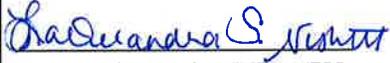
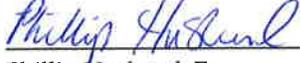




District of Columbia Department of Health <h1>Language Access</h1>		PROCEDURE 250.10 Implementing Office: Office of the Director/Office of Communications and Community Relations Training Required: Yes Originally Issued: 1/31/14 Revised/Reviewed: October, 2016
Approved by:  LaQuandra Nesbitt MD, MPH; Agency Director	Review by Legal Counsel:  Phillip Husband, Esq.; General Counsel	Effective Date: NOV 30 2016 Valid Through Date: NOV 30 2019

I. Authority	Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code §§ 2-1931 through 2-1937).
II. Reason for the Policy	The Language Access Act of 2004 mandates that District of Columbia Government agencies provide linguistically relevant access to all available programs and services to individuals with limited or no English language proficiency. This policy establishes procedures and responsibilities in furtherance of implementing this mandate.
III. Applicability	This policy applies to all DOH employees, contracted staff, volunteers, interns, and summer youth employees. These parties are collectively referred to herein as “employees,” or “DOH employees.”
IV. Policy Statement	<p>All DOH employees shall provide linguistically relevant access to any Limited English Proficient Person (LEP) or Non English Proficient Person (NEP) communicating with DOH in any capacity including, but not limited to: seeking health information or referral, or accessing a service provided, funded, or regulated, by DOH.</p> <p>When engaging with a Limited English Proficiency (LEP) or Non English Proficiency (NEP) customer (see Section V- Definitions and Acronyms), a DOH employee is responsible for promptly utilizing the DOH Language Line to facilitate meaningful access to DOH services and ensure DOH compliance with the Language Access Act of 2004. Bilingual employees are only to be used as interpreters if the Language Access Line is unavailable. The Language Access Coordinator is responsible for providing guidance upon request to</p>

any employee requiring assistance providing linguistically relevant access to a DOH stakeholder.

The Director has the authority, at his/her discretion, to create a bi-lingual employee volunteer program wherein staff may be approved to serve as interpreters for LEP/NEP individuals. Participants must be in good job standing and are bound to any standard established by the DC Office of Human Rights (DCOHR) for verifying language fluency including, if requested, passing an exam.

All employees shall attend an annual language access training to ensure they are apprised of the most updated language access resources. The Language Access Coordinator shall coordinate the training and collaborate with the DOH Office of Human Resources (DOH HR) to promote the training and track employee attendance.

Employees whose job duties include direct customer service may be required by their supervisors to attend language access training beyond the annual requirement. A supervisor may mandate additional training for reasons including, but not limited to:

1. New employee orientation
2. The training is an item in an individual employee's Employee Performance Plan
3. The training is an item in an individual employee's Performance Improvement Plan (PIP)
4. A unit-wide quality improvement project
5. The resolution of a finding or corrective action plan item resulting from a unit-wide evaluation
6. The resolution of a corrective action plan item resulting from a specific complaint or pattern of complaints.
7. A substantive change in language access resources or procedures necessitating retraining

The Language Access Coordinator shall maintain a current list of resources available to DOH employees (i.e. interpreters) to facilitate linguistically relevant access and make contact information for interpretation services available to DOH employees upon request.

The Language Access Coordinator shall evaluate all written materials distributed to the public to ensure linguistically relevant access to vital health information being disseminated.

Any employee observing, or receiving a complaint alleging, that linguistically relevant access was not provided by a DOH employee or a community-based organization providing DOH-funded services, shall report that information immediately to the Language Access Coordinator. In turn, the Language Access Coordinator shall ensure these complaints are promptly reported to the Office of Human Rights (DCOHR).

The Language Access Coordinator shall be responsible for all regular and ad hoc reporting on language access to DCOHR.

The Language Access Coordinator shall coordinate the revision of the Biennial Language Access Plan every two years. This shall, at a minimum, include coordination of annual data collection on the languages spoken and the number of limited or no-English proficient persons speaking a given language in the population that is served or encountered, or likely to be served or encountered, by DOH. DOH shall ensure that databases and tracking applications contain fields that will capture this information.

The Language Access Coordinator shall also coordinate the implementation of all components of the plan including, but not limited to:

1. Advising program managers developing Statements of Work or Sub-Grant Agreements to ensure that all vendors receiving DOH funding are accountable for providing linguistically relevant access.
2. Providing training to vendors receiving DOH funding on providing linguistically relevant access.
3. Providing guidance and resources on recruiting a linguistically diverse workforce to the DOH Office of Human Resources (DOH HR).
4. Providing recommendations on improving DOH capacity to provide linguistically relevant access through technology, training, or any other applicable resources.

