

Swift County Human Services

Limited

English

Proficiency

Plan

Swift County Human Services
410-21st Street South
Benson MN 56215

Limited English Proficiency Plan
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4-1-01 (updated 5-14-10)

LEP Coordinator:	Deanna Steckman, Director	320-843-6301
Financial Services:	Mary Erickson, Supervisor	320-843-6303
Child Social Services:	Lorri Pederson, Supervisor	320-843-6309
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100 Purpose And Legal Basis

The following document serves as the Swift County Human Service (SCHS) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq; and 42 CFR 435 et seq. There are four components to this document.

200 Assessment

300 Policy

400 Training

500 Monitoring

200 Assessment

201 Needs Assessment - SCHS will on at least an annual basis make a needs assessment of the unique language needs within Swift County. Consultation will be made with the three major school districts in the County. Additionally, consultation will be made with the Legal Aid office located in Willmar. Consultations will aim at trying to discern the types of non-English languages that are most predominant in Swift County and which constitute populations that the County serves or those that may be eligible for County-provided services. The County will also be amenable to receive County-specific data from the Department of Human Services to assist in this form of needs assessment. The following non-English language has been identified as being the most likely to be encountered in Swift County: **Spanish**

202 Case Finding - Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the **Health Care Application (HCAPP)** and the **Combined Application Form (CAF)**. Language preferences will be entered into the applicant's primary language field in the MAXIS system. If an interpreter is needed, it also will be entered in the MAXIS system. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will present the LEP person with a card that lists the seven major languages in order to determine which language is involved, if any. It is expected that reasonable efforts will be made by SCHS to provide same-day interpreter services.

203 Points of Contact - The greatest likelihood of need for interpreter services will be at the point of intake - at the time of an emergency or application for financial assistance. The

principal point of contact will most likely be, therefore, in the office setting in Benson. The most appropriate form of interpreter services will likely be language assistance in completion of an application for financial assistance or health care. The other point of contact may involve field-based contact when conducting child protection assessments. These contacts will typically take place in the home of the child's caretaker or parent.

204 Resources Needed - SCHS will utilize its formal linkage with the **Private Industry Council** in Montevideo, Minnesota, for Spanish interpreter services. Additionally, SCHS will formally entertain a formal linkage with **Language Line Services** (1-800-752-0093) for Spanish and other languages involved with **Language Lines Services** "tier" system. Additionally Secure Blue Interpreter Services (1-800-711-9862) is available for consumers and providers; also UCare Language Line/Provider Assistance Center (1-888-531-1493) is available. When feasible, on-site interpreter services will be made available and would be the first preference. (Note: The closest available Spanish interpreter is 32 miles from the Agency.) SCHS has virtual presence communication (VPC) capabilities. When appropriate, the use of VPC will be considered. Use of reciprocal faxing processes will be used when necessary – to facilitate completion of applications and processing of interviews.

205 Timely Access - The **Private Industry Council** service is available during customary business hours, Monday through Friday, 8:00AM to 4:30PM. **Language Line Services, Secure Blue Interpreter Services, and UCare Language Line** are available 24x7. Contact with either entity will be made by commercial phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times - for the consumer and the interpreter. Use of VPC, if used, will occur in a private setting within SCHS.

300 Policies and Procedures

301 Agency Commitment - SCHS is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all persons, including persons with LEP, to the various programs operated within Swift County Human Services. SCHS has, by prior action, adopted a policy statement entitled **Civil Rights Compliance Requirements** effective 1-1-95 and affirmed again on 1-1-01, this in conformity with DHS Bulletin #94-84A dated 12-27-94.

302 Range of Oral Language Assistance - There will be limited oral language assistance on site in SCHS from current employees. Employees have very cursory proficiency in a few non-English languages. Rather, use will be made of the formal linkage with the **Private Industry Council, Secure Blue Interpreter Services, or UCare Language Line**. With Spanish being identified as the primary non-English language in Swift County, use of these services is seen as encompassing close to 100% of the LEP needs of SCHS. Subsidiary use of **Language Line Services** for Spanish and all other non-English language will take place as necessary. SCHS will take advantage of brief "notice of rights to language services" documents for persons with LEP as they are made available by the Department of Human Services.

303 Uncommon Languages - There may be circumstances when consumers present for services who use a language other than that most commonly used in Swift County. There may be languages such as Russian, Hmong, Vietnamese, Khymer/Cambodian, Lao, Somali, and the like. Receptionist staff will refer all such cases to the Financial Services Supervisor, Social Service

Supervisors, or Director. This person will be responsible for trying to determine the consumer's language or country of origin. Once determined, contact will be made with an appropriate **Language Line Services** interpreter in the customary manner.

304 Affirmative Action - The SCHS employee handling the case will inform either the consumer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the consumer incur any costs associated with LEP-directed interpreter services.

305 Use of Family and Friends - Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or Director. Alternative methods of consumer service will need to be discussed. If the worker has determined that a family member, friend, or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the consumer's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the consumer insisted that a family member or friend be used. Under no circumstances may minor children be used for interpreter services.

