

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES  
POLICY AND PROCEDURE**

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LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS  
Issued: November 12, 2013; Revised: December 10, 2018

**SUBJECT:** Language Access Plan for Limited English Proficient Individuals

**PURPOSE:** Pursuant to Executive Order No. 10-2012 (County Language Access Policy) and IR #1033-2018, this Language Access Plan (“Plan”) sets forth the actions Suffolk County Department of Health Services (SCDHS) staff will take to ensure that persons with Limited English Proficiency (“LEP”) have meaningful access to agency services, programs, and activities.

**SCOPE:** All Suffolk County Department of Health Services program areas which provide direct services to the public.

**POLICY:** County agencies that provide direct services to the public shall, in all relevant programs and services, competently translate vital documents, including essential public documents such as forms and instructions provided to or completed by program beneficiaries or participants. The translation shall be in the six most common non-English languages spoken by individuals with limited-English proficiency in the County of Suffolk, based on United States census data, and relevant to services offered by each of such agencies. Each such agency, in all relevant programs and services, shall provide competent interpretation services between the agency and an individual in his or her primary language with respect to the provision of services or benefits.

**AVAILABILITY OF POLICY:**

This policy will be made available in both electronic and print format to all staff. A printed copy will be available in the Commissioner of Health Services’ Office and an electronic copy will be posted on the Department’s internet & intranet sites.

**DEFINITIONS:**

**Direct Public Services:** Services within the SCDHS involving direct contact with Suffolk County residents. These services may be provided by any SCDHS Divisions, Bureaus, Offices, and programs and may include both health and non-health related services.

**Interpreter:** A person who renders a message spoken or signed in one language into a second language.

**Interpreting:** The process of understanding and analyzing a spoken or signed message and re-expressing that message faithfully, accurately, and objectively in another language, taking the cultural and social context into account. (Within the language profession, the term translation is restricted to the process of converting written messages.)

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**Language Access Coordinator (LAC):** This is the SCDHS staff member responsible to coordinate SCDHS language assistance services and resources to assist SCDHS Staff in provision of services to individuals with Limited English Proficiency (LEP) as defined below. **The current SCDHS Language Access Coordinator is:**

Dr. Gregson Pigott  
631-854-0378  
gregson.pigott@suffolkcountyny.gov

**Limited English Proficiency (LEP):** Refers to individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English at a level that permits an individual to interact effectively with health care providers and service agencies.

**SCDHS Staff:** Includes SCDHS staff, contracted staff, and volunteers.

**Translation:** The process of translating words or text from one language into another.

## 1. INTRODUCTION

### **Statement of Agency Services to the Public:**

Suffolk County Department of Health Services (SCDHS) protects and promotes the health of all people in Suffolk County. Its mission is to promote wellness and protect the public's health and environment. SCDHS seeks to ensure that all individuals, including those with limited ability to read, speak, write or understand English, are able to access quality programs, activities and services from SCDHS.

## 2. ASSESSING LEP POPULATION LANGUAGE NEEDS

SCDHS serves all residents of Suffolk County.

The top 6 languages spoken by LEP individuals were determined primarily by U.S Census data and agency data on client contacts These are **Spanish, Italian, Polish, Mandarin Chinese, French (Haitian) Creole, and Portuguese.**

Information on SCDHS' contact with LEP individuals comes from its program areas which provide direct services to the public: Health Services Department Administration; Human Resources; General Operations; Division of Patient Care Services; Division of Services for

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Children with Special Needs, Division of Community Mental Hygiene Services, Division of Public Health; Bureau of Public Health Protection; Office of Minority Health; Division of Preventive Medicine and Division of Environmental Quality.

**3. PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES**

SCDHS staff inform LEP individuals, in all languages, about their right to **free** language assistance services by using the following measures:

- LEP individuals are informed directly by SCDHS staff, through prominent signs posted about language assistance services in public areas of departments and county agencies
- Notification of services available on the County website in the languages indicated in Section 2
- Brochures, flyers, or language identification cards about language assistance services in public areas of agency
- Local, non-English language traditional or social media directed at LEP individuals in their languages
- Telephonic voice menu providing information in non-English languages through multilingual staff or the contracted telephonic interpreting service
- Outreach and presentations at schools, faith-based groups and other community organizations

SCDHS staff are not permitted to inquire about one's immigration status upon receiving a request for interpretation or translation services.

