



Limited English Proficiency Plan



Minnesota Department of Human Services

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This information is available in other forms to people with disabilities by contacting us at (651) 431-4028 (voice). TTY/TDD users can call the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.



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Purpose

The purpose of this plan is to ensure customers of the Minnesota Department of Human Services (DHS) meaningful access to program information and services although they may be limited in their English language proficiency.

DHS is committed to this plan as the appropriate response to meeting our customers' needs. The plan is also consistent with federal requirements. All agencies that receive federal financial assistance from the U.S. Department of Health and Human Services (HHS) 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.

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 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**, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 68FR 47311 (2003). <http://www.hhs.gov/ocr/lep/>
- **Department of Justice regulation**, 28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation
- **Bilingual requirements in the Food Stamp program**, 7 CFR §272.4 U.S. Department of Agriculture, Food and Consumer Service

Definitions of terms

- **Effective communication** - In a human services setting, effective communication occurs when provider staff have taken the necessary steps to make sure that a person with limited English proficiency is given adequate information to understand the services and benefits available and receives the benefits for which he/she is eligible. Effective communication also means that a person with limited English proficiency is able to communicate the relevant circumstances of his/her situation to the provider.
- **Interpretation** - Interpretation means the oral or spoken transfer of a message from one language into another language.
- **Limited English Proficiency (LEP)** - 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 health and social services agencies and other providers.
- **Meaningful access** - Meaningful access to programs and services is the standard of access required of federally funded entities to comply with

Title VI's language access requirements. To ensure meaningful access for people with limited English proficiency, service providers must make available to applicants/recipients free language assistance that results in accurate and effective communication.

- **Office for Civil Rights (OCR)** - The Office for Civil Rights is the civil rights enforcement agency of the U.S. Department of Health and Human Services. OCR Region V is the regional office that enforces Title VI in Minnesota for health and human services agencies/ providers.
- **Primary languages** - Primary languages are the languages other than English that are most commonly spoken by DHS clientele as identified by DHS' methodology workgroup. Currently there are 10: Arabic, Hmong, Khmer (Cambodian), Lao, Oromo, Russian, Serbo-Croatian (Bosnian), Somali, Spanish, and Vietnamese.
- **Translation** - Translation means the written transfer of a message from one language into another language.

Meaningful access policy

Persons covered by this plan

This plan was developed to serve DHS customers, prospective customers, their family members, or other interested members of the public (hereafter called "clients") who do not speak, read, write or understand English or who do so on a limited basis. A client has 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 DHS and/or county human services staff.

DHS commitment to meaningful program access

No person will be denied access to DHS program information or programs because he/she does not speak English or communicates in English on a limited basis. DHS will provide for effective communication between clients with LEP and DHS staff by making appropriate language assistance services available when clients need these services. DHS will provide its clients with meaningful access to programs and services in a timely manner and at no cost to the client.

Affirmative offer of language assistance

DHS staff will initiate an offer for language assistance to clients who have difficulty communicating in English. Also, when clients ask for language assistance, staff must offer free interpretation and/or translation services in a language they understand, in a way that preserves confidentiality, and in a timely manner. Whenever possible, staff are encouraged to follow a client's preferences.

Competency standards for interpreters

To provide effective services to LEP persons, DHS will use competent interpreters. "Competency" requires that interpreters will have demonstrated proficiency in both English and the intended language; training that includes the skills and ethics of interpreting (e.g. issues of confidentiality); fundamental knowledge in both languages of any specialized terms or concepts; and sensitivity to the client's culture.

Quality standards for translated documents

DHS obtains translation services only from vendors who have a master contract with the Department of Administration. Vendors who have a master contract were selected through an extensive RFP process. These vendors have internal proofing and editing processes. In addition, each linguistic community reviews translated documents for appropriateness of terminology. When available, DHS bilingual staff and/or partners review translated documents for accuracy, as well.

Using an interpreter

General requirements

1. Verify client identity

Before releasing case-specific information, DHS staff must verify the identity of the client. Bilingual staff, Language Line Services staff, or vendors providing interpretation or translation services through contracts with the state may assist DHS staff in making verifications.

