

New York City Department of Health and Mental Hygiene Executive Order 120: Language Access Implementation Plan

The following implementation plan presents the steps that the New York City Department of Health and Mental Hygiene (DOHMH) will take in order to comply with Executive Order 120 of 2008, which seeks to provide meaningful language access to agency public services.

I. Agency Mission and Background

The mission of DOHMH is to protect and promote the health of all New Yorkers, including those with limited proficiency in English. The agency offers the following services to New York City residents:

- **Clinical Services.** Through agency clinics and other services, the agency provides care to diverse populations for a variety of illnesses, including but not limited to sexually transmitted infections, tuberculosis and vaccine-preventable diseases. The agency also provides primary care in New York City's correctional facilities and nurses in many of the city's elementary and middle schools.
- **Programmatic Services.** The agency aims to prevent and control communicable and chronic diseases through programs that focus on HIV/AIDS and other sexually transmitted infections, heart disease, diabetes, obesity, asthma and cancer, as well as access to health care. Tobacco control and maternal and infant health are also high priorities. The agency provides services for people with mental health conditions, mental retardation, developmental disabilities, and chemical dependency, and for infants and toddlers with developmental delays. The agency protects public safety through immediate response to emergent public health threats.
- **Licenses, Permits, and Regulatory Affairs.** The agency provides permits and licenses for entities whose operations may have a public health impact, such as day care facilities and food service establishments. The agency also investigates public complaints to enforce the New York City Health Code, and other applicable laws and regulations.
- **Health Education.** Through press releases, hotlines, publications, the agency's website and various community-based programs, the agency educates the public about important health topics and key resources.
- **Monitoring and Records.** The agency conducts surveys and maintains disease-specific registries to assess and monitor New Yorkers' health and emerging health trends. The agency also retains records of all births and deaths in New York City.

II. Agency Language Access Goals

The agency aims to make agency services accessible to New Yorkers with limited English proficiency (LEP) and to standardize the use of language access practices for public-facing services.

Implementing this plan will help the agency staff to better understand protocols for providing service to LEP clients and the agency's customer service ratings from LEP clients will improve.

DOHMH currently offers a diverse array of language access services, including:

- Intake forms and important health information in various languages at many offices across the agency. Translation services are available for more than 100 languages through multilingual staff or a contracted vendor. All press releases and Health Bulletins are translated and distributed in, at minimum, Spanish and Chinese, and are available on the agency's website.
- Telephonic interpretation services at 24 offices across the agency through a contracted vendor, which is currently Language Line. Interpretation services are available for more than 170 languages.
- A Volunteer Language Bank, which includes 250 staff members who speak more than 70 languages. Additionally, the agency has operated the Office of Cross-Cultural Communications (CCC) for more than 20 years, which coordinates language access services from multilingual staff and external vendors.
- Compliance with Local Law 73 of 2003. Since 2004, the agency has worked to provide language assistance services to clients in its public clinics. The agency's Local Law 73/LEP Committee meets quarterly to address ways to optimize the quality of these services. The agency will continue to work to comply with Local Law 73 as it implements this plan and will not diminish any existing language assistance services that are required under Local Law 73.

III. Limited English Proficiency Population Assessment

In 2002, the U.S. Department of Justice developed the following guidelines for identifying LEP client populations and their needs:

“While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

- i. The number or proportion of LEP persons in the eligible service population;
- ii. The frequency with which LEP individuals come into contact with the agency;
- iii. The importance of the benefit, service, information, or encounter to the LEP person (including consequences of lack of language services or inadequate interpretation/translation); and,

- iv. The resources available to the agency and the costs of providing various types of language services.”¹

DOHMH’s LEP Clients

The agency’s clients are diverse—depending on the service, the target population may be correctional facility inmates, workers in certain professions, residents of particular neighborhoods, or the general public. Similarly, the profile of LEP clients varies across agency programs and, in many instances, differs from city’s overall LEP residents. As a result, DOHMH will determine the top six LEP languages that the agency encounters through agency services, instead of using the standard top six LEP languages ascribed to New York City residents. If individual programs determine that their clients have language needs that differ from the agency-wide top languages, the program will use the top languages for the program’s clients whenever possible.

Identification of LEP Languages

DOHMH currently ranks LEP languages by frequency of use during client interactions, such as requests for translation of print materials and requests for interpretation services. DOHMH will continue to use this method to implement Executive Order 120.

From 2005 to 2008, the six LEP languages that generated the most requests for translated documents or telephonic interpretation were: Spanish, Chinese, Korean, Russian, Bengali, and Haitian Creole. If the top six languages change, the agency will make the necessary adjustments to provide adequate access to clients.