306 Competency Standards for Interpreters - Any interpreter used for LEP services must be bilingual: fluent in English and fluent in the language of the consumer needing the service. When using well-recognized interpreter services provided from a recognized agency - such as the **Private Industry Council, Secure Blue Interpreter Services, UCare Language Line, and Language Line Services**, competency is presumed. When using family, friends or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. "Certification" as an interpreter is not a pre-requisite.

307 Dissemination of LEP Plan - Copies of the **LEP Plan** will be provided to the following: all SCHS employees who have direct consumer contact, area Legal Aid office, Private Industry Council, Countryside Public Health Service, and Swift County Courthouse. A copy of the main public announcement, **MS-1659**, will be prominently displayed in the SCHS central reception area.

308 Services To Illiterate - When confronted with a situation in which the consumer is illiterate - cannot read or write in his or her native language - it is incumbent that SCHS find a suitable interpreter, one who can assist the person in completion of necessary forms, documents, and the like. The SCHS intake worker needs to make the determination, in conjunction with the interpreter, about the consumer's literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Use of the VPC, faxing of forms, and over-the-phone services may be required on a case-by-case basis.

309 Emergency Situations - When a determination has been made that an emergency exists and LEP considerations are identified as being present, SCHS may waive all restrictions in order to insure that necessary emergency services are provided. Extraordinary efforts need to be put forth before circumvention of non-emergency procedures are followed. Consultation with a Supervisor or the Director is necessary before such action is taken.

310 Access To and Costs of Interpreters - Under no circumstances will SCHS indicate - either verbally or in writing - that any applicant or consumer in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or consumer. Such services will be provided during all normal business hours and when necessary, during non-business hours when an emergency has been determined to exist.

311 Notice of Service Availability - LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the consumer is not able to communicate in English. Notice of service availability will come from the **MS-1659** document in the central reception area. Distribution of the **LEP Plan** to various parties cited above will help in putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it has been determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, SCHS will access these forms as necessary. Access to the Department's website at www.dhs.state.mn.us/forms will be made. Additionally, translated income maintenance forms located in **TEMP Manual 12.01.13** will be accessed as needed.

312 County-Produced Materials - Insofar as the LEP census in Swift County is accurate, it is not anticipated that SCHS will develop any SCHS-produced material; SCHS will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web-page will also be used as necessary. SCHS will follow DHS's translation numerical guidelines as required.

313 Complaint Resolution Protocol - Any adverse action taken by SCHS with which an applicant or recipient disagrees is subject to complaint. SCHS has a formal complaint process that can be utilized to try to resolve any dispute. In the absence of local resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow in make a complaint to DHS or the Office of Civil Rights. The complaint procedure will conform in all respects to the extant SCHS procedure included in **Civil Rights Compliance Requirements**. Appropriate use of interpreter services with either the **Private Industry Council** or **Language Line Services** to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of this **LEP Plan**.

314 Posting - A copy of the SCHS **LEP Plan** will be posted on the main bulletin board in the central lobby.

400 Training

401 Distribution of LEP Plan - All SCHS employees who have direct contact with consumers will be provided a copy of the **LEP Plan** upon its adoption. If any changes are made in the

document, a revised copy will also be provided to the same entities listed in #307. The following employees will be recipients of the document:

All Financial Services Staff	(N= 9)	Office Support Specialist	(N=1)
All Social Services Staff	(N=17)	Fiscal Supervisor	(N=1)
Director	(N=1)		

402 Training of Staff - Initial - With approval of the **LEP Plan**, there will be initial training on the document. This training will take place for current staff in the context of an "All Staff" meeting. For any new employee affected by the **LEP Plan**, this document will be incorporated into that person's "generic orientation" protocol at the time of hire.

403 Training of Staff - Ongoing - On at least an annual basis at an "All SCHS Staff" meeting, a review of the **LEP Plan** will take place.

500 Monitoring

501 Evaluation of the LEP - On at least an annual basis, the **LEP Plan** will be reviewed for effectiveness. This review will normally take place in January. It will be coordinated by the SCHS LEP Coordinator. The evaluation will involve consultation with representatives of the Financial Services Unit and Social Services Unit to determine compliance with the **LEP Plan**, identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include the following:

- *Number of persons with LEP in Swift County.
- *Assessment of current language needs of SCHS applicants and consumers to determine if the consumers need an interpreter and/or translated materials;
- *Updating case files which lack information about a consumer's language preference;
- *Determining if consumers need to be asked their language preference at the time of certification;
- *Determining whether existing assistance is meeting the needs of applicants and consumers with LEP;
- *Assessing whether staff members understand SCHS LEP policies and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible;
- *Seeking and obtaining feedback from non-English or limited-English speaking communities in Swift County including applicants and consumers as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

502 LEP Contact Person -For purposes of the LEP Plan, Swift County's designated contact person is the Director with appropriate delegation made to the Financial Assistance Supervisor and the Social Service Supervisors of SCHS.