2. Document use of interpreter

DHS staff must always document in the client's case file or keep appropriate records when an interpreter is used or when a client makes use of another form of language assistance. Accurate

documentation is especially important for direct service staff.

3. Do not use minor children

DHS staff must *never* use minor children as interpreters.

4. In-person interpreter services

If an interpreter is needed in-person, rather than over the telephone, staff will make arrangements to have an interpreter available at a time and place that is convenient for both the interpreter and the client. Staff may make arrangements for in-person interpreting by contacting vendors directly (see pages 6 through 7 for information on retaining an interpreter).

5. Uncommon languages

When interpreter services are needed for a language not commonly spoken in Minnesota, use the interpreter resources listed below.

Interpreter resources (by order of preference)

As much as possible, staff should use interpreter services in the following order of preference:

1. DHS bilingual staff

DHS will use its best efforts to assign clients with LEP to bilingual staff who speak their language.

2. Telephone interpreter services - Language Line Services

Language Line Services, formerly known as AT&T Language Line, provides telephone interpretation in over 140 languages 24 hours a day, seven days a week. The Minnesota Department of Administration's InterTechnologies Group manages a statewide contract with Language Line Services for use by state agencies.

Staff should use Language Line Services when bilingual staff are not available, when the language is one not commonly encountered at DHS or when staff are not sure what language a client speaks.

- To access Language Line Services:

For a current InterTech rate schedule, see <http://www.intertech.state.mn.us/languageline>.

- Users of this interpreter service are charged on a per-minute basis.
- To access Language Line Services, you will need to know both the dialing instructions below and the DHS Client Code (509052). Remember to keep your division's personal access code handy—check with your area's support staff.
- To obtain a division code which will become your personal access code (if your division does not have one already), contact the Telecom Help Desk in Management Services at (651) 431-2100. The Department of Administration provides both the client and personal access codes via a Telecom Service Request (TSR).

- To receive a call

When you answer a call and determine you need language assistance:

- Create a 3-way conference call using either the switchhook, the flash button or the transfer button on your telephone (tell the caller "hold on," "wait," "one moment," etc., to indicate that you are not hanging up).
- Call Language Line Services (according to the dialing instructions below) and the interpreter will be on the line.
- Then, add the caller back to the call so that all three parties are connected.

- To generate a call

- Place the call to the Language Line Services (according to the dialing instructions below) to bring the interpreter on the line.
- Create a 3-way conference call using the switchhook, flash button or the transfer button on your telephone.
- Add the client or applicant to the conversation once you have all three parties connected. (This scenario works if you have the client in your office or the client is waiting for you at a predetermined number.)

The 3-way calling feature is available on *all* state of Minnesota Centrex lines.

- Dialing instructions

- Call Language Line Services at **(800) 367-9559**.

- Create the 3-way conference feature with your telephone switchhook, flash or transfer button.
- Press 1 for Spanish or 2 for all other languages (Speak the name of the language at the prompt). If you don't know the language name, press 0 and you will be transferred to an expert in language identification.
- Enter:
Client ID: 509052
Organization name: **State of Minnesota**
Personal Access Code: Up to 6 digits followed by the "pound key" (#).
- When an interpreter is on the phone and the language is identified, state your name, the organization you are calling from and a brief description of what you need from your client. When the interpreter says **"Go ahead, please,"** the call begins.
- Speak in short sentences and pause frequently to allow the interpreter to interpret small segments of information at a time. Remember the interpreter is a few words behind the speaker. Give the interpreter time to finish before speaking again.
- Check for client understanding. Provide opportunities for clarification.
- When checking for understanding, ask the LEP client "What do you understand?" rather than "Do you understand?"
- When the conversation is completed, thank both the client and the interpreter and say **"Interpreter, end of call"** and the call ends.

DHS staff should familiarize themselves with the Language Line Services interpreting process before they actually use it. To hear a demonstration of over-the-phone interpretation, call Language Line Services at (800) 996-8808 or visit their Web site at www.language.com.

3. Helpful hints for using telephone interpreters

- Tell the interpreter the purpose of your call. Describe the type of information you are planning to convey.
- Enunciate your words and try to avoid contractions, which can be easily misunderstood as the opposite of your meaning, e.g., "can't - cannot."

