residents in a professional and respectful manner; including non-English or limited-English speakers, and persons who are deaf, hard of hearing, blind, or have low vision. Language assistance will be provided free of charge to DHHS clients.

The purpose of the Montgomery County Department of Health and Human Services Limited English Proficient Implementation Plan is to provide a set of standardized and coordinated steps to DHHS staff to ensure meaningful access to the full array of DHHS services available to County residents regardless of one's ability to communicate in English. It is the Department's responsibility to ensure that no one is denied service or receives inadequate service as a result of language or other communication barriers. The plan serves to meet the legal obligation of language access requirements stated in federal and state legislations, as well as county policy.

Multilingual signage is posted at key DHHS reception areas to notify residents of their right to such free assistance. Language services are provided through various means as detailed below during all normal business hours, and when necessary, during non-business hours when there is an emergency.

The DHHS LEP Implementation Plan was approved by the Department's Senior Leadership Team in February of 2005. The Office of Community Affairs (OCA) provided initial training and will continue to provide training sessions to familiarize all DHHS staff with this document.

The DHHS LEP Implementation Plan will continuously be shared with key community groups, DHHS boards and commissions, contractors, other County departments, the County-wide LEP Task Force, and posted on the department intra-net site.

Further questions regarding this plan and its implementation may be directed to:

Betty H. Lam
Chief, Office of Community Affairs
401 Hungerford Drive, 5th Floor
Rockville, MD 20850
Betty.lam@montgomerycountymd.gov

II. LEGAL BASES

1) Title VI of Civil Rights Act of 1964 (42 U.S. Code 2000d et.seq.)
2) Presidential Executive Order 13166 of August 16, 2000, enforcement of Title VI of CRA of 1964.
3) U.S. Department of Justice notice of policy guidelines on EO 13166, June 18, 2002.
4) U.S. Department of Health and Human Services notice of revised policy guidance on EO 13166, August 8, 2003.
5) State Government Volume, Annotated Code of Maryland, 10-1101 et. seq. Equal Access to Public Services for Individuals with Limited English Proficiency from 2002 session.
6) Montgomery County Limited English Proficient Statement of Policy, presented at County Executive's Diversity Summit on October 16, 2003.
7) Montgomery County Executive Order 046-10, "Access to Government Services for Individuals with Limited English Proficiency" signed on March 4, 2010
8) Americans with Disabilities Act (ADA) Public Law 101-336

III. DEFINITION OF LIMITED ENGLISH PROFICIENT INDIVIDUALS

County's definition: Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be limited English proficient, or "LEP."

Recognizing the needs of our clients, DHHS further defines limited English proficient individuals as people that cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health and human service providers.

IV. TOP LANGUAGE GROUPS WITH LEP NEEDS IN MONTGOMERY COUNTY

DHHS utilizes a variety of methods to help determine the top LEP communities in the County, including Census data, County data, American Community Survey data, Montgomery County National Park & Planning Commission statistics, feedback from community-based organizations, school enrollment data, County and DHHS staff that provide direct services. The following six language groups have been identified by the County as the largest language groups with the most people reported as speaking English "Less than Well":

- Spanish
- Chinese
- French
- Korean
- Vietnamese
- Amharic

The Department will continue to look at County census numbers and consult with community groups and providers to monitor population shifts and trends in order to adjust the Department's LEP Implementation Plan.

V. PROCEDURES TO ACCESS LANGUAGE ASSISTANCE

A. Inform clients of availability of language assistance at no cost to them

When staff encounters a LEP client, inform the client of the availability of language services at no cost to the client. Use the following steps to help identify the language services needed:

a. Use the Language Identifier provided by Voiance to help identify language spoken
b. Ask client to point to multilingual poster
c. If client is accompanied by an English speaker, ask the English speaker for help in identifying the primary language spoken by the client.
d. If the person is deaf, you can write a note asking the person how you can assist him or her. (See Sign Language Interpreter)
e. **Use of Family and Friends as Interpreters** – Staff are NOT to require or request LEP clients to use family or friends as interpreters, and never to allow the use of minors as interpreters. Staff is to inform all LEP clients of their right to free language assistance. The use of family and friends is discouraged due to issues of competency, confidentiality, and potential conflict in the client/family/friend relationship. <u>The use of family and friends is allowed only after an offer of free language assistance has been offered, declined and documented.</u>

B. Steps to Access Language Services

The DHHS will use a combination of resources available to staff to assist clients with communication needs. Staff should consider various factors to help determine which resource to use, including the most appropriate form of language service for a particular staff/client interaction, the lowest wait time, the most cost-effective use of personnel and contracted services to provide the best quality of service to DHHS clients.