**4. PROVISION OF LANGUAGE ASSISTANCE SERVICES**

SCDHS uses the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *in person*:

- Reception staff make those determinations based on observations at the time of the encounter, with the assistance of multilingual staff members where available or

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through language identification cards provided by the County language assistance vendor

- Staff shall keep a record of each interaction with LEP individuals in electronic or paper form in program areas providing services to the public. Programs will be required to provide information on the assistance needs of LEP persons at regular intervals to the LAC.

SCDHS uses the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *by telephone*:

- Reception staff make those determinations based on observations at the time of the encounter, with the assistance of the telephonic interpreting service or through multilingual staff members where available

In the case of illiteracy or languages for which written materials have not been translated, such forms and documents will be explained to LEP individuals in their primary language with the assistance of the telephonic interpreting service or through multilingual staff.

**A. Oral Interpreting Services**

**Protocols for assessing whether an LEP individual needs oral interpreting services are as follows:**

- **For in-person encounters:** Multilingual staff currently address language assistance needs on an individual basis during the encounter, through their assessment, use of a language identification card, self-identification by LEP individuals and referral from outside sources.

**By telephone:** Telephone contacts to programs from LEP individuals are handled by multilingual staff within the program when available. A roster of multilingual staff within SCDHS who have been approved to assist with calls is maintained by the LAC and is available to all staff. In addition, free telephonic interpreting services are available where the vendor will identify the language being spoken and provide the appropriate interpreter.

**At initial contact in the field:** Multilingual staff will be utilized in the field dependent on community need, when available. In addition, "I Speak" cards identifying the language(s) spoken will be utilized by field staff.

**Protocols for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided as follows:**

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**For in-person encounters:** Multilingual staff, if available in the language of the LEP individual, will inform the LEP individual that he or she does not need to provide his or her own interpreter and that free interpreting services will be provided. Staff will also utilize “I Speak” or language identification cards to assist in identifying the language of an LEP individual.

**By telephone:** The LEP individual will be informed, either by multilingual staff or by the contracted telephonic interpreting service, that he or she does not need to provide his or her own interpreter and that free interpreting services will be provided through the telephonic interpreting service.

A LEP individual may not use a family member, friend or a minor as an interpreter except in specific circumstances. If a LEP individual requests to use a minor, family member, friend, or other person as an interpreter, he or she will be required to fill out a written consent/waiver form stating he or she is refusing an interpreter and wishes to use his or her own interpreter. This waiver will be available in the 6 languages noted in section 2, is only valid for the date it is signed and must be completed upon each visit.

The use of a minor will only be allowed under exigent circumstances/emergencies where circumstances do not permit the completion of a waiver.

**The issue of confidentiality pertaining to the use of interpreters is addressed as follows:**

All SCDHS Staff are trained in confidentiality and HIPAA compliance.

**Maintaining a list of oral interpreting resources**

SCDHS uses, or has available for oral interpreting, the following resources:

- Telephonic interpreting service  
Name of vendor: LanguageLine Solutions®
- Multilingual staff members who are able to work directly with LEP individuals in their areas of expertise
- Multilingual staff members who provide oral interpreting when necessary between program staff and LEP individuals
- Special contracts or other arrangements with community organizations or individuals for services in languages other than English

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- Instructor for Food Manager's Course offered by the Bureau of Public Health Protection in Spanish

The agency's Language Access Coordinator (LAC) or designee maintains the list of oral interpreting resources that are available to staff, which includes:

- Name and contact information for telephonic interpreting service
- Names and locations of staff members who may be available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each multilingual staff member is qualified

**SCDHS informs all staff members who have contact with the public how to obtain oral interpreting services as follows:**

Mandatory training will be required for all staff that have contact with the public in programs identified as providing direct services to the public. The training will provide staff with directions for contacting language service providers.

