

Human Resources Administration
Executive Order 120: Language Access Implementation Plan
January 2009 version updated in June and November 2010

I. AGENCY MISSION AND BACKGROUND

The New York City Human Resources Administration/ Department of Social Services (HRA/DSS) provides temporary help to individuals and families with social service and economic needs to assist them in reaching self-sufficiency.

HRA serves more than 3 million New Yorkers through essential and diverse programs and services that include: temporary cash assistance, public health insurance, food stamps, home care for seniors and the disabled, services for victims of domestic violence, adult protective services, HIV/AIDS support services and child support enforcement.

Temporary Cash Assistance

Eligible families may receive up to 60 months of federally funded cash assistance under the Temporary Aid to Needy Families Program (TANF). Additional state-funded benefits may be received under the New York State and City Safety Net Program for those who are on public assistance longer than the 60-month time limit for federal TANF benefits or are not TANF eligible.

“Food Stamp” Program

The “Food Stamp” Program provides nutritional support to low-income New Yorkers including individuals, working families, the elderly and the disabled to increase their ability to purchase food, through the use of an electronic benefits card that can be used like a debit card at participating grocery stores, supermarkets, and even some farmers’ markets.

Emergency Food Assistance Program

This program provides information through the Emergency FoodLine about more than 500 soup kitchens and food pantries throughout the City. These are places where people can get a nutritious meal or a supply of foodstuffs at no cost.

Public Health Insurance

HRA/DSS, through its Medical Assistance Program (MAP) division, is responsible for the administration of public health insurance. The program offers free and low-cost health insurance for low-income New Yorkers. MAP determines eligibility, based upon

income and resource levels, for each of the available health insurance programs and their related services.

Individuals and families can qualify for public health insurance even if they have income, own a house, own a car, have a bank account or receive private health insurance. Persons and families who are low-income, or receiving SSI or cash assistance, are automatically eligible. Pregnant women, children, persons over 65 and people with disabilities are also eligible. Pregnant women are eligible for pre- and post-natal care through a program called the Prenatal Care Assistance Program (PCAP). Pregnant individuals are eligible for PCAP without regard to their immigration status; and all individuals are eligible for Emergency Medicaid without regard to such status.

Plans include: Medicaid; Child Health Plus; Family Health Plus; Medicare Savings Plan (also known as Medicare Buy-In); Medicaid Buy-In Program for Working People with Disabilities; and the Family Planning Benefit Program. Each has its own requirements, and HRA/DSS workers will assist in identifying the plans for which an applicant may qualify.

Adult Protective Services

Adult Protective Services (APS) is a program that arranges services and support for physically and/or mentally impaired adults who are at risk of harm. APS promptly seeks to resolve the risks faced by eligible clients with services that will enable these individuals to live independently and safely within their homes and communities. Prospective clients may be referred by anyone. There is an APS office in each borough.

APS is available to persons 18 years of age and older without regard to income, who:

- Are mentally and/or physically impaired; **and**
- Due to these impairments, are unable to manage their own resources, carry out the activities of daily living, or protect themselves from abuse, neglect, exploitation or other hazardous situations without assistance from others; **and**
- Have no one available who is willing and able to assist them responsibly.

Home Care Services Program

The Home Care Services Program offers access to Medicaid-funded long-term care services (LTC) designed to help eligible elderly or disabled individuals remain safely at home, rather than in a nursing home or other institution.

Long-term care services (LTC) refer to the wide range of in-home, community-based, and institutional services and programs that are designed to help the elderly and individuals with disabilities of all ages. These services can be medical and non-medical and can help people with activities of daily living (ADLs) such as dressing, bathing and using the bathroom, and instrumental activities of daily living (IADLs) such as food shopping and preparing meals.

Eligibility for Medicaid-funded home care programs varies among programs, but all programs require that the applicant be Medicaid-eligible.

HIV/AIDS Services

The HIV/AIDS Services Administration's (HASA) mission is to expedite access to essential benefits and social services needed by persons living with AIDS or clinical symptomatic HIV illness, and their families. HASA's case workers seek to ensure that their clients have adequate housing, financial security, medical care and other services necessary to allow them to manage their illness and to live their lives with the highest level of self-reliance and dignity.