Internal Bilingual Staff – Go onto Montgomery County LEP web link, www.montgomerycountymd.gov/lep, click on "Resources", then "Internal Resources", click on the searchable Certified Language List.

Approximately 1,200+ county employees who have been certified by OHR for their second language proficiency are grouped by language. You will be able to look at individual staff person's level of proficiency, affiliated department, job title, location and phone number. Try to identify your DHHS bilingual colleagues

in or near your program area that can provide interpretation support either by phone or in person.

Montgomery County Volunteer Center Language Bank – The Language Bank is a group of volunteers who are on-call to help translate or interpret for County government and nonprofit agencies serving residents with limited English proficiency. It maintains an updated list of approximately 70 county residents who have second language capabilities, including sign language interpreter services. The Volunteer Language Bank's phone number is 240-777-2600 Voice or 240-777-2630 TTY. You can also access their website at www.montgomerycountymd.gov/apps/lang/index.asp to check through the list of volunteers that covers 33+ languages. When staff is selecting the volunteer, they should consider the times the volunteer listed as most likely to be available and the comments from each volunteer regarding the areas they prefer, or not prefer, to work in.

The Language Bank is for use by County employees and registered nonprofit organizations. It is not for individuals or the general public.

Phone Interpreting Services –Voiance Language Services, LLC, is the county's contracted phone interpretation service vendor. It is a 24-hour over the phone oral interpretation services. Phone interpreting service is most appropriately used for an initial contact at the reception or intake phase which does not require in-depth and lengthy interaction between staff/provider and client.

When you are helping an LEP individual who called in by phone:
- Press Conf (conference) button to put LEP client on hold.
- Call Voiance at **877-715-5502** and you will be prompted by the recording for the following information:
    1. Enter the Department's 9-digit Client ID number: XXXX
    2. Enter your Secure Access Code/PIN – 4 digits (Request it from supervisor)
    3. Follow the given prompts: "Please say the language you need"
    4. "You selected the (language). If this is correct, say 'yes' or press 1. Otherwise, say 'no' or press 2."
    5. If you do not select a language, or need help identifying a caller's language, you will be connected to Client Services who will assist you with getting an interpreter.
    6. Once you are connected with an interpreter, brief the interpreter. Summarize what you wish to accomplish and give any special instructions.
    7. Connect the client to the call by pressing again the Conference call button. Proceed with intake process with client.
    8. Indicate to interpreter when conversation ends.
    9. Hang up the phone.

When you are helping a LEP client who is a walk-in:
- Ask the LEP client to wait while you get an interpreter over the phone. If necessary, use the LEP Helpful Phrases to help you communicate that message.
- Follow above steps 1 through 6 to use the phone interpreter.
- Then take the following steps:

10. Put the interpreter on speaker phone and proceed with the intake process with client.
11. Indicate to interpreter when conversation ends.

When calling a LEP client:
- Dial **877-715-5502**. Go through Steps 1 through 6. Then take the following steps:

12. Press Conf (conference) button to put the interpreter on hold.
13. Call the client.
14. Press Conf (conference) button to add the interpreter to the line.
15. The interpreter may begin to help with greeting the person who picks up the client's phone. You can begin a three-way conversation.
16. Indicate to interpreter when conversation ends.

Reporting a Problem

17. If DHHS staff has a technical problem with the telephonic interpretation service such as not finding a language, or need to make an appointment, dial the toll-free number 1-877-715-5502, enter the account number and PIN, and press "0". Get assistance from a Customer Service Representative.
18. If DHHS staff has a problem with the interpreter, inform the interpreter of the problem, ask interpreter to log off, and call the Voiance number to get another interpreter. Record down the interpreter's ID number if you would like to report the episode to OCA and Voiance.
19. If the wait for an interpreter is too long, call gets interrupted, interpreter was unprofessional, etc., inform Luis Martinez or Betty Lam, OCA . Your experience and feedback will be communicated with Voiance for remedy and improvement.

In-person Interpreter Service - Upon identifying a need for language services that cannot be met by utilizing internal bilingual staff, Volunteer Language Bank, or telephonic interpreting, staff should access contract interpreters to provide language assistance.

Please refer to page 11 of this document for the "Revised Procedures for Requesting of Paid In-person Interpreters" which will provide detail information.

