

LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

County Agency: Suffolk County Office for the Aging
Effective Date of Plan: 11/1/13 Revised 10/23/18
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I. Purpose

The purpose of this Language Access plan is to provide assurances and demonstrate that customers of Suffolk County Office for the Aging are being provided meaningful access to program information, benefits and services although the customers may be limited in their English Language Proficiency. This plan will be updated bi-yearly to refresh the assurances contained in the plan, address any changes in methods and update any changes in the LEP population utilizing the county agency.

II. Authorities and Definitions

Federal Authorities

- **Title VI of the Civil Rights Act of 1964**, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination based on race, color or national origin for any programs receiving federal financial assistance. Failure to provide meaningful access to program information, benefits and/or services due to an applicant/recipient's LEP is considered discrimination based on national origin.
- **U.S. Department of Justice Title VI Legal Manual**, January 11, 2001 edition
- **U.S. Department of Labor Policy Guidance on the Prohibition of National Origin Discrimination as it Pertains to Persons with Limited English Proficiency (05/29/03)**, Federal Register, Volume 68, Number 103, Page 32289-32305
- **Presidential Executive Order 13166 (August 11, 2000)** federally funded agencies must take reasonable steps to ensure that people who have limited English proficiency (LEP) have access to the recipient's programs and services.
- **NYS Governor Executive Order No. 26 Statewide Language Access Policy (October 14, 2011)**
- **Suffolk County Executive Order 10-2012 Countywide Language Access Policy (November 9, 2012)**

Definitions of Terms:

- **Effective Communication** – In a human services, social services or job training/assistance setting; effective communication occurs when county agency staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her

language to understand the services, benefits or the requirements for services or benefits offered by the county agency. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by that county agency without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to the county agency.

- **Interpretation** – Interpretation means the oral or spoken transfer of a message from one language into another language.
- **Limited English proficiency** –A person with limited English proficiency or “LEP” is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with a county agency.
- **Meaningful access** – “Meaningful access” to benefits, programs and services is the standard of access required of the county agencies. Meaningful access requires compliance by county agencies with state and federal LEP requirements as set out in relevant state and federal laws. To ensure meaningful access for people with LEP, county agencies must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.
- **Translation** – Translation means the written transfer of a message from one language into another language.
- **Vital Documents** – forms or documents utilized by the county agency that are critical for accessing services or benefits or are required by law.

III. Suffolk County Office for the Aging Policy

It is the policy of Suffolk County Office for the Aging to provide meaningful access to all individuals applying for, participating in programs or receiving services/benefits administered by, supervised by, authorized by and/or participated in by Suffolk County Office for the Aging. Meaningful access involves Suffolk County Office for the Aging promoting effective communication to LEP individuals seeking or receiving services, benefits or participation in programs. This plan specifically provides necessary assurances and identifies tools being used to effectuate this policy.

IV. LEP Population

Suffolk County Executive's Office has determined that the languages other than English that are most likely to be encountered by employees of the Suffolk County Office for the Aging are Spanish, Italian, Chinese (Mandarin), Polish, French Creole, and Portuguese. This information is based on US Census data. Suffolk County Office for the Aging will periodically monitor the LEP population of those served or those who could be served by Suffolk County Office for the Aging. If it is determined that other LEP language groups are seeking benefits/services or are

potentially eligible to receive benefits/services within Suffolk County, Suffolk County Office for the Aging will adjust its methods and services to serve the new population accordingly. Any change in LEP populations will be reflected in the next LEP plan.

V. Interpreter Services

Suffolk County Office for the Aging, at no cost to the LEP individuals or families, provides interpreter services to all LEP individuals or families applying for, participating in programs or receiving services/benefits through the Suffolk County Office for the Aging. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in a county run program beyond that of an English speaking individual or family. The Suffolk County Office for the Aging makes this policy known to the LEP through laminated signs informing clients, in fifty different languages, that an interpreter is available.

Suffolk County Office for the Aging addresses phone calls and voice mail by LEP individuals through the use of Language Line Solutions.

Suffolk County Office for the Aging addresses walk-ins to the H. Lee Dennison Building who are LEP individuals in the following manner. Laminated signs are on display in the reception area indicating the availability of translation services. If a walk-in indicates the need for a translator, staff will call Language Line Solutions utilizing a dual handset telephone, indicate the language required, and utilize the two handset phone to assist the individual in the language of their choice.

Suffolk County Office for the Aging does not require, suggest or encourage LEP individuals or families to use friends or family members as interpreters. If an LEP individual or family insists that a friend or family member serve as interpreter, Suffolk County Office for the Aging will document that choice. Suffolk County Office for the Aging will then, on a case by case basis, consider factors such as: competence of the family or friend used as the interpreter; the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative affect on the individual or family's eligibility for benefits/services; potential or actual conflicts of interest; and confidentiality of the information being interpreted to determine whether Suffolk County Office for the Aging should provide its own independent interpreter for itself. In no case does Suffolk County Office for the Aging allow a minor child to act as interpreter for an LEP individual or family.

VI. Translation of Documents

Suffolk County Office for the Aging has translated all vital documents into each LEP language group designated by the Suffolk County Executive's office. These vital documents include:

Brochures:

- Case Management and Home Care Services
- Dining and Nutrition Programs for Suffolk County Seniors
- Family Caregiver Support Program

Services for Suffolk County Seniors
SCOFA Program & Services Guide

Case Management:

- Ancillary Services Request
- EISEP Clients Rights
- EISEP or CSE Client Agreement
- EISEP Welcome Letter

HEAP:

- Save and Heat

Informed Consent:

- Informed Consent Aging Services
- Informed Consent NY Connects
- Informed Consent Revocation

Nutrition:

- Nutrition Clients Rights
- Nutrition Grievance Form
- Nutrition Grievance Procedure
- Nutrition Screening Form

VII. Monitoring

The Language Access Coordinator will monitor the agency's compliance with Executive Order No. 10-2012 by annually collecting data on the provision of language assistance services, the availability of translated materials, whether signage is properly posted, and any other relevant measures.

The Language Access Coordinator will be responsible for annually reviewing all new documents issued by SCOFA to assess whether they should be considered vital documents and be translated.

VIII. Training

Suffolk County Office for the Aging ensures that all personnel are aware of its LEP policies, methods of providing services to LEP individuals and other information contained within this plan. Training on how to access Language Line Solutions interpretation services is mandatory for all staff and will be held at least once a year. Training on cultural competency will be included in this annual training. Information on how to access this service is included in the training manual for all future employees.

VIII. Complaints

SCOFA will adhere to the countywide grievance policy developed by the County Executive's office. The Access to Services in Your Language: Complaint Form will be available in our two office locations, and on our website.