

DEPARTMENT OF BEHAVIORAL HEALTH AND INTELLECTUAL DISABILITY SERVICES (DBHIDS)

LANGUAGE ACCESS PLAN & PROTOCOL

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PURPOSE AND AUTHORITY

- A. In Cooperation with the Mayor's Office, the **Department of Behavioral Health and Intellectual disAbility Services (DBHIDS)** is committed to compliance with Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006), and the Philadelphia Home Rule Charter § 8-600 and § A-200, in ensuring meaningful access to City services and programs for individuals who are Limited English Proficiency (LEP) and/or Deaf/Hard of Hearing (DFHH).
- B. The purpose of this document is to establish an effective plan and protocol for DBHIDS personnel to follow when providing services to or interacting with LEP and/or DFHH individuals.
- C. Following this plan and protocol is essential for the success of the mission of DBHIDS to improve the health status of all Philadelphians in need of behavioral health and/or intellectual disability services.
- D. The mission of DBHIDS is to educate, strengthen, and serve individuals and communities so that all Philadelphians can thrive. DBHIDS seeks to support the behavioral health of all Philadelphia residents and this includes all those who are DFHH and all immigrants and refugees with or without English proficiency, documentation status, insured and uninsured.

GENERAL POLICY

- A. DBHIDS recognizes that the population eligible for services includes individuals who have LEP and/or those who are DFHH. It is the policy of DBHIDS to ensure meaningful

access to behavioral health and/or intellectual disability services for LEP and/or DFHH individuals. DBHIDS adopts the following policy to ensure that LEP and DFHH individuals can gain equal access to DBHIDS' services.

- B. It is the City's policy to grant access to services or programs to every person even when the person has a limited ability to speak, understand, read or write English. DBHIDS intends to take reasonable steps to provide DFHH and LEP persons with meaningful access to services and programs. DBHIDS seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.

- C. DBHIDS, rather than the LEP and/or DFHH member, bears the following responsibilities:
 - (1) Providing language appropriate services to all LEP and/or DFHH individuals seeking services.
 - (2) Staff members at the initial point of contact with LEP and/or DFHH members have the specific duty to identify and record language needs and provide language appropriate services accordingly
 - (3) Use of informal interpreters such as family, friends of the person seeking services, or other members must be discouraged.
 - (4) Minor children are prohibited from acting as interpreters.
 - (5) No staff may suggest or require that an LEP and/or DFHH member provides an interpreter in order to receive services.

- D. The preferred method of serving LEP and/or DFHH persons is by:
 - (1) Using competent and trained bilingual staff who are able to provide services directly to the member in his/her primary language without the need for an interpreter.
 - (2) Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
 - (3) Staff should seek assistance from professional in-person (preferred) or telephonic interpreters when staff cannot meet language needs.
 - (4) Offices should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities is available (for example, situations concerning HIPAA, confidentiality or anything that may have a legal implication). Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the LEP and/or DFHH person.

The preferred method of serving DFHH persons is by:

- (1) Using competent and trained staff who are able to provide services directly to the member in sign language or oral interpretation without the need for an interpreter.

- (2) Available, trained, competent staff may be used for sign language or oral interpreting to support other staff
- (3) Staff should seek assistance from professional sign language interpreters when staff cannot meet language needs
- (4) Assisting listening devices
- (5) Written messages
 1. Many can speak even though they cannot hear
 2. Always face a DFHH person
 3. Make eye contact and keep it while you are talking
 4. Check noise and lighting
 5. Keep your distance
 6. Speak clearly, slowly and steadily
 7. Take turns
 8. Repeat and re-phrase if necessary
 9. Write it down

DIRECT CONTACT WITH DFHH AND LEP INDIVIDUALS

DBHIDS has several points of contact with the public:

1. **Offices walk ins** - at any time of the week DFHH and LEP individuals may come into DBHIDS offices looking for help in obtaining services. In these instances, if there is no bilingual staff available to interpret, staff must use telephone or video interpretation.
2. **Phone calls** - at any time of the week LEP and/or DFHH individuals may call DBHIDS offices for help in obtaining services. In these instances, staff member receiving the phone call can use telephonic or video interpretation as provided through Language Access E-Learning Course and intranet.
3. **Meetings/Information Sessions** - at times DBHIDS hold meetings or information sessions. If language needs are anticipated, DBHIDS will utilize in person/video interpretation for appropriate language.

LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

1.) Services Provided

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, DBHIDS will continue to provide interpretation, at no cost to LEP and/or DFHH

residents. Services offered include in-person, telephonic and video interpretation for LEP and/or DFHH.

Definitions:

- a) **Primary Language:** means an individual's native tongue or the language in which an individual most comfortable and effectively communicates.

- b) **Limited English Proficiency (LEP):** designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in certain types of communications (i.e., speaking or understanding), but still be LEP for other purposes (i.e., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but may find these skills are insufficient in other situations.

- c) **Deaf and/or Hard of Hearing (DFHH):** The deaf and hard of hearing community is diverse. There are variations in how a person becomes deaf or hard of hearing, level of hearing, age of onset, educational background, communication methods, and cultural identity. For more information, click here <https://www.nad.org>.

- d) **Interpretation:** is the act of listening to a communication in one language (source language) and orally translating it to another language (target language) while retaining the same meaning.

- e) **Translation:** is the transposition of contents into another language, in line with the intended meaning. An activity that aims at conveying meaning or meanings of a given-linguistic discourse from one language to another.

- f) **Bilingual:** is the ability to utilize two (2) languages fluently.

- g) **Oral interpretation:** for those individuals with hearing disabilities trained in speech reading (lip reading). Interpreters specially trained to articulate speech silently and clearly, sometimes rephrasing words or phrases to give higher visibility on the lips.

- h) **Cued speech interpretation:** a cued speech interpreter functions in the same manner as an oral interpreter except that he or she also uses a hand code, or cue, to represent each speech sound.

- i) **Computer Assisted Real-time Transcription (CART):** is a service in which an operator types what is said into a computer that displays the typed words on a screen.

2.) Protocols

The policy of the DBHIDS is to provide timely meaningful access for LEP and DFHH residents to receive behavioral health and intellectual disability services. Departmental personnel will ensure that language assistance services are provided to LEP and DFHH individuals whom they encounter or whenever a LEP and DFHH person requests language assistance services when securing behavioral health and intellectual disability support services.

All departmental personnel will inform constituents that language assistance services are available free of charge to LEP and DFHH persons and that the Department will provide these services to them.

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, the department will continue to provide an interpreter, at no cost to the resident, for LEP and DFHH persons pursuant to the following procedures:

1. Individual approaches an employee and appears to be asking for help but has difficulty communicating what he or she needs, and/or
2. When a request for an interpreter is made either orally, in writing or by pointing to a language card, the employee shall determine whether bi-lingual staff in the office is available who speaks the language being requested.

3.) Procedures

When a DFHH and LEP person call or walk-in and bilingual staff is not available, the employee shall contact a telephone interpreter service provider to provide interpreting services. The process to do so is outlined below:

ACCESSING INTERPRETATION OR TRANSLATION SERVICES

DBHIDS staff and providers can request interpretation services 24 hours a day, 7 days a week as follows:

1. For all **CBH members** (Medicaid recipients):
Services are arranged through CBH Member Services Department at **888-545-2600**.
For translation services, please send via Protected Trust email to CBH.Interpretation.Services@phila.gov
2. For non-CBH members DBHIDS Language Access interpretation and translation services, please refer to DBHIDS Language Access Protocol now on DBHIDS intranet. For questions concerning or email Sarorng Sorn, Director Immigrant Affairs and Language Access Services, at Sarorng.Sorn@phila.gov and copy the DEI Team at DBHIDS.Diversity-Inclusion@Phila.gov

3. For questions or concerns not related to DBHIDS, please email Orlando Almonte, Philadelphia's Office of Immigrant Affairs, at Orlando.Almonte@phila.gov

Cancellation of In-Person Interpreter:

If a request in-person interpreter will not be needed, please call the appropriate vendor to cancel the request at least a full business day in advance of the scheduled time. If the request is not cancelled in a timely manner, DBHIDS will be billed.