- Speak in short sentences, expressing one idea at a time.
- Speak slower than your normal speed of talking, pausing after each phrase.
- 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."
- Speak in the first person. Avoid the "he said/she said."
- Avoid using colloquialisms and acronyms, e.g., "MFIP." If you must do so, please explain their meaning.
- 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."
- Pause occasionally to ask the interpreter if he/she is understanding 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.
- 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.
- ABOVE ALL, BE PATIENT with the interpreter, the client and yourself! Thank the interpreter for performing a difficult and valuable service.

4. Contract interpretation services

The Department of Administration maintains statewide master contracts with qualified vendors of spoken language interpreter services. All state agencies and Cooperative Purchase Venture (CPV) members (cities, counties, etc.) can use these contracted vendors. The vendors offer in-person, videoconferencing and telephone interpreting.

Availability and rates vary by vendor and the urgency of the request. To access the list of contracted vendors of spoken language interpreter services, visit the Department of Administration's Web site at [http://www.mmd.admin.state.mn.us/pdf/s-885\(5\).pdf](http://www.mmd.admin.state.mn.us/pdf/s-885(5).pdf).

The contract release contains the following information:

- Title of contract, release number, contract period, buyer's name, phone number, etc.
- Contracted vendors available under contract along with their prices, terms and contact information.

A section on the contract release has agency ordering instructions. Agencies should follow those procedures. Prior to contracting with a contracted vendor for any work (regardless of dollar amount) agencies are required to fill out a "Service Certification Form," available at http://dhsinfo.dhsintra.net/main/groups/public/documents/pub/infolink_id_009900.pdf. This Certification Form should be sent to Deb Galvan, Purchasing, DHS mail PO Box 64238, to be advertised. Otherwise, use options 1 or 2 as described below:

DHS staff who need to use an interpreter from the Department of Administration's list above have two options:

Option 1 (when an interpreter is a one-time arrangement up to \$4,999)

- ▶ Using the list of the Department of Administration's contracted vendors, arrange with the vendor to send an interpreter who meets the needs of the interpreter assignment.
- ▶ Vendors may bill the DHS staff person who initiated the interpreter request directly. Forward the invoice, complete with funding source information, to Theresa Engel (DHS mail PO Box 64940) to be processed for payment. If a vendor requires a purchase order up front, then you should use Option 2 below.

Option 2 (multiple jobs throughout year)

- ▶ After you get the list of contracted vendors from the Department of Administration's Web site as described above, fill out an Inter-Office Requisition form (DHS-1742), available at http://dhsinfo.dhsintra.net/main/groups/public/documents/pub/infolink_id_001054.pdf, as completely as possible, including vendor name and address;

quotation of job or whatever information is available at the time, as well as the instructions for the interpreter. You may also choose to include an attachment for special instructions. A director or designee should sign this form.

- ▶ Forward the completed and signed form (up to \$4,999) to Theresa Engel at DHS mail PO Box 64940. Theresa will create a purchase order for the DHS staff person who initially submitted the DHS-1742 form. This purchase order will refer to the Department of Administration's master contract for terms and conditions.
- ▶ You or the vendor may send the invoice for interpreter services to Dave for payment.

5. Use of family or friends as interpreters

Staff should accommodate clients' wishes to have family or friends serve as interpreters whenever possible. However, staff must keep in mind issues of client confidentiality and interpreter competency. Follow these rules:

- Protection of confidentiality and accuracy of interpretation should always be of highest concern, particularly if the interview concerns topics that may negatively affect eligibility for services.
- Always offer free interpreter services.
- If a client prefers to have a family member or friend serve as an interpreter, ask if the client will allow a trained interpreter to listen in to ensure accuracy of interpretation.
- If the offers are refused, document the offers and refusals and accommodate the client's wishes.
- Minor children should never be used as interpreters.
- DHS bilingual staff or contracted interpreters should be used in circumstances when a client is giving information that may negatively impact his/her eligibility for services, e.g., deadlines or certifications.
- Bilingual staff or contracted interpreters are preferred in situations where a client must answer complicated or detailed questions about his/her case. If handled by family or friends,

bilingual staff, Language Line Services staff, or contractors should do the follow-up calls or letters.