Domestic Violence Support Services

The Office of Domestic Violence (ODV) provides temporary housing, emergency shelter and supportive services for victims of domestic violence and their children. All programs provide a safe environment as well as counseling, advocacy and referral services.

Child Support Enforcement

The Office of Child Support Enforcement (OCSE) plays a key role in ensuring that noncustodial parents provide financial support for their children. OCSE helps custodial parents and guardians, regardless of income and immigration status. Services include locating the noncustodial parent, summons service, assistance with establishment of paternity, child support and medical support orders, and collection and enforcement of those orders.

Parents and guardians applying for or receiving cash assistance are automatically referred to OCSE for child support services and are required to comply with child support in order to receive full cash benefits. But any custodial parent may apply for services by visiting the OCSE office in the family court in the borough where they live.

Without wavering from the mission to collect child support, OCSE can also provide services that assist non-custodial parents in meeting their child support obligations.

Home Energy Assistance Program (HEAP)

The Home Energy Assistance Program (HEAP) helps low-income homeowners and renters pay bills for heating fuel, equipment and repairs and with grants to pay regular and emergency heating costs. The benefit does not have to be paid back. HEAP may be able to offer a benefit even if heat and utilities are included in the rent or the applicant lives in subsidized housing and pays directly for heating costs.

II. AGENCY LANGUAGE ACCESS GOALS

This plan reflects the Agency's commitment to providing language access services pursuant to the following over-arching goals:

- To ensure that language is not a barrier to Agency services;
- To ensure that all applicants and clients have equal access to the services for which they are eligible, regardless of the level of their English proficiency;
- To inform all HRA applicants and clients that free interpretation services are always available;
- To train front-line staff on cultural sensitivity issues, on working with limited English speakers, and on ensuring free interpretation services are always offered to them.

HRA has a long history of providing the public with language services. In 2000, HRA created the Office of Refugee and Immigrant Affairs (ORIA), a centralized access point for immigrant and limited English resources. This unit monitors the Agency's client access points, centralizes contract management of translation and interpretation contracts, assists program areas in drafting and implementing policies, contracts for testing of prospective bilingual workers, and provides training to Agency staff on language access and immigrant matters.

As a result of Local Law 73 of 2003, HRA developed a language access plan to provide written translation, oral interpretation and bilingual skills testing. Contracts for each of these services have been in place since 2004. Each client-contact site throughout the Agency has a LESA (limited English speaking ability) liaison and several supervisors who serve as site-based point-persons, and have been trained to access interpreters.

All HRA programs that provide direct services to the public have already developed or are formalizing already-established LESA policies and procedures which form the basis for staff training.

The Director of the HRA Office of Refugee and Immigrant Affairs (ORIA) will be the Language Access Coordinator for the Agency. ORIA will be responsible for implementing and monitoring the Agency Language Access plan with the cooperation of all program areas. The plan will be monitored through periodic visits to client access sites and annual reviews of translated forms, amongst other means. Staff from ORIA will visit client-contact points to ensure that language access signage is current, that language identification cards are available, and that application packages can be provided in English, Arabic, Chinese, Haitian Creole, Korean, Russian and Spanish. As a dedicated unit within the Agency, ORIA will assure compliance with this plan via quarterly evaluations of all milestones.

III. LEP POPULATION ASSESSMENT

US Department of Justice “Four Factor Analysis”

Factor 1 requires a demographic analysis of the LEP population. As of December 2008, Limited English Proficient (LEP) cases make up 28.06% of HRA's active client population, based on the preferred reading language reported by applicants/clients. Specifically, the top seven languages read by HRA's active client population are: Spanish (19.36%), Chinese (5.19%), Russian (1.46%), Arabic (0.45%), Korean (0.38%), Urdu (0.23%), and French (Haitian) Creole (0.16%).

Based on the needs of the Agency's clientele, who require Arabic language services far more than Italian, HRA has elected to choose Arabic in lieu of Italian, which was the sixth language named in EO 120. Furthermore, Arabic is covered as a mandated language under Local Law 73 to which the Agency is accountable. Therefore, it will remain as one of our six main languages.