4.) Future Plans/Language Access Goals:

- a. **Use telephonic interpretation and ensure that the public knows about the availability of these services:** DBHIDS will continue to make telephonic interpretation services available in its main office through Language Line Services Inc or GLOBO Language Solutions LLS. The telephonic interpretation service is available 24/7. DBHIDS will continue to inform the public about these resources through information dissemination, visible multilingual signs, and will train its key staff and frontline staff on how to use telephonic interpretation and access ASL services.
- b. **In-person interpretation services:** DBHIDS will continue to offer in-person interpretation for scheduled meetings, treatments, and events as needed through Nationalities Service Center (NSC), GLOBO Language Solutions LLS, and DHCC if given enough notice. DBHIDS will continue to inform the public about these resources through information dissemination, visible multilingual signs (front desk), and will train its key staff and frontline staff on how to use telephonic and video on demand interpretation services and how to request in-person interpretation.
- c. **Grow bi-lingual staff:** DBHIDS will continue to assess, plan, and grow bi-lingual/bi-cultural staff who can provide services directly to the member in his/her primary language without the need for an interpreter.

B. TRANSLATION

1) Services Provided

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will continue to provide translations at no cost for LEP and/or DFHH individuals. This includes translations of vital documents, signage and relevant materials.

2) Protocols for Document Translation

- a. **Vital Documents:** DBHIDS is not a direct service provider. However, various offices and units within the department host various workshops, trainings, conferences,

community meetings, and mental health screenings year to year. These offices and units may identify the need for translation. Vital documents may include but not limited to DBHIDS Resource Guide, Healthy Mind Philly Brochure, and flyers for workshops, trainings, conference, and community meetings.

- b. DBHIDS's Resource Guide and Healthy Mind Philly Brochure have been translated into 14 languages that include: Spanish, Russian, Chinese (Traditional and Simplified), Vietnamese, Cambodian (Khmer), Laotian, Burmese, Nepali, Hindi, Arabic, French, Hattian Creole, Mandingo, Swahili, and any other language that is in demand.

2. Procedure for Submitting a document for translation:

- a. Any staff within DBHIDS who needs translation, please email editable document to Sarorng Sorn, Director of Immigrant Affairs and Language Access Services, Sarorng.Sorn@phila.gov and copy the DEI Team at DBHIDS.Diversity-Inclusion@Phila.gov and copy Orlando Almonte, Language Access Program Manager at the Office of Immigrant Affairs (OIA) at Orlando.almonte@phila.gov 2 weeks in advance.
- b. The document will be reviewed by the reviewing committee.
- c. Once it is reviewed and approved, the document will be submitted to OIA.
- d. OIA will submit the translation request to translation vendor to obtain a quote.
- e. OIA will email Sarorng a quote with a time estimate for delivery of the translation.
- f. Quote must be reviewed and authorized by DBHIDS Senior Director for Clinical Quality Management Pamela McClenton and/or Sarorng Sorn.
- g. Quote is then emailed back to OIA.
- h. OIA will email Sarorng the translated documents for committee review, submit for edit and/or approval.

NOTE: Before submitting a document for translation, please review your document and ensure the following:

- ✓ The content has not already been translated in another document.
- ✓ The document and translation procedure have been approved by your supervisor.
- ✓ The document is in a format that can be edited (e.g. MS Word, Publisher, InDesign, etc.).
- ✓ Terms you do not want translated are highlighted, i.e. the name of your unit, program or street.
- ✓ The document is written in a way that can be understood by readers with lower literacy skills.
- ✓ If the translation is a continuation of a series or collection of documents, you may request the same vendor to keep the translation consistent.

4.) Signage

DBHIDS is not a direct service agency. However, DBHIDS has multilingual signage at front desks for the public to see.

