

# New York City Office of Chief Medical Examiner Language Access Policy and Implementation Plan June 2015



## I. Agency Mission and Language Access Policy Background

### OCME Mission

The Office of Chief Medical Examiner (OCME) investigates cases of persons who die within the City of New York from criminal violence; by accident or by suicide; suddenly, when in apparent health; when unattended by a physician; in a correctional facility; or in any suspicious or unusual manner. The Office also reviews applications made pursuant to law for a permit to cremate the body of a person.

OCME provides the following direct public services in the five boroughs through interaction between OCME staff members and members of the public:

- Investigation of reportable deaths
- Identification of decedents, in which family members may come to any one of OCME's five Identification Offices to view a photograph of their loved one to make the identification
- Discussion of relevant cases between family members and the assigned Medical Examiner, most commonly by telephone but by in-person appointment if requested
- Records requests, such as autopsy reports
- Various family services, including the World Trade Center Hotline and Missing Persons Day

### Executive Order 120

In July 2008, Mayor Michael Bloomberg signed Executive Order 120, creating a centralized language access policy for New York City. Executive Order 120 mandates that all City agencies that provide direct public services create a language access implementation plan in order to ensure meaningful language access to their services.

## II. Agency Language Access Policy and Goals

OCME initially created a Language Access Policy and Implementation Plan in 2008 to ensure compliance with Executive Order 120. The policy of OCME is that limited English proficiency shall not be a barrier to receiving effective services. This June 2015 Plan reaffirms OCME's commitment to providing meaningful access for all citizens of New York and other locations, including individuals with limited English proficiency, who need the agency's services.

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Ensuring timely access to services through language assistance measures is essential for OCME staff members to interact effectively with families and reach the most appropriate outcomes. This Plan outlines how OCME seeks to ensure that individuals in need of OCME's services receive them, and to avoid the possibility that a person who requires access to services is denied such services based on the language he or she speaks. This Plan is monitored by the agency's Language Access Coordinator, and updated twice per year as needed.

### III. LEP Population Assessment

OCME uses the Department of Justice's Four-Factor Analysis as a guide to evaluate the limited English proficient (LEP) populations served by the agency. This approach provides a balanced assessment of OCME's current language assistance needs while allowing flexibility to adjust language assistance measures in response to monitoring and measuring.

#### **Factor 1: Demographic Analysis**

OCME's eligible service population is defined as New York City, broken down by county to correspond with the agency's service for families in each of the five boroughs. According to data obtained from the U.S. Census Bureau's 2013 American Community Survey 1-Year Estimates, the total population of New York City is 7.9 million, and of that population, 23% (1.8 million) persons are Limited English Proficient (LEP).

Data provided by the New York City Department of City Planning, based on the 2013 American Community Survey, shows that the top six languages spoken by the 1.8 million LEP persons in New York City are Spanish (50%), Chinese\* (18%), Russian (7%), Haitian-Creole (3%), Korean (3%), and Yiddish (2%).

In Manhattan (New York County), 16% (246,000) of the total population of 1.5 million is LEP. Among the LEP population in Manhattan, the most frequent\*\* languages spoken are Spanish (59%), and Chinese (19%).

In Brooklyn (Kings County), 24% (568,000) of the total population of 2.4 million is LEP. Among the LEP population in Brooklyn, the most frequent languages spoken are Spanish (33%), Chinese (21%), Russian (15%), Haitian-Creole (6%), and Yiddish (5%).

\*Includes Chinese, Cantonese, Mandarin and Formosan.

\*\*Languages spoken more than 5% of the time.

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In Queens (Queens County), 27% (602,000) of the total population of 2.2 million is LEP. Among the LEP population in Queens, the most frequent languages spoken are Spanish (43%), Chinese (25%), and Korean (6%).

In the Bronx (Bronx County), 25% (330,000) of the total population of 1.3 million is LEP. Among the LEP population in the Bronx, the most frequent languages spoken is Spanish (85%).

In Staten Island (Richmond County) 10% (49,000) of the total population of 469,000 is LEP. Among the LEP population in Staten Island, the most frequent language spoken is Spanish (35%)

**Factor 2: LEP Data Tailored Specifically to OCME**

OCME instituted Language Line in 2007 to provide telephonic interpretation and translation services in more than 170 languages. Language Line usage is tracked by monitoring monthly invoices to measure the frequency of languages encountered by OCME, in order to make adjustments to Language Access services as necessary, and to inform future planning.

From 2013 through the first quarter of 2015, 419 calls were made to Language Line in order to provide families served by OCME with Language Access assistance. In a close reflection of the Citywide demographic analysis, Spanish and Chinese represented the vast majority of languages encountered, at 85%. Spanish accounted for 56% of calls, with families served in the Bronx, Manhattan, Queens, and Brooklyn. Chinese accounted for 29% of calls, with families served in Brooklyn, Manhattan, and Queens.

A total of 21 languages were encountered from 2013 through the first quarter of 2015. In addition to Spanish and Chinese, top languages included Russian (4%, or 18 calls, in Brooklyn and Queens), Korean (4%, or 17 calls, in Queens), and Polish (2%, or 10 calls, in Manhattan and Brooklyn).