- If private information will be disclosed, please refer to the requirements of the *Minnesota Government Data Practices Act* section of this Plan.

6. Outside resources

For an extensive listing of interpretation and translation vendors, see the local telephone directory under “Translators and Interpreters.”

Emergency situations

When programs or the assistance requested require immediate action, DHS will take whatever steps necessary to ensure that all clients, including clients with LEP, have access to services or information within the appropriate time frames. For example, when a client needs an interpreter or other language assistance services to obtain expedited program services, DHS’ 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.

Translation resources (written materials)

DHS translation program

DHS has translated many of its vital and non-vital documents and information. Integral to this effort, DHS has agreed that 750 or more persons within a non-English language group will trigger translation of the Language Block, the Household Report Form (DHS-2120), the Health Care Programs Application (DHS-3417) and the Health Care Renewal Form (DHS-3418) into the ten primary languages we support.

Vital documents or information

Vital documents or information are those that are critical for accessing federally funded services or benefits or are documents required by law. They include:

- Applications
- Consent forms
- Letters with eligibility or participation information

- Notices regarding the reduction, denial, or termination of services or benefits
- Notices that require a response from participants
- Notices that offer free language assistance

Mail translated forms

Staff should always ask for a client’s language preference for forms and record that language preference in the client’s case file. The client should decide to use translated forms or an English version of a form on an ongoing basis.

Staff should also send translated forms to clients whenever a client has indicated the need to receive ongoing forms in his/her preferred language — as opposed to English — and when DHS has that form available in the client’s preferred language.

Accessing translated materials

DHS’ translated documents are available online through DHS’ eDocs database. Counties and other partner agencies may also request hard copy documents directly from DHS Forms Supply.

Online

- DHS forms and documents can be accessed online at <http://edocs.dhs.state.mn.us/index.htm>. Click on “Search” in the grey menu bar.
- The “Document language” option of the search engine enables users to search for translated documents.

Paper copies

DHS, county and other agencies can obtain limited quantities of paper copies of translated materials by calling DHS Forms Supply at (651) 431-3502. Clients can obtain translated documents from their county or by contacting the appropriate DHS program area.

Assisting clients who can’t read

DHS staff must assist LEP clients who cannot read their preferred language to the same extent as staff would assist English-speaking clients who cannot read English.

Contract translation services

The Department of Administration maintains a master contract of vendors of translation services for state agency use. The vendors offer document

translation, audio and video production services, and other translation-related services. Services, rates, and turnaround time vary by vendor and the urgency of the request.

DHS staff who want to have a document translated or to create a translated script and audio or videotape should contact Lisa Slesinger, Translation Coordinator in Management Services at (651) 431-3627 or by e-mail at lisa.slesinger@state.mn.us.

Additional language resources

MinnesotaCare enrollment representatives

DHS' Health Care Eligibility and Access division has bilingual staff for questions about application status, eligibility and ongoing case maintenance. The bilingual workers assist LEP customers in person or by an Integrated Voice Response telephone system. Languages supported include Cambodian (Khmer), Hmong, Laotian, Russian, Somali, Spanish and Vietnamese. To access this system, refer callers to (651) 297-3862 or (800) 657-3672. For other language assistance contact the information helpdesk at (651) 431-2801. (For information about benefits and services, enrollees should call the health plan number on their membership card.)

DHS language block and multilingual referral lines

The language block is a block of text that informs readers, in DHS' primary languages, how they can get free help with translating the information on a particular document. The language block may be either incorporated into the document (the preferred method) or version 2 may be included as an insert. Staff who wish to use the language block must contact Lisa Slesinger, DHS' Translation Coordinator, at lisa.slesinger@state.mn.us or (651) 431-3627. Each administration should review their documents at least annually with the LEP Coordinator to determine if the language blocks are appropriate and current.

■ DHS has four versions of the language block

1. "Attention. If you want free help translating this information, ask your worker."
2. "Attention. If you want free help translating this information, ask your worker or call the number below for your language."
3. "Attention. If you want free help translating this information, call the number below for your language."
4. "Attention. If you want free help translating this information, call (insert program name and/or phone number)."