The Language Access Coordinator shall coordinate the translation of vital documents into any non-English language spoken by a

	<p>limited, or no-English proficient population that constitutes 3 percent or 500 individuals, whichever is less, of the population served or encountered, or likely to be served or encountered, by DOH in the District of Columbia.</p> <p>Any employee not in compliance with the requirements in this SOP may be subject to commensurate disciplinary action.</p>
<p>V. Definitions & Acronyms</p>	<p>Cultural Competence – Cultural competence is the ability to interact effectively with people of different cultures. In practice, both individuals and organizations can be culturally competent. Culture must be considered at every step of the Strategic Prevention Framework (SPF). “Culture” is a term that goes beyond just race or ethnicity.</p> <p>Cultural competence includes being able to recognize and respond to health-related beliefs and cultural values, disease incidence and prevalence, and treatment efficacy. Examples of culturally competent care include striving to overcome cultural, language, and communications barriers; providing an environment in which patients/consumers from diverse cultural backgrounds feel comfortable discussing their cultural health beliefs and practices in the context of negotiating behavior change, direct services, using community workers as a check on the effectiveness of communication and care; encouraging patients/consumers to express their spiritual beliefs and cultural practices; and being familiar with and respectful of various traditional healing systems and beliefs and, where appropriate, integrating these approaches into services provided by DOH.</p> <p>Interpretation – the process of orally conveying the meaning of something said from the speaker’s language into the language of the listener and vice versa. There are three common types of interpretation: (1) <i>Consecutive Interpretation</i> – the interpreter interprets a speaker’s words orally after the speaker has communicated his thoughts. The interpretation process follows in a consecutive manner; (2) <i>Simultaneous Interpretation</i> – the interpreter speaks simultaneously with the speaker (while the customer or service provider is still speaking). This usually entails auditory equipment for the listener(s) of the targeted language. Simultaneous interpretation works best in large settings such as public hearings or large community events; (3) <i>Sight Translation</i> –</p>

the interpreter reads a document written in one language and translates it orally into another language for the listener.

Language Access Act of 2004 – Legislation approved by the Mayor and the Council of the District of Columbia for the purpose of providing greater access and participation in public services, programs, and activities for individuals with limited or no English proficiency by requiring that District government entities provide competent and relevant language access services free of charge.

Language Access Coordinator – The individual responsible for conceptualizing, developing, and enforcing the mechanisms used to comply with the District of Columbia Language Access Act of 2004 within the Department of Health.

Limited English Proficient Person (LEP) or Non English Proficient Person (NEP) – Any individual who cannot speak, write, read, or understand the English language at a level that permits him or her to interact effectively with Department of Health employees, contractors, grantees, or partners due to having been accustomed to speaking, writing, reading, or understanding a language other than English and not as result of a physical or mental disability.

Linguistically Relevant Access – Access provided to customers in a preferred language that reflects their choice and comfort in fully understanding the message to be conveyed by DOH in oral, printed, or sign language communications.

Language Threshold- Agency exposure to a non-English language spoken by a limited or non-English proficient population that constitutes 3 percent of the agency’s customers or 500 individuals, whichever is less. Once the agency reaches the threshold for a language, the agency must provide translations of vital documents in that language.

OCFO – Office of the Chief Financial Officer

Oral language services- Using verbal means of communication to enable limited or non-English proficient individuals to access or participate in programs or services offered by DOH employees, contractors, grantees, or partners. These services may include placement of bilingual staff in public contact positions;

	<p>coordinating access to experienced, trained, and certified interpreters through contract or other means; coordinating access to telephonic language interpretation services through contract or other means; and/or using interpreters made available by community based organizations that are funded by DOH for that purpose.</p> <p>Vital Documents – Applications, notices, complaint forms, legal contracts, and outreach materials published by DOH in a tangible format that inform individuals about their rights or eligibility requirements for benefits and participation.</p>
<p>VI. Procedures</p>	<p>Procedure A: Customer Service for LEP and NEP Customers</p> <ol style="list-style-type: none"> 1. If an LEP or NEP customer presents at a DOH location to receive a service, the DOH employee serving the individual shall utilize the Language Access Line to coordinate language access. 2. If the Language Access Line is not available, an identified and approved bi-lingual employee may serve the customer. 3. If the employee requires any additional guidance on serving the LEP/NEP customer, he/she shall contact the Language Access Coordinator or, in his/her absence, the alternate Language Access Coordinator for further guidance. <p>Procedure B: Public Complaints regarding Language Access Violations</p> <ol style="list-style-type: none"> 1. Any employee who receives a complaint regarding language access shall report it immediately to his/her supervisor as well as the Language Access Coordinator. 2. The Language Access Coordinator shall report the complaint immediately to the Office of Human Rights for tracking purposes. 3. The Language Access Coordinator shall be the primary point-of-contact for all inquiries made by the Office of Human Rights pursuant to an investigation of a complaint and shall comply fully with all investigations of language access complaints.