5.) Website Translation

- a. DBHIDS website contains information about the entire range of DBHIDS programs and services. Currently the following information and materials are available on the website in Spanish:
 - a. Online screening via Healthy Mind Philly at <http://healthymindsphilly.org/>
- b. In Fiscal Year 2021, DBHIDS will make all translated materials available through the website, community engagement meetings and other events. DBHIDS will continue to assess vital documents for translation and will periodically review the DBHIDS website with the goal of improving its accessibility to LEP persons. This includes identifying the most important information to be translated and the best means for disseminating translations to LEP communities.
- c. Taglines will be included in the website that explains that LEP individuals can obtain a translation of documents or that interpretation can be made available in our office.

6.) Future Plans

- a. Write public materials in plain English and transcreation those materials in a culturally appropriate documents when necessary. DBHIDS Language Access Steering Committee will assess, review, approve those vital documents/materials, before submitting them to OIA for translation. DBHIDS will implement a process involving internal and external stakeholder's survey and feedback to determine which languages are in higher demand to best accommodate the LEP community.

C. BILINGUAL STAFF

1) Current Staff

- a. This list identifies the languages spoken by DBHIDS staff who are linguistically and culturally able to deliver services in a language other than English and/or to service as interpreters if available:
 - i. Spanish
 - ii. Khmer/Cambodian
 - iii. Chinese
 - iv. Malayalam (an Indian Language)

2) Future Plans

- a. Hiring: Hiring decisions are based on Department’s business needs as assessed and interpreted by department, including language service needs. Language service needs will be addressed by including language skills as a “desirable” qualification in job and internship announcements.
- b. If bilingual or multilingual skills are included in the job description, a candidate’s language proficiency should be assessed as part of the selection process. Assessment may include:
 - i. Formal testing of language proficiency or interpreting/translation ability; and certification, transcripts, diplomas or other evidence of language proficiency in English or other language; or
 - ii. Certification, transcripts, diplomas or other evidence of training in interpreting and/or translation.
- c. **Staff Interpreters** – Competent and trained bilingual staff can also function as interpreters for other staff, when needed and staffing permits. DBHIDS currently does not have a formally trained interpreter on staff but has staff that can interpret in a non-technical, non-legal setting. DBHIDS will work with OIA to provide training to bilingual staff as needed.

D. TRAINING STAFF ON POLICY, PLAN AND PROTOCOLS

1) Training Protocol

- a. DBHIDS Language Access Plan is part of new employment training and provided as a hard copy to all staff members at hiring.
- b. DBHIDS will distribute the Language Access Policy and Protocol to all staff and will have a current electronic copy available so that all staff will be knowledgeable of language access policies and protocols.
- c. All staff will receive language access training upon employment and then refresher courses annually as needed.
- d. Language access training will include information on the following topics:
 - i. Legal obligation to provide language assistance;
 - ii. Language access plan and protocols;
 - iii. Cultural humility;
 - iv. How to use/request current language services

2) Future Plans

- a. DBHIDS will work with OIA to provide bilingual employees with formal interpretation training and expand training opportunities on plain-language and cultural competency topics.

- b. DBHIDS will implement Language Access E-Course starting with internal staff in the fall of 2020.

E. ADMINISTRATIVE HEARINGS

This section applies to departments that hold administrative hearings. State law (2 C.S. § 561 et seq. (Act 172 of 2006)), requires the appointment of certified or otherwise qualified interpreters for local administrative hearings. In this section list the protocols for language access in administrative hearings.

Currently, DBHIDS does not hold administrative hearings.

NOTICE OF THE RIGHT TO LANGUAGE ACCESS

- 1) Posters notifying LEP individuals of their right to language services are displayed in our main offices, which are mainly the area of public contact. These posters contain information regarding free interpretation services and different languages for the individual to indicate which language they need assistance in.
- 2) Department notices and flyers will also provide notice of the availability of language services with simple instructions on how to request language assistance.
- 3) Taglines will be included in or attached to public documents and notices that explain that LEP individuals can obtain a translation of the document or that an interpreter can be made available.
- 4) In all areas of public contact, DBHIDS will post and maintain clear and readable signs in the languages most prevalent in the City notifying LEP individuals that free translation and interpretation services are available to them.
- 5) Display a "Language Card" similar to the one below where an LEP individual can point to the language that they need help in:

DATA COLLECTION AND MONITORING

A. Data Collection

The following information will be required to be monitored and collected by departments and will be collected via quarterly reports by DEI's Immigrant Affairs and Language Access Services and submit to the Office of Immigrant Affairs:

- (1) Number of LEP Encounters (By Language)
- (2) Type of Language Services Provided to LEP Customers
- (3) Number of Documents Translated
- (4) Language Services Expenditures

Additionally, Language Access Director will be required to report annually on the following:

- (1) Number of bilingual staff
- (2) Number of staff trained in Language Access/Cultural Competency

B. Annual Report/Evaluation

- 1) DBHIDS will conduct an annual evaluation of its Language Access Plan to determine its overall effectiveness, review the progress of department goals and identify new goals or strategies for serving DFHH and LEP residents. The designated staff will lead the evaluation with the assistance of Sr. Director. The evaluation will include the following:
 - a. Assessment of the use of telephonic interpretation, in-person interpretation and translation services.
 - b. Assessment of data collected about the DFHH and LEP's primary language.
 - c. Assessment of the number and types of language requests during the past year.
 - d. Assessment of whether staff members understand the Language Access Plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and accessible.
 - e. Assessment of complaint information; and
 - f. Assessment of soliciting feedback from DDHH and LEP individuals and community groups.
- 2) Evaluation results and recommended changes will be shared with OIA's Language Access Coordinator and incorporated into **annual report which is required to be filed under Philadelphia Home Rule Charter § 8-600**. The Language Access Director will also keep a record of any language access services provided and will make this information available during the annual review process. In connection with updates to the Language Access Plan, the DBHIDS may use some of the following tools to conduct further assessment:

- a. Request comments and feedback from visitors that have received language services
- b. Establish a tracking system to collect primary-language data for individuals that participate in programs and activities

1. LANGUAGE ACCESS GRIEVANCE PROCEDURE

LEP persons may file a formal Language Access grievance with the Office of Immigrant Affairs if they believe they have been wrongly denied the benefits of this Language Access Plan. LEP resident may file a formal Language Access grievance with the City of Philadelphia Office of Immigrant Affairs if you believe you have been wrongly denied language assistance services. You must file your complaint within 6 months of the alleged denial. To file a formal complaint, you must fill out a Language Access Grievance Form and submit the form in person, by mail or e-mail to:

Office of Immigrant Affairs
Orlando Almonte
Language Access Program Manager
Municipal Services Building, Suite 1430
Philadelphia, PA
orlando.almonte@phila.gov

The form is now available online at <https://www.phila.gov/programs/language-access-philly/language-access-grievance-form>

Additionally, any person, regardless of immigration status, may submit a formal legal complaint through the Philadelphia Commission on Human Relations. To do so, please complete a Public Accommodations Discrimination Intake Form and submit in person or by mail to:

Philadelphia Commission on Human Relations
The Curtis Center
601 Walnut Street, Suite 300 South
Philadelphia, PA 19106

To access the form and for more information, please visit www.phila.gov/humanrelations

2. TIMELINE FOR IMPLEMENTATION

Implementation Plan Logistics

Major milestones in our plan will include:

- 1.) Continuing to broadly translate and interpret as needed
- 2.) Updating agency language access tools and resources to all offices

- 3.) Exploring additional training opportunities for staff

Timeline: 2020

- 1.) Continue to implement language access protocol, utilizing telephonic, in-person, and video interpretation as needed
- 2.) Continue to assess current vital documents translated and publicly available
- 3.) Assess if other documents should be translated
- 4.) Provide public notice of available language services through use of posters and flyers available in our main offices
- 5.) Review any Language Access comments or complaints and determine possible solutions and/or changes

2021

- 1.) At least 35% of employees, targeting EM, Directors, Managers and frontline/community facing staff to receive training in Language Access Policy and Protocol
- 2.) Review Language Access Report and assess data and use to make further changes to the Language Access Plan
- 3.) Agency will adjust and update this plan as needed

LANGUAGE ACCESS COORDINATOR OR COMMITTEE

Director of Immigrant Affairs and Language Access Services

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SIGNATURE PAGE

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