DOHMH Top LEP Languages (2005-2008)	
LEP Language	Number of Translation and Interpretation Requests
1. Spanish	10,574
2. Chinese	2,686
3. Korean	700
4. Russian	646
5. Bengali	506
6. Haitian	458

¹ Department of Justice, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Individuals*, *Federal Register*: June 18, 2002 (Volume 67, Number 117)

Spanish and Chinese accounted for approximately 68% of translation and interpretation requests; all other languages represented less than 4% of total translation and interpretation requests.

Importance of Agency Services

The agency provides many services directly to the public. These include, but are not limited to, hotline services, clinical services, programs, in-person educational services, printed educational materials on health topics, and public websites. It is most critical for the agency to provide language access to public services that have a direct health impact or that provide legal and commercial licensing information. The agency will seek to provide access to Article 28-covered clinical services and their related public documents in six LEP languages. The agency will provide language access services to all other walk-in facilities and telephone lines that provide assistance with essential public documents in at least the top two LEP languages and will strive to provide assistance in the top four LEP languages. Section IV of this plan includes a description of these documents and the programs that maintain them.

The agency's health education efforts are also of paramount importance. DOHMH will translate its most widely-disseminated educational materials into Spanish and Chinese, and will try to reach out to affected LEP groups during public health emergencies.

For other public programs, each division of the agency will assess translation and interpretation needs of the target population and will provide those services accordingly. The Language Access Coordinator will help divisions conduct LEP population assessments.

Resources

The agency uses several resources to provide language access services to clients. CCC coordinates translations and interpretations for the agency on a full-time basis and manages language access services through external vendors. The agency currently has a contract to use Language Line for telephonic interpretation, and CCC has 13 vendors to provide translation services. Agency employees are an additional language resource. Nearly one in seven agency employees is bilingual, and 250 employees are members of the Volunteer Language Bank.

IV. Service Provision Plan

Interpretation Services

All walk-in facilities, service windows and telephone lines that provide assistance with essential public documents will offer interpretation services through multilingual staff

and/or the telephonic interpretation vendor. Examples of walk-in facilities and telephone lines that currently provide assistance with these materials include:

- STD, Immunization, and Tuberculosis clinics
- Food Safety and Community Sanitation service center phone line and service window
- Vital Records phone line and walk-in office
- Lead Poisoning Prevention phone line
- Day Care phone line
- DOHMH Call Center phone line

Upon initial contact with a LEP client, whether by telephone or in-person, program staff will determine the primary language of the client, and whether the client needs language assistance. If the staff member cannot identify the language, the staff member can call the telephonic interpretation vendor, which has representatives skilled in language recognition, to help determine it.

When interactions are in-person, employees may also use interpretation services cards or signs to determine a client's primary language—employees will ask clients to identify their primary language by pointing to the language on the card or sign. Once clients' primary language is determined, DOHMH staff or interpreters will inform them of their right to free language assistance services in their primary language.

If telephonic interpretation services are needed for phone interactions with a client, the agency staff member will make a three-way call between the client, the telephonic interpretation vendor, and himself. If telephonic interpretation services are needed for in-person interactions, they will be provided through a dual-handset telephone.

From 2006 to 2008, DOHMH programs generated an average of 7,515 interpreted calls annually, using 81,821 minutes of Language Line service. Spanish and Chinese (Mandarin and Cantonese) accounted for nearly 75% of all telephonic interpretation requests and nearly 70% of all telephonic interpretation minutes. Although DOHMH used Language Line to serve clients in 71 other languages, these accounted for less than 5% of interpretation requests and interpretation minutes. Total usage may increase in coming years, as agency programs expand language-access services, but the dominant languages are not likely to change. Spanish and Chinese will still generate the majority of requests.

Translation of Written Materials

To date, DOHMH has translated written materials into more than 20 languages. CCC uses vendors to perform translations, and all translated materials are reviewed by a third party for accuracy and clarity. Reviews are performed either by outside vendors or by

members of the agency's Volunteer Language Bank. CCC will continue to facilitate translations on the agency's behalf.

The agency will define "essential public documents" as:

- Consent forms
- Written notices of clients' rights
- Notices advising LEP persons of free language assistance
- Applications or intake forms to receive public services that have immediate or large-scale health impact
- Notices of services provided

The agency will seek to translate essential public documents in, at minimum, the top two LEP languages. Divisions will identify their essential public documents and will request translations. They may consult the Language Access Coordinator for guidance on this process. Between 2005 and 2007, the agency completed an average of 640 translations per year; approximately 70% of these translations were in Spanish and Chinese.

Divisions will determine which of their non-essential public documents will be translated, based on an assessment of the language needs of each document's target audience. All *Health Bulletins* (the agency's most widely distributed public education documents) and press releases will continue to be translated into, at a minimum, Spanish and Chinese.