Procedure C: Language Access Training

1. The Language Access Coordinator shall designate times and dates for the required annual language access training.
2. He/she shall update the curriculum in advance of the annual sessions.
3. The Language Access Coordinator shall engage the DOH Training and Organizational Development Officer to refine the curriculum, promote the training, and ensure that employee attendance is accurately tracked.
4. At the conclusion of the sessions, the Language Access Coordinator shall collaborate to provide each administration with a report of employee attendance, including all employees who failed to attend the training.
5. The Language Access Coordinator may offer ad hoc sessions of language access training to accommodate employees out of compliance with the annual requirement, or employees whose duties include direct service to the public who require additional training (see policy statement above).

Procedure D: Translation of Documents

1. DOH administrations shall identify all documents which require translation. A document shall be translated if any of the following conditions are met:
 - The document is included in the list submitted in the Biennial Language Access Plan (see Procedure E Step 4 below).
 - The document is a component of a service utilized, or likely to be utilized by a group identified in the most recent Biennial Language Access Plan (See Procedure E Step 2 below).
 - Empirical data collected since the most recent formal annual collection (See Procedure E Step 2 below) indicate that translation is necessary to maintain language access. The Senior Deputy Director has the discretion to request translation based upon anecdotal data from staff interacting with the public in the absence of empirical data.
2. Any document meeting the above standard not currently available in the necessary language(s) shall be submitted in writing to the Language Access Coordinator.

3. A new document requiring translation shall be submitted to the Language Access Coordinator twenty (20) business days in advance of its formal issuance using the Document Translation Request Form and shall include approval by the Senior Deputy Director or his/her designee. Emergency requests for translations shall be accompanied by written justification as well as approval from the Senior Deputy Director.
4. The requestor shall use the Document Translation Request Form to indicate the languages required, as well as any special instructions.
5. The Language Access Coordinator shall obtain estimates on cost and completion date to complete the work from a translation vendor with a current agreement in place. He/she shall document that information in the Document Translation Request Form.
6. The Language Access Coordinator shall communicate the schedule and cost back to the requestor.
7. The Language Access Coordinator and requestor shall collaborate to determine the availability of funds to facilitate the translation.
8. The Language Access Coordinator shall collaborate with OCFO staff to certify the funding.
9. The Language Access Coordinator shall document the funding attributes and confirm funds are certified in the Document Translation Request Form.
10. The Language Access Coordinator shall submit the request to the translation vendor and monitor the work to ensure timely completion consistent with the instructions in the Document Translation Request Form.
11. Upon completion, the translated document(s) shall be returned to the requestor.
12. The Language Access Coordinator shall retain an electronic copy of every document translated using this procedure for reference purposes, as well as inclusion in the next Biennial Language Access Plan.

Procedure E: Biennial Language Access Plan

1. The Language Access Coordinator shall collaborate with DOH HR to develop an updated list of public contact positions in the Department and the number of bilingual employees in such positions.

	<ol style="list-style-type: none"> 2. The Language Access Coordinator shall compile all available data annually from DOH databases and tracking applications, and approved external databases, to determine the languages spoken by 3 percent, or 500 individuals, whichever is less, of the population served or encountered, or likely to be served or encountered, by DOH. 3. The Language Access Coordinator shall consult with the Chief Operating Officer and the Agency Fiscal Officer to identify funding and budgetary sources upon which DOH intends to rely to implement its Biennial Language Access Plan. 4. Utilizing the above assessments, the plan shall contain updated information on the following: <ul style="list-style-type: none"> • The number of public contact positions in the Department and the number of bilingual employees in such positions. • The types of oral language services DOH will provide, and how that determination was reached. • The titles of translated documents DOH will provide and how the determination was reached. • An evaluation and assessment of the adequacy of the services to be provided. • A description of funding and budgetary sources upon which DOH intends to rely to implement its Biennial Language Access Plan. 5. The Biennial Language Access Plan shall be reviewed by the Director and submitted to the DC Office of Human Rights. The completed document shall be submitted by 30 days prior to the expiration of the previous document.
VII. Contacts	Language Access Coordinator – 442-9412
VIII. Related Documents, Forms and Tools	Document Translation Request Form Reference Guide: How to Use LanguageLine Solutions for Telephonic Interpretation