For State-funded services (Medical Assistance, Food Stamps, Child Protective Services, Adult Abuse/Neglect, Child and Adult Foster Care), cost of using an outside interpreter may be deemed as part of the continuum of care and can be reimbursed by State funds associated with these services.

If an interpreter is anticipated on a regular and long-term basis for a particular client, staff should plan in advance to maximize the use of internal HHS bilingual staff and the Volunteer Language Bank.

Sign Language Interpreter – Sign language interpreter services are for people who are deaf or hard of hearing and use sign language to communicate. These services are accessed through a contracted provider, TCS Interpreting, Inc. This contract is managed by DHHS Aging and Disability Services (A&D).

Each service area has designated and trained staff to process request for Sign Language interpreters. For a list of the designated staff person, please contact your program manager or Michelle Kirkpatrick at A&D.

- To fill a request, staff will be asked to provide case information as follows:
    - Date and location
    - Number of hours needed
    - Name of caller
    - Name of Department
    - Name of Service Area-Program
    - Index code and sub-object code for charges (Is this true?)

- Be sure to specify the type of sign language services needed. Sign language interpreter options include:
  - American Sign Language
  - Cued Speech
  - Gesturo for non-English speaking communication, often used in Europe
  - Minimal Language Sign for non-English speaking or limited language skills
  - Qualified Oral Interpreter for lip reading
  - Tactile for people who are also blind
- Emergencies after normal hours (8:30 a.m. – 5:00 p.m.) will be handled by the Crisis Center.

Use of TTY, Maryland Relay, Written Notes, Assistive Listening Devices, Email, Videos

TTY - TTY is a telecommunication device (teletypewriter) for people who are unable to use typical telephone services due to hearing or speech impairments. Typed messages are transmitted directly between two TTY's via a telephone line.

Maryland Relay Services - Staff can use the Maryland Relay Service for telephone communication with those who are deaf, hard of hearing, deafblind, or speech disabled and have a TTY phone at home/office. The Relay Service converts your voice message into a message readable on the client's TTY phone. Call 711 (in the State of Maryland) OR outside of Maryland at 1-800-735-2258. The Maryland Relay for speakers of Spanish is 1-800-877-1264. Give the operator the number you would like to call, and the operator will stay online to relay your conversation. There is no cost for this service. If people need languages for TTY use other than English or Spanish, staff would use the conference feature on the phone to patch in a bi-lingual staff for or the Language Line interpreter.

Written notes –   If the customer has the ability to read, staff may communicate via notes with clients who have a hearing loss or who have difficulty communicating verbally. This is not encouraged, rather try to use a sign interpreter when possible. Some persons who are hard of hearing may also lip read, and staff should always face them when speaking.

Assistive Listening Devices – People who are hard of hearing may request an audio loop in order to participate either in an interview or meeting. A custom integrated audio loop system has been installed in three conference rooms at 401 Hungerford Drive (Conference Rooms 1-A, 1-B, and 1-D, on the 1st Floor; and in the Large 5th Floor Conference Room). The system is an assistive listening device for people who are hard of hearing. The system is designed for use with and without hearing aids. For questions on its use or for information on obtaining an audio loop, call Betsy Luecking at 240-777-1256 V/TTY**.** (Is this still current?)

Email - Please note that people who are deaf or hard of hearing frequently prefer to communicate via email. Be sure to include your email address on brochures and written materials whenever you can.

Videos - All videos that are shown should have visible captioning, and whenever possible staff should also attempt to obtain copies of videos that have audio-description. When conducting a slide or PowerPoint presentation with the presence of a client who is blind or low vision in the audience, staff should read or describe the slides.

All meeting notices should include the following statement so that people know how to request interpreter services:
"Sign language interpreter services or oral language interpreter services can be provided upon request with at least 5 days advance notice.   Alternative formats of this document are available upon request as far in advance as possible, but not less than 5 days prior to

the event. If you need other services or accommodations to participate in this activity, please call **staff name** at 240--------,Voice or 240--------, TTY. Or you may send a request via email to Staff.name@montgomerycountymd.gov
Taking these steps will help us have sufficient time to best meet your needs."

VI. VITAL DOCUMENTS

Vital documents are written materials that contain information critical to a client's access to services or programs, such as applications, consent forms, notices pertaining to eligibility, reduction, denial or termination of services or benefits, letters that require a response from the recipient, as well as outreach materials should be translated into the predominant non-English languages spoken in the service area.