Factor 2 requires LEP data tailored specifically to the Agency. In addition to the data presented in our analysis for Factor 1, as of December, 2008, based on the preferred speaking language reported by applicants/clients, LEP cases make up 30.29% of HRA's active client population. The top seven languages spoken are: Spanish (20.75%), Chinese (Mandarin, Cantonese and other) (5.54%), Russian (1.67%), Arabic (0.48%), Korean (0.4%), Urdu (0.25%), and French (Haitian) Creole (0.19%). The following illustrates language needs as broken-down by the three largest direct services areas of the Agency:

	2008	2008	2008	2009	2009	2009
Language	Non-Cash Assistance	Medical Assistance	Cash Assistance	Non-Cash Assistance	Medical Assistance	Cash Assistance
Arabic	1374	10749	344	1753	15209	501
Chinese Mandarin	10382	90617	1132	11860	119973	1466
Chinese-Cantonese	9661	14890	1974	13619	16732	2475

Chinese-Other	1767	17462	937	2757	26498	1143
Haitian Creole	1047	3370	454	1683	5096	674
Korean	2131	8082	279	2551	11284	381
Russian	16278	27851	1372	19843	35650	2142
Spanish	146032	363196	24590	209561	505231	38729
	2007	2007	2007	2008	2008	2008

Factor 3 requires an explanation of the nature and importance of the services requiring language assistance measures. HRA provides a variety of social services and economic assistance to eligible individuals and families, including, but not limited to: temporary cash assistance, food stamps, Medicaid, emergency assistance, public health insurance and Adult Protective Services (full list provided in Section I). The goal of these services is to enable these New Yorkers to lead independent lives. When an applicant/client calls or visits HRA's client contact sites, language must not be a barrier to receipt of appropriate services for which they are eligible. This plan reflects HRA's commitment to providing language access services pursuant to the following over-arching goals:

- To ensure that language is not a barrier to Agency services;
- To ensure that all applicants and clients have equal access to the services for which they are eligible, regardless of the level of their English proficiency;
- To inform all HRA applicants and clients that free interpretation services are always available;
- To train front-line staff on cultural sensitivity issues when working with limited English speakers, and the importance of ensuring access to free interpretation services for all LESA clients

Factor 4 requires a description of the resources that the Agency has designated for language access services. HRA currently holds several multi-year contracts for written translation, formatting of documents, on-site interpretation, telephonic interpretation, and bilingual skills testing. In addition, the Agency conducts regular training, updates procedures to improve services to LESA clients, posts signage at all sites to notify clients of their right to free interpretation services, utilizes Language Cards to help workers and clients identify language needs, and translates certain Agency-developed documents into six languages.

IV. IMPLEMENTATION PLAN LOGISTICS

Major Milestones for Quarterly Reporting

Deadline	Milestone
1st Quarter 2009	Revise current training modules re: cultural and linguistic sensitivity; instructions on accessing interpretation services; and how to work with an interpreter.

	[Responsible: ORIA]
2nd Quarter 2010	Identify training opportunities in each program area and schedule language access trainings for third and fourth quarters. [Responsible: ORIA & Program Areas]
3rd Quarter 2010	Update notice of language assistance services on HRA external website. [Responsible: ORIA & Office of Public Information and Communication]
1 st Quarter 2010	Conduct needs-assessment with each program area to determine priority translated documents to post on external website. [Responsible: ORIA & Program Areas]
3rd Quarter 2009	Develop worker palm card for all front-line staff with language access guidelines. [Palmcard is an educational tool for front-line staff above and beyond Language Cards which are utilized to identify a client's language] [Responsible: ORIA]
Twice for each program area in 2010	Conduct training on language access for client-contact staff in each program area. [Responsible: ORIA & Program Areas]
1 st Quarter 2010	Establish internal language access committee with liaisons from each program area. [Responsible: ORIA & Program Areas]
4th Quarter 2010	Update information about language access services and post resources on HRA intranet [Responsible: ORIA & Office of Public Information and Communication]
2nd Quarter 2010 & Ongoing	Based on program-based needs assessment, post priority translated documents on external website [Responsible: ORIA & Office of Public Information and Communication]
Phase 1: 4th Quarter 2009; Phase 2: 1 st & 2nd Quarter 2010	Publish and distribute palm cards to all client-contact staff throughout the agency for use as a desk reference. [Responsible: ORIA, Office of Public Information and Communication & Program Areas]