**B. Translations of Written Documents**

Starting from the effective date of this plan, the process to determine and reassess those vital documents (including website content), which must be translated, is as follows:

Documents that SCDHS determines to be vital include, but are not limited to, intake and consent forms; notice of rights, requirements and responsibilities; and such others that contain pertinent information to assist in accessing programs/services. Programs/services within SCDHS will determine which documents are considered to be vital documents requiring translation. The LAC will review all forms and documents each program has identified as being a vital record prior to translation. All translated documents will be reviewed and monitored as part of the language access plan.

**The process of timely translation of documents that LEP individuals submit in their primary languages is as follows:**

Upon receiving a document from an LEP individual in their primary language, staff will review the document and submit said document for translation in a timely manner.

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**List of vital documents translated:** (Further updates available upon request from the LAC)

<b>Division/Bureau</b>	<b>Name of Document</b>	<b>Date of Translation</b>	<b>Language(s) of Translation*</b>
<b>Administration</b>			
	SCDHS Policy: Photography, Audio Recording, Videotaping and other Imaging of Patients or Clients	9/10/2015	SP
	SCDHS Directory of Services	4/13/15, 2/6/18	SP,IT,CH,PL,PT,FC
	SCDHS Non-Discrimination Statement	5/12/2016	SP,IT,CH,PL,PT,FC
	Substance Abuse Hotline	4/29/2016	SP
	Drinking Water Campaign	3/22/2016	SP
	Tick Information & Protection	3/22/2016	SP
	Pool Safety Brochure	2/2/2015	SP
	Dangers of Conversion Therapy	10/11/2016	SP
	Healthy Habits Questionnaire	8/4/2016	SP
	Mosquito Protection	4/6/2016	SP
	Zika Travel Alert	3/21/2016	SP
	Timing of Pregnancy after Exposure to Zika	3/31/2016	SP
	Stimulant Drinks	1/12/2017	SP
	Alcohol Awareness	3/24/2017	SP
	Dangers of Liquid Nicotine	9/25/2018	SP
	Warning About Designer Bath Salts	10/13/2014	SP
	Influenza Epidemic 2018	2/8/2018	SP
<b>Preventive Medicine</b>			
	Income Eligibility Standards	2/6/2017	SP
<b>STD</b>			
	Syphilis/Gonorrhea Testing Consent	9/21/2017	SP
<b>Public Health Nursing</b>			
	Patient Rights & Responsibilities	1/17/2018	SP

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**Patient Care**

MICHC	Family Planning Brochure	5/6/2015	SP
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**Mental Hygiene**

	Application For Court Ordered Treatment	8/20/2014	SP,IT,CH,PL,PT,FC
	Authorization For Restorative Services	8/20/2014	SP,IT,CH,PL,PT,FC
	Opioid Treatment Program Consent	8/20/2014	SP,IT,CH,PL,PT,FC
	Mental Health Clinic Treatment Information	8/20/2014	SP,IT,CH,PL,PT,FC
	Mental Health Clinic Intake Questionnaire	8/20/2014	SP,IT,CH,PL,PT,FC

**Health Education**

	Tobacco Vendor Course Application	8/20/2014	SP,IT,CH,PL,PT,FC
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**Public Health Protection**

	Food Manager Course Booklet	7/31/2015	CH
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**Environmental Quality**

	Sign - Swimming Pool Pollution Prohibited	12/22/14,7/20/18	SP
	Sign - Swim Diaper Required	12/22/14,7/20/18	SP
	Sign - Beach Closed	12/22/2014	SP
	Sign - High Chlorine in Drinking Water	12/22/2014	SP
	Sign - Bacterial Contamination of Water	12/22/2014	SP
	Sign - E.Coli Contamination of Water	12/22/2014	SP
	Sign - Water Service Interruption	12/22/2014	SP
	Sign - Manganese Contamination	12/22/2014	SP
	Sign - High Nitrate Content	12/22/2014	SP
	Sign - Pool Closed	12/22/2014	SP
	Sign - Severe Weather - Don't Drink Water	12/22/2014	SP