DHHS has developed a Vital Documents Translation protocol as well as a set of questions to help staff determine the best way of conveying essential written information to clients. The following factors will be taken into consideration when ranking the documents with program supervisors:

- Look for the original source of the document for translation assistance.
- Evaluate the programmatic process to see if documents are most useful translated in full, in parts, or explained in-person by bilingual staff for clients during intake process.

Please check with your program manager or the DHHS LEP representative for a copy of the protocol and document evaluation criteria.

Documents can also be made into alternative formats upon request for people who are blind or who have low vision:

- For people who are blind, DHHS can provide, upon request, documents in Braille, on computer disc, on an audiocassette, or staff can provide to the client via email in a Word document so that it can be read by their computer with a screenreader. DHHS staff can obtain a document printed in Braille by emailing it as a W**ord document attachment with no tables, footers or headers** to: Yasmin.Reyazuddin@montgomerycountymd.gov   (Is this still current?)

  The County also has a contract for Braille with Services for the Visually Impaired (SVI), 8700 Georgia Ave., #210, Silver Spring, MD 20910; or call 301-589-0894. Allow two weeks for processing with SVI. (Is this still current? Should staff contact Michele Kirkparick instead of contacting directly with the agency?)

- For people with low vision, documents can be provided, upon request, by DHHS staff in large print which is typically 18 pt. size universal font unless otherwise specified. Staff can also enlarge the original on a copier machine to about one-half inch per letter. The Print Shop can also enlarge the document on their copier.

When posting a document on a website, staff can ensure people with visual disabilities can access that information by creating HTML Web pages whenever possible. Software that reads Web page text out loud (screenreader) is evolving rapidly, but many of the most popular products currently work only with HTML format. Keep in mind the following tips:

You can create an HTML version of an existing Word document by selecting the "Save as HTML" option under "File" on your toolbar. You will know there's an HTML version of the file when you see the "html" or "htm" suffix after the file name.

Even if you create all your Web files as HTML, links to other sites (including to other Montgomery County sites) often contain information presented as Adobe PDF files. In that instance, you might consider using the following statement: "Links we offer to other sites may contain information in an Adobe PDF format. To view and print PDF documents, you must either have a browser that supports PDF or you can download the Adobe Acrobat Reader free from Adobe Systems. DHHS staff is encouraged to consult with IT staff for further guidelines on how to make your site user-friendly for people with disabilities.

Staff can check out the American's with Disabilities Act site on the department's website for further information. http://portal.mcgov.org/content/hhs/acs/ADA%20Related%20Information/accessibleweb_tips.html

VII. DOCUMENTATION

A. Tracking of LEP Data

The capture of critical information regarding the language needs of clients is an essential part of LEP compliance established by various funding sources (including but not limited to the Maryland Department of Human Resources, the Maryland Department of Health and Mental Hygiene, and the Federal Department of Health & Human Services).

In addition, as part of good customer service practices, the ability to identify at first contact a client's linguistic need will greatly reduce unnecessary delays when scheduling appointments.

The capturing of "preferred language" has been built into the essential demographic data fields of the department's new technology system – the electronic health record (EHR) and the enterprise integrated case management system (EICM) launched between 2015-2017.

B. Declination of Language Assistance

If the client is determined to be a LEP person and has been offered free language assistance but chooses not to utilize the service, HHS staff should document such decision in the client's record.

VIII. TRAINING

A. General Staff Training

An essential step to an effective LEP Implementation Plan is to provide staff with adequate training. In May of 2005, over a three-day period, 1000+ DHHS staff attended training sessions conducted by the State Department of Human Resources which provided an overview of the legal requirements of LEP, tips for working with LEP clients and list of state-wide resources. DHHS provided additional training to all staff upon the official adoption of the DHHS-LEP Implementation Plan to ensure staff will fully understand the steps for accessing language services for LEP clients. The mandatory all-staff trainings took place in stages in April and May of 2005 to ensure the LEP Implementation Plan becomes a helpful document in serving our clients.

Since 2007, HHS has incorporated a LEP component in New Employee Orientation and informed staff of essential information related to serving LEP customers. In addition, regular and abbreviated LEP trainings are continuously offered to program units, interns and volunteers upon requests.

B. Bilingual Staff Training

All DHHS bilingual staff that have been certified by the County's Office of Human Resources as bilingual either at the basic or advanced level and have been using their second language ability to help clients have received additional training. The curriculum of the certified bilingual staff training sessions covers the interpreter's code of ethics, standards of practice, confidentiality, cultural mediation and skills building.