Phase-in from CY 2010 through CY 2011	<p>Post directional signage in two languages at all sites. Work with Program Areas and HRA's Building Management and Facilities to ensure proper posting.</p> <p>[Responsible: ORIA, General Support Services, Office of Public Information and Communication & Program Areas]</p>
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The Director of the Office of Refugee and Immigrant Affairs (ORIA) has been designated as the Language Access Coordinator. ORIA will implement the plan in conjunction with each program area's management, procedures, operations, and training staff. For agency-wide publications or policies, the Office of Communications will be involved. Further, HRA's Legal and Contracting Offices will continue to play a role in extending the reach of language services similar to their oversight role for compliance under Local Law 73. Specifically, in 2005, language requiring contractors to comply with Local Law 73 was added to the "boilerplate" specifications for all human services contracts reflecting the following provision of the city law:

1. *In all covered contracts entered into or renewed after January 1, 2005, the contractor shall certify that it shall make available language assistance services and maintain and provide access to records as required by this chapter.*
2. *Every covered contract must contain a provision in which the contractor acknowledges that the following responsibilities constitute material terms of the contract:*
 - a. *to provide language assistance services as required by this chapter;*
 - b. *to comply with the recordkeeping requirements set forth in this chapter;*
 - c. *to provide the city access to its records for the purposes of audits or investigations to ascertain compliance with the provisions of this section, to the extent permitted by law; and*
 - d. *to provide evidence to the city that the contractor is in compliance with the provisions of this section, upon request.*

"Covered contract" means a contract between the agency and a contractor to perform a covered function.

"Covered function" means any of the following functions:

1. *Benefits or services offered or provided at agency offices;*
2. *Benefits or services provided by agency contractors to provide employment services in connection with participation of individuals engaged in activities required by sections 335 through 336-c of the social services law;*
3. *Home care services; and*
4. *Determinations regarding eligibility for subsidized childcare.*

V. SERVICE PROVISION PLAN

a. Interpretation Services

Contracted telephonic interpretation services are already available at all of the Agency's client-contact sites in approximately 180 languages. Currently, we are utilizing the DOITT city-wide contract with Language Line Services for telephonic interpretation.

To cover on-site interpretation needs, HRA holds a contract with Geneva Worldwide Incorporated. The on-site contract is mainly utilized by those programs that have field or home visits or under certain on-site circumstances where a client is particularly vulnerable and would benefit from an in-person interpreter. In general, when a client visits one of our sites, staff relies upon telephonic interpretation. Overall, as an illustration of current usage for 2008, HRA's interpretation vendors provided on-site interpreters in 36 languages and telephonic interpreters in 58 languages. We anticipate that the range of languages to be served in the future will remain about the same or grow slightly due to a constant diversification of New York City's immigrant population. Coverage for interpretation services spans all program areas and is available to every worker and at every site which meets with the public, including the Agency's Infoline as well as off-site visits in the field or at a client's home.

When an LEP visits a client-contact site, their language is identified through the use of a Language Card (W-194, attached) which asks the applicant/client "Do you speak [*name of language inserted here*]" in 22 languages (plus hearing impaired). Further, the welfare management database system includes fields covering a client's preferred language. When an LEP calls a client-contact point, the Agency's telephonic interpretation contractor, Language Line Services, can assist staff in determining the language needed. In addition, applicants/clients are assigned to bilingual employees whenever practicable. To this end, HRA maintains a contract with an outside vendor to test new and existing staff for bilingual skills.

b. Translation of Written Material

HRA currently translates certain Agency-developed documents into Arabic, Chinese, Haitian Creole, Korean, Russian and Spanish as required by Local Law 73. Written translation is conducted under two independent contracts: Language Line Services via DOITT's citywide contract and Corporate Language Services. The latter formats translated documents received from Language Line Services to comport with the Agency's formatting and technological needs.