- The DHS multilingual referral lines exist to support versions 2 and 3 (above) of the language block. There are separate toll-free phone lines for each language listed in the language block. Clients who have questions about a DHS document can call the appropriate phone number and be referred to the appropriate state or county office. That office then provides a bilingual worker or interpreter to communicate with the caller.

Please note that the DHS multilingual referral lines are **not an interpreter service**. The lines are a **referral service only** designed to put LEP callers in contact with county or state staff who can answer their questions. It is the responsibility of the county or state staff to access the appropriate language resources to communicate with callers in a language they understand.

- More information about document translation and the DHS language block is available on InfoLink at http://dhsinfo.dhsintra.net/main/groups/public/documents/pub/infolink_id_000717.hcsp.
- Staff who have questions about the language block or referral lines or who want to put the language block on their document(s) should contact Lisa Slesinger, Translation Coordinator in Management Services, at (651) 431-3627 or by e-mail at lisa.slesinger@state.mn.us.

Notice of right to language assistance

DHS staff must inform all LEP clients of their right to free and timely interpreter services. To provide notice to clients, printed aids are available in DHS' primary languages at <http://edocs.dhs.state.mn.us/index.htm> or by calling John Morrison at (651) 431-4004.

■ Notice of right to language assistance flier

DHS has produced fliers titled "Notice of Right to Language Assistance," available at <http://edocs.dhs.state.mn.us/lfserver/Legacy/MS-1813-ENG>.

■ "I speak" cards (DHS-4374)

DHS has laminated business-sized cards that say in both English and the primary languages "I need a (the appropriate language) interpreter." Staff may distribute the cards to LEP clients so they can present the "I speak" cards to signal their language and need for assistance. I speak cards can be downloaded from eDocs at <http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4374-ENG>.

■ Language assistance posters (DHS-4739)

Posters are available in two sizes that read "Free interpreter services are available. Please ask someone at the front desk." The posters repeat this statement in the DHS' primary languages and have an American Sign Language icon. Posters should be hung in all public areas and where staff work with LEP clients.

■ The Catalogue of Languages (DHS-4059) is comprised of a single notice statement that has been translated into 70 of the languages most commonly spoken in Minnesota. The notice statement informs non- and limited-English speakers of their right to an interpreter once they enter a human services setting. The Catalogue of Languages was developed in response to federal requirements to achieve Title VI language access compliance. The requirements set out by the US Department of Health and Human Services require human services providers receiving federal funding to give notice to the public of their right to an interpreter. The Catalogue of Languages can be downloaded from eDocs at <http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4059-ENG>.

Information privacy protection

DHS employees and agents (including its contractors) may on occasion, as part of job-related responsibilities, obtain, use or disclose private or confidential data, including protected health information (referred to below, collectively, as "protected information").

■ Duty to ensure proper handling of data

DHS and its contractors are responsible for training employees who are authorized to access and use the data collected under the terms and for the purposes specified in the contract. This responsibility includes ensuring that staff is properly trained regarding:

- The Health Insurance Portability and Accountability Act (HIPAA), 45 C.F.R. Parts 160, 162, and 164
- The Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes Chapter 13, in particular, §13.46 ("welfare data")
- The Minnesota Medical Records Act, Minn. Stat. §144.335
- Federal law and regulations that govern the use and disclosure of substance abuse treatment records, 42 USCS § 290dd-2 and 42 CFR § 2.1 to § 2.67
- Any other applicable state and federal statutes, rules, and regulations affecting the collection, storage, use and dissemination of private or confidential information.

■ Minimum necessary access to data

DHS and its contractors shall comply with the "minimum necessary" access and disclosure standards set forth in the Data Practices Act. The dissemination of protected information is limited to "that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government." See Minnesota Statutes, §13.05, subd. 3.

DHS and its contractors shall:

- Not use or further disclose the information other than as permitted or required by law

- Use appropriate safeguards to prevent improper use or disclosure of the information by its employees and contractors
- Appropriately respond to any known improper use or disclosure of protected information
- Ensure that any agents, analysts, and others to whom it provides private or confidential data, agree to be bound by the same restrictions and conditions that apply to them with respect to such information
- At termination of any contract, extend the protections of the contract to the information collected during the course of the contract.