The agency's Office of Publications will continue to edit public documents at a sixth grade literacy level or lower. In addition, the agency will encourage participation in Health Literacy trainings in order to assist employees in improving their use of plain language guidelines when developing printed materials for the public.

Press releases, publications, and fact sheets are currently available on the agency's website in several languages. The agency will augment the website with certain online translation tools. In addition, the agency will take steps to make translated essential public documents available online. Once the citywide online language access policy is completed, the agency will finalize its plan to update its website.

Signage

Multilingual signage informing clients of interpretation services is already in place in 29 DOHMH walk-in sites (there are often multiple sites per building), including the agency's Tuberculosis, Sexually Transmitted Diseases, and Immunization clinics. The agency will post multilingual desktop signs or posters in other walk-in sites and service windows that provide interpretation to tell clients that the service is available. Electronic copies of the desktop signs and posters will be made available on the agency's intranet for divisions to reproduce as needed after they have implemented interpretation services. The agency expects to post interpretation signage in appropriate facilities on a rolling

basis as interpretation services are implemented. Signage will be complete by December 2012.

The agency operates walk-in services in 17 buildings across the city. In those buildings, the agency will post service location directories, listing the agency programs that provide interpretation services, translated into the top two LEP languages of that location. The directories will be accompanied by a map of the facility that indicates the program's location; this will serve as directional signage to agency services. These directories will be posted in the main lobby of the buildings. The agency hopes to post location directories in appropriate agency facilities by December 2012.

Outreach

The agency will provide information about language services to public media, community leaders and LEP residents. The agency will also inform the public about language access services by implementing the following protocols:

- In translated press releases about public services, mentioning that interpretation services are available.
- Providing listings in 311 and the agency's Call Center for all agency programs that offer language access services.
- Reaching out to local organizations that represent LEP residents within target populations. Divisions will, with assistance from the Language Access Coordinator and the Office of Intergovernmental and Community Affairs, locate and provide written notification to these groups.

The agency will implement outreach for services on a rolling basis, beginning after a service's staff members have received training in assisting LEP clients with language access services. Outreach will begin in 2010 and end in 2012.

V. Implementation Plan Logistics

DOHMH will implement the Language Access Plan by December of 2012. While programs covered under Local Law 73 of 2003 have already implemented language access services, based on past experience such as Local Law 73 implementation, the agency has established the Implementation Plan milestones below to work towards enhancing language access in other agency services. The Implementation Plan will be updated every year.

Milestones

Major milestones in our plan will include:

- By December 2009, completion of an assessment that identifies the agency's public services requiring improved translation, interpretation services, or staff training.

- By June 2010, improve agency-wide standards for tracking the intake of LEP clients.
- By December 2011, expansion of interpretation services and multilingual signs in appropriate walk-in facilities.
- By December 2012, completion of training of appropriate staff to use telephonic interpretation services.

Timeline

2009

- The Language Access Coordinator will work with agency divisions to help them identify the public services that will require improved translation services, interpretation services, or staff training. The Coordinator will compile this information and will complete an assessment of the agency's language access needs.
- The Language Access Coordinator will update the Language Access Toolkit and distribute to staff in the agency's public programs.
- Agency divisions will continue to translate documents and implement interpretation services in public programs. Divisions will post interpretation services signs and CCC will train program staff to provide language access services.
- The Coordinator will compile data from agency programs to complete an evaluation of the agency's progress towards its language access goals.

2010

- The Coordinator will expand agency-wide standards for divisions on tracking their intake of LEP clients, and will work with divisions to implement them in public programs.
- The agency will begin outreach efforts to the public about available LEP services.
- Agency divisions will continue to translate documents, implement interpretation services in public programs, post signage, and train staff to provide language access services.
- The Coordinator will continue to compile data for an evaluation the agency's progress.

2011

- Agency divisions will continue to translate documents and train staff to provide language access services.
- The Language Access Coordinator will continue to work with divisions to compile data for an evaluation the agency's provision of language access

services.

- The agency will continue outreach efforts to the public about LEP services.
- The agency will complete expansion of interpretation services in appropriate walk-in facilities (detailed in Section IV of this plan).
- The agency will complete placement of interpretation services signage and location directories in appropriate walk-in facilities.

2012

- The Language Access Coordinator will compile data for an evaluation the agency's provision of language access services.
- The agency will complete training of appropriate staff to use telephone and in-person interpretation services.
- The agency will complete outreach efforts to the public about LEP services.