\*SP=Spanish; IT=Italian; FC=Haitian Creole; PT=Portuguese; PL=Polish; CH=Chinese

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**5. STAFF TRAINING**

**The person(s) in SCDHS who is responsible for the provision of training to staff in language access issues is: Gregson H. Pigott, MD, MPH.**

**The staff training includes the following components:**

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- How to obtain document translation services
- Cultural competence and cultural sensitivity
- Documenting the language needs of LEP individuals and the language services provided to them by the agency
- Ethics of interpretation and translation

**The methods and frequency of training are as follows:**

The Language Access Coordinator will work with relevant programs identified as providing direct services to the public to designate program liaisons who will keep a record of staff encounters with LEP individuals and requests for document translation.

A PowerPoint presentation has been developed to train staff on this Language Access Policy. Supervisors or department/division heads will be trained and will then be responsible for ensuring that the remainder of their staff completes the training. All staff are required to complete this training.

These trainings will be held every two years or as often as needed, based on factors such as high staff turnover or significant changes in this language access policy or new legislation. New staff will receive this training as part of their orientation program.

As information changes, the training material will be updated and designated senior staff will be informed of the changes to communicate to relevant staff.

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**6. ADMINISTRATION**

**Monitoring**

**To ensure compliance with the Plan, the LAC will monitor its implementation as follows in compliance with Suffolk County Resolution #1033-2018:**

- The language access needs of the department, led by the SCDHS LAC, will be reassessed annually as needed. This reassessment will be conducted annually starting from the effective date of this plan on the provision of: (1) language assistance services, (2) availability of translated materials, (3) whether signage is properly posted, and (4) demographic data and any other relevant measures.

The LAC will offer guidance on the provision of language assistance services as well as the availability of translated materials, up-to-date demographic data, and properly posted signage annually.

To further assess the efficacy of the program, the LAC will consult with various community based organizations and conduct internal reviews that will pertain to the best interests of community members. In addition, in order to effectively monitor Language Access Plans the following methods will be implemented:

1. Staff interviews to ascertain staff members' understanding of the Plan
2. Data analysis to determine who is or is not accessing language assistance services
3. Check list of audit criteria
4. Occasional spot checks (e.g. secret shoppers)
5. Review of complaints for systemic issues
6. Intermittent random file review to see whether language preference is being recorded and whether services have subsequently been provided

**Quality of Interpretation and Translation:**

- The department will consult with community-based organizations and conduct an internal review in order to assess the efficacy of its program, including the accuracy of translation of written documents.

**Complaints**

SCDHS provides information to the public, including LEP individuals in the 6 languages identified in section 2 of this document, advising them of the right to file a complaint if they feel that they have been the subject of discrimination or for any other reason. For those who speak

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languages other than the 6 previously mentioned, this information concerning the right to file a complaint may be communicated through the telephonic interpreting service. The information provided describes how to file a complaint. SCDHS prohibits retaliation or adverse action because an individual files a complaint. SCDHS Staff are required to adhere to the County's Non-Discrimination Policy.

**SCDHS displays information on the right to file a complaint, and the procedures to file a complaint in the following manner:**

The Department will require that all programs identified by the Department providing direct services to the public display signage, in the languages described in section 2, in its public areas and information on its website indicating the process for filing a complaint with the agency and/or with the U S Office of Civil Rights when the individual is not satisfied with the Department's language access services.

**SCDHS handles complaints made to the agency regarding the provision of language assistance services in the following manner:**

The LAC will review complaints received regarding the provision of language assistance services and provide feedback to program staff. The Language Access Coordinator will address complaints received that cannot be resolved by program staff.

REVIEWED BY: Gregson H. Pigott, MD, MPH, Director, Office of Minority Health

APPROVED BY:

*Signature on File*  
James L. Tomarken, MD, MPH, MBA, MSW  
Commissioner of Health Services

December 10, 2018  
Date