■ **Family members or friends**

When clients wish to use family members or friends as an interpreter, staff should follow the instructions listed below using bilingual staff, Language Line Services staff or contractors to obtain the required verifications:

- Verify the identity of the client.
- Read and explain to the client the purpose of a consent for release of information form.
- Inform the client of his/her right to have DHS staff, Language Line Services staff, or a contractor (when available) to interpret for the client, if he/she desires.
- Assure the client that family or friends can remain to provide support rather than interpretation if that is the client's preference.

Emergency Situations

Information privacy protection regulations permit DHS' employees and agents to release private information concerning a client to third parties, including a family member or friend, in emergency situations without the client's written, informed consent. It is an emergency if knowledge of the information is necessary to protect the health and safety of the client or other persons. Staff should consult with a supervisor and the DHS data privacy attorney when determining whether an emergency exists and would require releasing private client data without the client's written informed consent. If an emergency exists, staff should follow these instructions:

Client is available

- Use bilingual staff, Language Line Services or contracted interpreter services to verify the identity of the client and/or the person making the call.
- If the client is available but refuses to give consent, inform the client of his/her right to have DHS staff, Language Line Services staff, or a contractor (when available) to interpret for the client.
- Ask the client if he/she desires to have a family member or friend serve as an interpreter. Give the client the option to give or refuse consent.
- Explain to the client the purpose of a consent for release of information form, even though the client does not wish to sign the form, and make a notation in the client's file, outlining the circumstances under which the information has been released.

Client is not available

- Use bilingual staff, Language Line Services, or contracted interpreter services to verify the identity of the client and/or the person making the call.
- If the client is not available to give his/her consent, send a copy of a consent for release of information form to the client for future use.
- Prior to discussing private information concerning the client, make a notation in the client's file, outlining the circumstances under which the information has been released.

DHS LEP plan administration

Collection of language preference information

In order to provide meaningful access to programs and services, it is essential that DHS be able to identify the language needs of the individuals and the communities it serves.

- DHS will develop and incorporate data collection tools that gather information from applicants/ recipients on their principal languages and their need for language assistance, including interpreter assistance. DHS will also attempt to update client

files that lack information about language needs and to confirm clients' primary languages at recertification and/or other renewal periods. The client-specific language preference information will be available to DHS staff and related agencies so they may provide appropriate language assistance services.

- DHS will develop standards for collecting language preference information that will be applied consistently to all current and future DHS systems. The systems include MAXIS, MMIS, SSIS, Prism, BHIS (Behavioral Health Information Systems), and Clinical Work Station (currently being piloted). In addition to informing staff about clients' language needs, the data will be used to provide language appropriate automated mailings to clients and to compile statistical summaries for planning purposes.

DHS staff training

DHS will distribute the LEP plan and provide training so all staff will be aware of the LEP policies and procedures.

- All staff with on going client contact will attend LEP training annually or as determined by their manager. Staff will be given at least two months advance notice of these training dates.
- LEP plan information will be incorporated into the DHS new employee orientation.
- LEP training will include information on the following topics:
 - DHS' legal obligation to provide language assistance
 - The substance of DHS' LEP plan, including its policies and procedures for accessing language assistance services
 - Tips on working with interpreters
 - How to properly document information about a client's language needs in the client's case file or in DHS files where necessary
 - LEP contact people within DHS.

Monitoring

Each year, beginning in May 2003, DHS will conduct an evaluation of its LEP plan to determine its overall effectiveness. The DHS LEP manager will lead

the evaluation with the help of a team of staff persons familiar with Title VI language access requirements and the DHS LEP plan. The evaluation will include:

- Assessment of the numbers of persons with LEP in the service delivery area
- Assessment of the current language needs of clients to determine whether clients need an interpreter and/or translated materials to communicate effectively with staff
- Assessment of whether existing language assistance services are meeting the needs of clients with LEP
- Assessment of whether staff members understand DHS' LEP policies and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible
- Feedback from LEP communities, including clients, community organizations and advocacy, about the effectiveness of DHS' LEP plan.