Use of Language Line increased by 22% between 2013 and 2014, from 158 calls to 193 calls. With 68 calls in the first quarter of 2015, use of Language Line is anticipated to increase again between 2014 and the end of 2015.

\*Includes Chinese, Cantonese, Mandarin and Formosan.

\*\*Languages spoken more than 5% of the time.

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**Factor 3: Nature and Importance of the Services Requiring Language Assistance Measures**

The services requiring language assistance are essential to the mission of OCME. These services include the Communications Unit's intake of calls reporting deaths that warrant investigation; interactions between medico-legal investigators and individuals including next of kin at the scene of a death; the identification process, which includes arranging for final disposition of a decedent; discussion of death investigations between family members and the assigned medical examiners; and requests for important records, such as autopsy reports. Denial or delay in these essential services can pose negative consequences for family members, as well as the criminal justice and public health systems served by OCME.

**Factor 4: Resources Designated for Language Assistance Services**

**Language Line**

Language Line provides interpretation and translation services in more than 170 languages. The resource is available to OCME staff members whose work involves interactions with the families served by the agency.

**Volunteer Language Bank**

OCME created and maintains a Volunteer Language Bank to centralize awareness of the availability of bilingual staff members who can offer oral interpretation in each of the agency's service areas. The language bank currently has 30 staff members representing 16 languages.

**IV. Implementation Plan Logistics**

**Language Access Milestones**

OCME has made significant progress in its ongoing effort to ensure meaningful access to services for individuals with limited English proficiency. OCME has:

- Long utilized the skills of bilingual staff to provide timely volunteer interpretation and translation services.

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- Since the 1990s, provided Spanish language translations of the “Information for Family and Friends” brochure, which offers essential information about OCME tailored to those who have lost a loved one.
- Since May 2007, supplemented bilingual staff with Language Line’s translation and interpretation services for additional language assistance support in over 170 languages.
- Since June 2008, offered vital forms used by families, such as the Identification Form, Autopsy Objection Form, and others, in the following top languages as determined by data from the U.S. Census Bureau and the frequency of languages encountered specifically by OCME: Spanish, Chinese, Russian, Korean, Italian, Haitian-Creole, and Polish. Vital forms were subsequently translated into Arabic, French, and Hindi, in response to monitoring and measuring of language assistance needs.
- Since June 2008, offered the revised “Information for Family and Friends” brochure and the “General Information” brochure in Spanish, Chinese, and Russian. The brochures were subsequently translated into Korean, Italian, Haitian-Creole, Polish, Arabic, French, and Hindi.
- Created and continually updated a Volunteer Language Bank to centralize awareness of the bilingual skills of OCME staff members and their availability to assist individuals with limited English proficiency seeking access to OCME services. The language bank contains 30 employees, representing approximately 5% of OCME’s workforce, proficient in 16 languages.
- In 2015, established a Language Access Working Group chaired by the Language Access Coordinator and composed of representatives from involved areas of the agency, including Identifications, Legal, and Human Resources. The group monitors the execution of the Language Access Policy and Implementation Plan, review feedback about Language Access services, and plan.

### **Language Access Coordinator**

In October 2008, OCME designated the Director of Public Affairs as its Language Access Coordinator for offices serving families in all five boroughs. The Language Access Coordinator serves as the primary point of contact for implementing Executive Order 120, as well as similar Federal and City mandates. In this role, the Language Access Coordinator works to:

- Increase the visibility of interpreter services to LEP clients.
- Enhance support for staff utilizing these services.
- Manage document translations by approving which documents are sent for translation and determining languages into which documents should be translated.



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- Ensure availability to staff of translated forms and booklets by managing the posting of such material on OCME's intranet.
- Collaborate with others to address any cultural and linguistic barriers relevant to OCME's service areas.

### **V. Service Provision Plan**

#### **Interpretation Services**

Interpretation services are available over the phone or in person at OCME service centers in each of the five boroughs. Telephone interpretation service is available in more than 170 languages through OCME's participation in the Department of Information Technology and Telecommunications' citywide contract with Language Line. In-person interpretation is currently available in 16 languages through OCME's bilingual staff who have registered with the Volunteer Language Bank. The primary languages of LEP persons are identified through a Language ID card used by staff members at all OCME service centers. Both telephone and in-person interpretation services are available in Spanish and Chinese, the primary languages of the vast majority of LEP persons served by OCME.

#### **Translation Services**

OCME identifies vital forms as official documents that require signature, and brochures that explain key practices and policies of the agency. The Language Access Coordinator, in consultation with the Language Access Working Group, determines which forms are deemed vital and should be translated into the languages most frequently encountered by OCME.

Official documents that have been translated include the Identification Form, Organ Retention Form, and Autopsy Objection Form signed by families, and the Pending Death Certificate signed by medical examiners. Brochures that have been translated include "General Information" and "Information for Family and Friends." Translations are provided through Language Line and the Geneva Worldwide vendor, which certifies its work for accuracy and authenticity. All translations are made using the "Easy-to-Read NYC: Guidelines for Clear and Effective Communication" developed by the Mayor's Office of Immigrant Affairs.