The department's philosophy is that although a staff's job title is not officially an "interpreter," anytime a staff utilizes his/her target language skills to assist a client, the staff person is in fact performing the duties of an "interpreter". Therefore, DHHS must demonstrate that all staff person who utilize their language skills on the job are in fact "trained" to do so.

IX. EVALUATION AND MONITORING

The Office of Community Affairs will utilize the following methods to monitor and evaluate the DHHS ability to serve our LEP clients:

1. Continuously review and analyze data collected through the Department's automated client intake process to track LEP trends and usage of services.
2. Periodically review and analyze data on methods (bilingual staff, telephone interpreters, volunteers, contracted interpreters, family members) of providing language access to determine suitability.
3. Report to DHHS Senior Leadership Team when specific trends, cost and occurrences emerged that requires collective review and possible actions.
4. Annually, the Office will seek out opportunities to report to various stakeholder groups (DHHS boards/commissions/committees, County-wide LEP Task Force, County LEP Stakeholders group, minority health initiatives, advocacy groups) on DHHS' LEP efforts and solicit for feedback.
5. The Office of Community Affairs will work with the Office of Planning, Analytics and Customer Service to incorporate questions on Language Access into the customer satisfaction survey postcards that are available at all DHHS public contact locations.

Note: Updated on 3-31-09

Beginning December 4, 2018, HHS will adopt new procedures for requesting per diem interpreter.

Background
- Staff is always encouraged to use OHR-certified bilingual employees as their first choice when assisting clients with limited English proficiency.
- There are also the options of using phone interpretation service or volunteers from the Volunteer Language Bank.
- However, if none of these options are available or appropriate, staff can access per diem in-person interpreters through the three vendors under contract with the County. DHHS staff must follow the procedures listed below when requesting for a per diem in-person interpreter.
- This revised procedure requires staff person to make arrangements directly with the vendors after obtaining authorization from Community Affairs.
- **All requests for an HHS authorization number must be made by HHS staff via email only.**

Step-By-Step Procedures:

1. Go to the DHHS intranet website. Look on the left side for the link that reads: "Interpreter and Translations Requests". The web address is: http://hhsvsharepnt4:16209/Pages/home.aspx.   Fill out the "Request for Authorization" form online and click the "submit" button.
2. Once the Office of Community Affairs receives your email request with all pertinent information filled in (system will not allow the submission of incomplete forms), an authorization number will be issued starting with **HHS-00000**.

3. OCA will forward the authorization number to the vendor directly. You will be copied in that communication. .
4. The vendor will contact you directly and provide the name and contact information of the interpreter that will assist you.
5. The contact information for the county's contracted vendors is listed on the web site.

PRIMARY CONTRACTOR - Schreiber Translations, Inc.

Email: interpreter@schreibernet.com

Project Manager: Tim Brueser (Tel. 301-424-7737, ext. 102)

After-Hours/Emergency Contact: (240) 428-4884

SECONDARY CONTRACTOR – Andean Consulting Solutions International,

Inc. (ACSI)

Email: production@acsitranslations.com

Project Manager: Elizabeth Bermudez (Tel 202-599-8456 ext. 706

After-Hours/Emergency Contact: 202-599-8456 ext. 2 for interpretations; ext. 3

for translations

6. **All requests MUST be made by DHHS staff only.** The Department is not budgeted to accommodate interpretation needs of contractors or partners.
7. The vendor is instructed not to accept any DHHS request for interpreter unless the request shows a valid authorization number issued by the Office of Community Affairs. The Office will use the authorization numbers to verify completion of assignments and to track expenditures.
8. Allow 4-5 days for the vendor to find you an interpreter.
9. **If a scheduled interpreter is cancelled without adequate notice** (at least 24 hours notice) to the vendor and a cost is incurred due to late notification by DHHS staff, **the Department will be charged for the cost**. Please notify the vendor, and copy the approver, as soon as you know of a cancellation.
10. If DHHS program staff experienced a problem with the interpreter, notify the Office of Community Affairs, 401 Hungerford Drive, 5th floor, Rockville, MD 20850. Contact Luis Martinez or Betty Lam. The feedback will be communicated with the vendor for remedy and improvement.
11. In emergencies after normal business hours (8:30 a.m. – 5:00 p.m.) call vendor directly to request for an interpreter. The HHS authorization number must be obtained via email the next business day.