LEP plan distribution and public posting

Upon completion and approval by DHS management, the LEP plan will be:

- Distributed to all DHS staff
- Available in the LEP Program Office for review
- Accessible on the DHS Intranet
- Posted for public review in the DHS lobby on the wall to the right of the Information Desk. Although the text will be in English, the title, "Limited English Proficiency Plan," will be posted in the primary languages. Bilingual staff or interpreters will read the plan upon request. Counties and other partner organizations can download the translations of "LEP plan" from eDocs at <http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4210-ENG>.

Complaints

DHS has a complaint resolution procedure to resolve civil rights-related disputes and complaints that will be used to resolve LEP-related disputes and complaints. Written information is translated into the primary languages and is included as an Attachment.

The DHS Civil Rights Coordinator and person designated to respond to civil rights complaints is:

Joann daSilva
Civil Rights Coordinator
Minnesota Department of Human Services
PO Box 64997
St. Paul, MN 55164-0997
Voice (651) 431-3034
FAX (651) 431-7444
TTY/TDD (651) 431-3041

Organization

LEP program staff

Staff from three DHS divisions are involved in the management of the LEP Program. For questions or issues, please contact the LEP program manager or appropriate staff person.

- The Transition to Economic Stability Division manages the LEP program. Responsibilities include program planning, policy development and implementation, community outreach, management of DHS' multilingual phone referral lines, review of county LEP plans and managing the budget.

John Morrison
LEP Program Manager
(651) 431-4004

Alejandro Maldonado
LEP Coordinator
(651) 431-4018

- The DHS Office for Equal Opportunity manages agency-wide civil rights policies, monitoring and compliance, complaint resolution and training. This includes policies covering DHS, counties, and other federally funded human service providers.

Constance Tuck
Director
Office for Equal Opportunity
Main: (651) 431-3040
Fax: (651) 431-7444
TTY/TDD: (651) 431-3041

Joann daSilva
Civil Rights Coordinator
(651) 431-3034

- The Management Services Division is responsible for development and management of DHS forms and documents in various languages, the language block and the use of technology to communicate with LEP persons.

Linda M. Nelson
Director
Management Services Division
(651) 431-2205

Lisa Slesinger
Translation Coordinator
(651) 431-3627

LEP liaison team

DHS has a cross-department LEP liaison team that assists with shared responsibilities for implementing the LEP program. Liaison team members represent their administration areas and advise and support implementation of the LEP plan. The team members include:

■ Office for Equal Opportunity

Constance Tuck (651) 431-3037
Joann DaSilva (651) 431-3034

■ Continuing Care

Kathy Jandric (651) 431-2425
Jennifer Lowman (651) 431-2271

■ Children & Family Services (CFS)

John Morrison (651) 431-4004
Alejandro Maldonado (651) 431-4018
Tim Horn (651) 431-4026

■ Finance and Management Operations

Michael McMahon (651) 431-2935
Linda Nelson (651) 431-2205
Lisa Slesinger (651) 431-3627

■ Health Care

Larry Kontio (651) 431-2299
Marcos Perez (651) 431-2667

■ State Operated Services Support

Bonnie Lee (651) 431-3469
Tom Ruter (651) 431-3687



Attachment

Minnesota Department of **Human Services**

Policy for equal opportunity in service delivery

It is the policy of the Minnesota Department of Human Services (DHS) to make sure program benefits and services are made available to everyone and provided to all eligible individuals without discrimination, in compliance with civil rights laws.

DHS employees, programs and policies cannot discriminate against clients or applicants for services on the bases of race, color, national origin, sex, sexual orientation, age, religion, disability or status with regard to public assistance. DHS employees, programs and policies must also allow physical and program access for people with disabilities.

This civil rights policy covers DHS' full range of program benefits and services. This includes, but is not limited to, access to information about services, eligibility determinations, intake and admission procedures, and treatment. This policy applies to all of DHS' programs and services including those receiving state and federal financial assistance. It applies to programs and services conducted directly by DHS and its State Operated Services and programs and services carried out by other public or private agencies or providers under contracts, licenses or other arrangements.

Some state laws provide greater protections than federal law. In these cases, DHS and other human services agencies and service providers doing business in Minnesota, must follow state law.

