



Andrew M. Cuomo, Governor



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**NYS Office For People With Developmental Disabilities**

# **Putting People First**

## **Language Access Services**



## Why is this important?

It's about "Putting People First"

It's the law!!



## Key Learning Objectives

What are the key laws that govern language access?

What does being limited-English proficient (LEP) mean and who does it apply to?

What is meaningful language access?

How do we determine language needs?

What are our resources for meeting those needs?

## Relevant Laws

Title VI of the 1964 Civil Rights Act

NYS Mental Hygiene Law 13.09

*14 NYCRR 633.4(a)(15) Meeting the communication needs of non-English speaking persons seeking or receiving services*





## Title VI of The 1964 Civil Rights Act

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.



# NYS Mental Hygiene Law 13.09

No facility shall deny care and treatment to, or otherwise discriminate against, persons who are non-English speak, deaf or hard-of-hearing.

Law applies to:

- Individual seeking services
- Individuals who receive direct and indirect services such as parents/guardians, family members, and surrogates



## *14 NYCRR 633.4(a)(15) Meeting the communication needs of non-English speaking persons seeking or receiving services*

All persons shall be given the respect and dignity that is extended to others regardless of race; religion; national origin; creed; age; gender; sexual orientation; developmental disability; or health condition.

An individual/family member can not be discriminated based on their ability to speak English and this includes individuals who may be deaf and/or hard-of-hearing.

Services provided need to be timely and equal to those provided to English-speaking individuals.

# Providing Services in a Timely Manner



It is important that there is not any delay in service delivery for the person with limited-English proficiency that is significantly greater than for an English-proficient individual.

## **Remember one simple rule:**

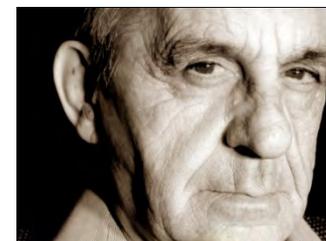
If an individual or their family member(s) request an interpreter to access services, the agency **must provide an interpreter, at no cost.**

# Limited-English Proficiency



Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited-English proficient, or "LEP."

Remember this includes parents/guardians, family members, proxies and any person designated to act on behalf of the people we serve.



# Types of Language Assistance

There are two primary types of language assistance services:

- Oral communication = ***interpreting***
- Written communication = ***translation***





## We must check for Language Access Services Needs

### **If...**

The individual asks very few questions or rarely starts a conversation

The person simply nods or says “yes” in response to questions or comments

The person gives inappropriate or inconsistent answers to questions



# How do we determine if a person needs language access assistance?

Simply ask the person, “What language do you speak?”



## Steps For Providing in Person Interpretation

Use the *language identification tool card* and ask the individual to point to the preferred language

Call **Geneva Worldwide** at 1-800-664-1171 follow the instructions on the Geneva instruction card for telephonic interpretation.



# Geneva Worldwide

Telephonic interpretation

Dial:1-800-664-1171

When the operator answers provide them with:

Your customer code is

Your name

Your agency

Your location(address including zip code)

The language you need



## Key Points when working with an interpreter

Speak directly to the individual receiving services

Do not speak in third person. For example do not say to the interpreter “ask he/she how long have you been feeling this way”

If the individual starts to speak English encourage them individual to speak in their preferred language



## Translated Documents

OPWDD has translated over 50 documents in Spanish, Russian, Haitian (Creole), Italian, Yiddish, Korean, Urdu and Chinese (Simplified)

<http://www.opwdd.ny.gov/resources/language-access/translated-documents>



# Your Role in Providing Language Access

Recognize the need when it arises

Know how to access the service and provide it in a timely manner

Post “I Speak” posters in common areas for individuals and families

Empower the person and families we serve by telling them their rights to an interpretation and/or translation