The Agency defines "document" according to Local Law 73 as Agency-developed:

- Application forms and corresponding instructional materials
- Notices that require a response from the participant
- Notices that concern the denial, termination, reduction, increase or issuance of a benefit or service
- Notices regarding the rights of participants to a conference and fair hearing

- Notices describing regulation changes that affect benefits

The original list of client documents to be translated was developed in 2004 under Local Law 73 under the following proposed phase-in schedule. By the end of 60 months, HRA was in 100% compliance.

LL 73 Effective date	12 months after effective date	24 months after effective date	48 months after effective date	60 months after effective date
February 5, 2004	February 1, 2005	February 1, 2006	February 1, 2008	February 1, 2009
Forms and Documents Translated	10% Complete	20% Complete	40% Complete	100% Complete
Program Area:				
Family Independence Administration	10%	20%	40%	100%
Medical Insurance Community Services Administration	10%	20%	40%	100%
Office of Policy and Program Development	10%	20%	40%	100%
Office of Revenue Investigation	10%	20%	40%	100%
Customized Assistance Services	10%	20%	40%	100%
CUMULATIVE PERCENTAGE	10%	20%	40%	100%

In addition to meeting the original translation requirements of Local Law 73, new documents are translated on an ongoing basis via established procedures within each program area. Each program area conducts a thorough review of every Agency-developed public document in order to determine whether the document is covered under Local Law 73 and then forwards requests for translation to ORIA. ORIA coordinates all written translation requests for the Agency and maintains records on new, obsoleted, and revised Agency-developed documents. Further, the Agency has invested in technology solutions to provide customers with computer-generated notices in English, Spanish, Arabic, Chinese, Haitian Creole, Korean, and Russian. Furthermore, many program areas have translated dozens of informational brochures into several languages in order to reach limited English-speaking audiences.

The Agency currently applies plain language principles in the development of all materials intended for the public. Quality Assurance is conducted through one of three mechanisms. First, we meet regularly with our written translation vendor to assess their internal quality assurance measures which includes three sets of distinct readers before a document is submitted to the Agency. Second, for documents requiring additional formatting via a second vendor, that vendor flags any potential discrepancies in the translation for follow-up by the original written translation vendor. Third, in rare cases of disagreement, the New York State Bureau of Refugee and Immigrant Assistance provides a third and final assessment to establish the quality and authenticity of translation.

To increase public awareness of the availability of free interpretation services, HRA's public website features a "Translate this" button (powered by Google) which allows users to translate portions or entire pages of the website into over 30 languages. Of particular note is HRA's partnership with ACCESS NYC, a public website that allows potential applicants to identify and screen for over 30 city, State and Federal human service benefit programs. ACCESS NYC is currently available in seven languages. The public can pre-screen for benefits or in some cases, apply online for particular programs. In addition, materials pertaining to some services that are administered by HRA are available via the New State Office of Temporary and Disability Assistance's website, which is where clients most often access benefits-related documents. These documents have been translated into six languages and are available for download at: <http://www.otda.state.ny.us/main/apps/>

c. Signage at Public Service Centers and Outreach

All HRA public offices have New York State mandated language signage pursuant to instructions from the New York State Office of Temporary and Disability Assistance. HRA posts signage informing applicants/clients of the availability of free interpretation services in all waiting areas at each client-contact site, via two posters.

First, each client-contact site posts the NYSDSS Pub# 4842 "If you need an interpreter" which informs the applicants/clients in 19 languages (plus hearing impaired) that free interpretation services are available (attached). The sign informs the public in English, Albanian, Arabic, Bengali, Bosnian, Chinese, Farsi, French, Haitian Creole, Hindi, Italian, Korean, Polish, Russian, Spanish, Tagalog, Ukrainian, Urdu, Vietnamese, Yiddish, and also includes the symbol for Deaf / Hearing Impaired services. In each of these languages the sign reads, "If you need an interpreter we provide free interpreter services on request. Please go to the reception desk now and we will call someone to interpret for you."

Second, HRA Form W 184 Infoline poster informs applicants/clients of free assistance with HRA programs (attached). HRA's Office of Constituent and Community Affairs

manages the Infoline Call Center, a crucial telephone "help line" available to the general public seeking information on all HRA programs. HRA conspicuously displays an 11 x 17 inch broadside poster in all waiting rooms throughout the Agency where people present themselves in person for assistance. The poster provides Infoline's number in English, Spanish, Arabic, Chinese, Haitian Creole, Korean, and Russian, and states, "For assistance with any HRA Program-Call This Toll-Free Number. For information about other city agencies and their programs, call 311."