Civil rights complaint procedure

You have the right to fair treatment if you are an applicant, client, or member of the public trying to access human services program information or benefits. You may file a complaint if you believe you have been discriminated against because of your race, color, national origin, sex, sexual orientation, age, religion, disability or because of your public assistance status. Someone discriminates against you when he/she treats you unfairly or denies you privileges you would normally have because of something about you, like your race, the color of your skin, or because you are a person with a disability.

You may file a discrimination complaint with the Department of Human Services. You must file your complaint within 1 year of the alleged discrimination. DHS may extend the 1 year period if you can show good cause for not filing sooner. You must file a written complaint. This means you must complete and sign DHS' discrimination complaint form. To ask for a discrimination complaint form, call or write to:

Civil Rights Coordinator
Minnesota Department of Human Services
Office for Equal Opportunity
PO Box 64997
St. Paul, MN 55164-0997
(651) 431-3040 (Voice)
(651) 431-3041 (TTY/TDD)
(651) 431-7444 (Fax)
(800) 627-3529 (Minnesota Relay Service)
(877) 627-3848 (Speech-to-Speech Relay)

If you file a complaint, the people who work for the agency named in the complaint cannot retaliate against you. This means they cannot punish you in any way for filing the complaint. This protection against retaliation also protects anyone who gives information about the complaint on your behalf. If you experience retaliation, report it right away to the Office for Equal Opportunity, Affirmative Action & Civil Rights at DHS.

Upon receiving your complaint, DHS will review it and notify you in writing, within 30 days, regarding whether it has authority to investigate. If DHS has authority to investigate and your complaint includes facts that support the allegations of discrimination, DHS will conduct a prompt and thorough investigation to determine whether or not the facts support a finding of discrimination.

If DHS concludes that the facts support a finding of discrimination, it will take appropriate action to correct the discriminatory practice. DHS will notify you of the outcome of the investigation within 60 days of the date the investigation began. Depending upon the circumstances involved, there may be reason to extend this time line.

Appeal process

You have the right to appeal the outcome of the investigation if you are not satisfied with the decision. To appeal, you must send a written request to review the outcome of the investigation. Be brief and state why you disagree with the decision, plus any additional information that may apply. Send your request to the attention of the Civil Rights Coordinator in the Office for Equal Opportunity, Affirmative Action & Civil Rights. Use the address listed above. You may appeal two times. The second and final review will go to the director and that decision will be DHS' final determination. (This appeal process is not the same fair hearing process that DHS offers to challenge program decisions.)

DHS is not an enforcement agency. It can investigate situations where policies prohibiting discrimination may have been violated. You are always free to file a discrimination complaint with other appropriate agencies, including enforcement agencies.

Other agencies

Your county human services agency

To file a complaint with your county human services agency, contact your local agency and ask for its procedure for filing a discrimination complaint.

Minnesota Department of Human Rights

The **Minnesota Department of Human Rights** enforces the Minnesota Human Rights Act. You have 1 year after the alleged discrimination has occurred to file a complaint. For more information, contact:

Minnesota Department of Human Rights
190 East 5th Street, Suite 700
St. Paul, MN 55101
(800) 657-3704 (Voice)
(651) 296-1283 (TTY/TDD)

U.S. Department of Health & Human Services, Office for Civil Rights

The federal Office for Civil Rights carries out federal laws that protect you from discrimination in human services programs receiving federal funds from the U.S. Department of Health and Human Services. You have 180 days after the alleged discrimination has occurred to file a complaint. For more information, contact:

U.S. Department of Health and Human
Services
Office for Civil Rights - Region V
233 North Michigan Avenue, Suite 240
Chicago, IL 60601
(312) 886-2359 (Voice) or
Toll free (800) 368-1019/(866) 282-0659
(312) 353-5693 (TTY/TDD)
(312) 886-1807 (Fax)

U.S. Department of Agriculture (USDA)

The **U.S. Department of Agriculture** oversees the federal Food Stamp Program. State and county agencies run the programs for USDA. You have 180 days after the alleged discrimination has occurred to file a complaint. For more information, contact:

U.S. Department of Agriculture
Director, Office of Civil Rights
Room 326-W, Whitten Building
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
(202) 720-5964 (Voice and TTY/TDD)