OCME plans to begin the process of updating vital forms as necessary in the second half of 2015. Updated forms including the informational brochures will be translated into Spanish and Chinese, the languages most frequently encountered by OCME, and other languages if necessary based on usage, as measured by tracking and monitoring.

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OCME has also provided language assistance through its website since February 2009. Translations of the website are available in more than 30 languages through the “Translate This Page” link at the top of each web page.

## **VI. Signage at Public Service Centers**

OCME maintains a service center for families in each of the five boroughs. The Language Access Coordinator provides the Identification Unit staff members at each service center with signage on Language Access provided by the Mayor's Office of Immigrant Affairs in the City's top languages, including the languages most frequently encountered by OCME. The signage is posted in family waiting areas to indicate the availability of free interpretation and translation services at the location. A Language Access Complaint poster is also posted at each service center, with instructions in 10 languages, advising visitors to call 311 with any questions, comments, or complaints about translation and/or interpretation service at the location.

## **VII. Outreach and Public Awareness of Language Assistance Services**

OCME's mission and the nature of services provided do not warrant conducting public awareness outreach. For those citizens of New York and other locations who need to avail themselves of OCME's services, the agency's policy is to ensure that limited English proficiency is not a barrier to receiving meaningful and effective services. To inform those members of the public about its Language Access policy and services, OCME posts signage in family waiting areas to advise clients of Language Access services such as the availability of free interpretation and translation. In addition, OCME makes its two brochures, “General Information” and “Information for Family and Friends” available on its website in the languages most frequently encountered by the agency. The Language Access Policy and Implementation Plan is posted on the website, and the website also includes a “Translate This Page” button to make online material available in over 30 languages.

While OCME does not commonly host events for the public, the agency incorporates Language Access resources into such events when applicable. In November 2014, OCME hosted the first-ever NYC Missing Persons Day and provided in-person translators for Spanish-speaking families

at the event. Promotion was also conducted for the event in Spanish, with a logo designed in Spanish and significant outreach to Spanish language media.

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## **VIII. Training**

All staff members whose work involves regular contact with the public receive Language Access training. Frontline employees who interact with LEP persons include Medical Examiners, Medico-Legal Investigators, Security, and staff members of the Identifications and Communications Units. Training is provided annually and on an as needed basis, such as the start of employment. In addition to frontline employees, training is also provided annually to OCME managers at the regularly scheduled meeting for department heads.

Training is arranged and conducted by the Language Access Coordinator with support from the Language Access Working Group. Training encompasses the content of OCME's Language Access Policy, a review of the "Guidelines and Procedures for Using Language Line," viewing of the Language Line training video, methods for implementing interpretation and translation services (e.g. identifying a customer's primary language, reporting requests for language services, the use of telephonic interpreters, and placing translation requests), as well as notes on cultural competency. During these training sessions, "Interpretation Services Available" wall posters, language ID cards, 311 complaint posters, and Language Line quick reference guides are distributed. These materials are also made available to employees for downloading at any time on OCME's Intranet.

## **IX. Record Keeping and Evaluation**

The Language Access Coordinator closely tracks Language Line usage by monitoring the charges detailed on the service's monthly invoices to OCME. In addition, the agency's "Guidelines and Procedures for Using Language Line" instruct all users to notify the Language Access Coordinator of every call, including the location, language used, and length of call. In addition, the Language Access Coordinator is informed when the services of bilingual staff are utilized. This data provides insight into which languages are being requested at each of the five service centers, and enables OCME to identify additional languages into which forms should be translated, and areas within the agency where additional training may be necessary.

In early 2015, OCME established an e-mail address where the Mayor's Office can forward any 311 complaints related to the agency's Language Access services. OCME has received no complaints about its languages access services in the three months since this address was established.



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To ensure compliance with Executive Order 120, OCME will review the Language Access Policy and Implementation Plan twice per year for the following:

- Changes in the LEP population or in the service areas.
- Changes in the frequency of encounters with LEP language groups.
- Changes in resources, including new technologies, additional resources, and budget availability.
- Effectiveness of existing language assistance to LEP individuals.
- Staff knowledge of OCME's Language Access Policy and its implementation.
- Whether identified sources for assistance are still available.
- Changed language abilities available among staff.
- Revision of the Language Access Policy, as necessary.

## **X. Resource Analysis and Planning**

In addition to maintaining its own budgetary contract with Language Line, OCME uses a variety of Citywide resources to help implement its Language Access Plan and ensure meaningful access to services. Current Citywide resources include data from the Department of City Planning on the LEP population, signage for notification of free interpretation services from the Mayor's Office of Immigrant Affairs, as well as Language ID cards and the City-issued "I Speak" cards carried by LEP New Yorkers to notify service providers of their language assistance needs.

In the second half of 2015, OCME expects to revise vital forms according to the "Easy-to-Read NYC: Guidelines for Clear and Effective Community." The agency also looks forward to upcoming cultural sensitivity training from DCAS, and enhancements to the Citywide Language Bank to help manage internal volunteers and track the availability of volunteers at other agencies.