In addition to signage concerning free interpretation services, HRA also includes the W515W "Interpretation Services Notice in the Application/Recertification Kits (insert)" and the W680FF "Language Questionnaire" in every application and recertification package given to applicants/clients.

Directional signage is currently available in English only at the majority of client-contact sites. ORIA will work with each program area to identify, translate, produce and post new directional signage, where appropriate, in at least one additional language. Currently, HRA operates nearly 70 client contact sites in all five boroughs across all program areas. Each site varies in its number of reception areas and waiting rooms due to program needs and the physical lay-out of a particular building.

To increase public awareness of the availability of free interpretation services, HRA's public website will include a notice to inform clients of the availability of free language services.

Outreach is also conducted through attendance at community events by staff from ORIA and the Office of Constituent and Community Affairs (OCCA). OCCA currently has several "Borough Coordinators" with bilingual capabilities who liaise on a full-time basis with all Borough Presidents' Community District Service Cabinets in addition to attending and speaking at community-based organizations, local places of worship, senior centers, offices of elected officials, other city agencies, health and service fairs, and street fairs.

VI. TRAINING

ORIA is currently updating their training module to comprehensively capture the following topics in a two-hour format: customer service, cultural and linguistic sensitivity, availability of language services, logistics of utilizing services, and how to work with interpreters.

ORIA will pilot the updated training in one program area. Ultimately, training will be given to all client contact staff, including reception area staff, caseworkers, Job Opportunity Specialists, their supervisors and program management.

This training is above and beyond the following ongoing efforts: regular trainings by program areas on LESA procedures, regular trainings by ORIA with program area

management and one-on-one training provided by ORIA to LESA Liaisons designated at each site.

In order to disseminate this plan throughout the Agency and effectively continue to communicate new and ongoing commitments to language access, ORIA will meet with each program area to identify steps needed from implementation through completion, followed by ongoing monitoring. This plan has already been reviewed by each program area.

VII. RECORD KEEPING AND EVALUATION

Our record-keeping methods fulfill requirements set forth by Local Law 73, as follows:

No later than the first day of the sixtieth month after the effective date of the local law that added this chapter, the agency and each agency contractor shall maintain records of the primary language of every individual who seeks or receives benefits or services from the agency or agency contractor. At a minimum, the agency and each agency contractor shall maintain specific records of the following:

- 1. The number of limited English proficient individuals served, disaggregated by program, agency contractor or contractor, agency office, type of language assistance required and primary language;*
- 2. The number of bilingual personnel and the number of interpreter personnel employed by the agency, disaggregated by language translated or interpreted by such personnel;*
- 3. The accuracy of the determination and recording of primary language; and*
- 4. The accuracy of translation and dissemination of documents.*

As such, monthly and annual reports are compiled on telephonic, on-site, bi-lingual assistance and written translation for some programs. These reports track:

- The number of Limited-English Speaking Ability (LESA) clients served, disaggregated by primary language and type of language assistance given
- The number of bilingual interpreter staff disaggregated by language
- A list of documents that have been translated and distributed

These reports are examined to determine the:

- Changes in the LESA clientele in the area that is being serviced or the population that is being encountered
- Effectiveness of existing language assistance to LESA clients
- Staff's knowledge of HRA's procedures for serving LESA clients
- Effectiveness of bilingual staff in serving the population/area

Quality of services is monitored through various channels:

- On-site spot-checking by ORIA staff at every client-contact site
- Follow-up support to every client-contact site after spot-checks
- Feedback received via 311, Infoline and community organizations

VIII. RESOURCE ANALYSIS AND PLANNING

First and foremost, we will continue using existing contracts for interpretation and translation services. Second, we will work with personnel and program areas to (a) identify new methods and opportunities to prioritize bilingual workers in any new hiring plans, and (b) recruit additional existing bilingual workers to obtain skills testing and specialized training to better serve LEP clients. Third, we plan to participate in the City of New York's "NY Certified" program, beginning with a pilot for the Family Independence Administration.