Roles and Responsibilities

The Language Access Coordinator will coordinate the implementation of the plan, with assistance from CCC. The Coordinator will update the Implementation Plan, consult divisions on how to implement language access services for agency programs, compile data on and complete evaluations of the agency's provision of language access services, monitor quality assurance measures, and coordinate staff training. The Coordinator will also consult the agency's Customer Service Liaison to implement the plan in accordance with other customer service policies. Division heads will assign appropriate staff to work with the Language Access Coordinator on this plan. CCC will track the number of LEP clients that the agency serves through its public services, and will coordinate the provision of translation and interpretation services.

VI. Resource Analysis and Planning

Use of Staff

The agency will continue to use contracts with translation and interpretation vendors. When possible, translation and interpretation will be completed by qualified agency staff members.

Whenever possible, agency employees with expertise in language access will train other agency staff. The Language Access Coordinator will work to maximize training resources and information by widely distributing it to appropriate agency staff.

Volunteer Language Bank

The agency will continue to augment the capacity of the Volunteer Language Bank, which is currently used to review written translations of agency documents and to provide in-person interpretation. Volunteers will be encouraged to utilize the training resources that are made available to front-line staff. The agency will consider alternative training and certification resources for volunteers.

Resource Sharing

CCC will launch a Language Document Bank of translated materials. By maintaining electronic records of translated essential public documents, the agency will be able to lower translation costs for materials with similar content and encourage as-needed printing and reproduction.

The Mayor's Office is currently developing several citywide resources for agencies to implement their language access goals. The agency will use these whenever possible and, if needed, will tailor resources to fit the agency and its LEP client needs. The agency will also consider ways to collaborate with other city agencies and share language access resources.

VII. Training (for front-line, supervisory and managerial staff)

Frontline Staff

The agency will work with its telephonic interpretation vendor to organize trainings for front-line agency supervisors and staff that interact with LEP clients in walk-in facilities and on public telephone lines. This training will include information on how to identify a customer's primary language, use dual hand-sets, and interact with telephonic interpreters. The agency will also provide training to multilingual staff on interpretation skills. Currently, trainings are offered on a rolling basis as new programs introduce language access services to their offices. The agency will continue to offer staff trainings in this manner beginning in 2009, and will complete by 2012. The Language Access Coordinator will establish a target number of agency programs to provide training to after an assessment of the agency's services that require improved training is completed.

Language Access Toolkit

CCC will assemble and distribute a "Language Access Toolkit" as the agency's primary training tool. The kit will include:

- Protocols for receiving translation and interpretation
- Methods and scripts for identifying a client's primary language
- The citywide customer service standards

- Policies and regulations about services to LEP clients
- Language identification tools
- Interpreting applications and forms
- Proper ways of identifying LEP persons
- Other references

Information in the toolkit will also be made available on the agency's Intranet site. A summarized version of LEP policies and standards will be made available for managers. The toolkit will be distributed in 2009.

Cultural Competency

Cultural Competency training has been offered periodically by three divisions of the agency. In addition, the agency's bi-level Health Literacy training is offered to agency staff and focuses on multiple strategies for culturally competent communication. In 2009 and 2010, the agency expects to host 24 trainings that are offered to 20 staff members each.

VIII. Record-Keeping and Evaluation

Record-Keeping

The agency will collect data on the number of LEP clients served by agency division and requested language. The Language Access Coordinator will work with the agency's divisions to enhance data collection standards that divisions will use to track their intake of LEP clients. This will include guidelines on tracking the number of LEP clients that are assisted by staff interpreters and that use translated documents. The Coordinator will compile the data from agency divisions. CCC will continue to compile utilization data from the telephonic interpretation vendor and the Volunteer Language Bank to monitor interpretation services and will continue to track translation requests that are received by CCC to monitor translation services. CCC will maintain records of the number of requests for translated documents and will retain copies of translated essential public documents.

Evaluation

The Language Access Coordinator will evaluate the progress of language access provision by:

- Compiling results from "mystery shopping" evaluations and site visits. The Language Access Coordinator will use available data collected from agency programs as well data from the Customer Service Group of the Mayor's Office of Operations.
- Surveying staff on their understanding of language access procedures. The Language Access Coordinator will conduct the surveys on an annual basis.

- Conducting client satisfaction surveys of LEP clients. Several divisions across the agency conduct client satisfaction surveys as a way to evaluate service quality. The Language Access Coordinator will work with these divisions to locate the survey responses of LEP clients.

The Language Access Coordinator will compile the data from these various sources and will include a summary of these evaluation results in the annual updates of the Language Access Plan.

Quality Assurance

The agency will foster high-quality language access services by:

- Using certified or trained interpreters whenever possible
- Conducting an external review of all translations of written documents
- Expanding the agency's glossary of key terms so that translations are consistent
- Reviewing the Implementation Plan on an annual basis to assess the consistency of the plan's goals with agency resources and client needs