

**Carlton County Public Health and Human Services**

**14 N 11 St  
PO Box 650  
Cloquet, MN 55720**

**316 Elm Avenue  
Moose Lake, MN 55767**

**Limited English Proficiency (LEP) Plan**

04/01/2016

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**100 - Purpose And Legal Basis**

The following document serves as the Carlton County Public Health and Human Service (CCPHHS) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq; and 42 CFR 435 et seq. There are four components to this document.

**200 - Assessment**

**300 - Policy**

**400 - Training**

**500 - Monitoring**

**200 - Assessment**

**201 - Needs Assessment** - CCPHHS will on at least an annual basis make a needs assessment of the unique language needs within Carlton County. Consultation will be

made with the school districts in the County. Additionally, consultation will be made with the Legal Aid office located in Duluth. Consultations will aim at trying to discern the types of non-English languages that are most predominant in Carlton County and which constitute populations that the County serves or those that may be eligible for County-provided services. The County will also be amenable to receive County-specific data from the Department of Human Services to assist in this form of needs assessment. The following non-English language has been identified as being the most likely to be encountered in Carlton County: **Spanish**

**202 Case Finding** - Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the Health Care Application (HCAPP) and the Combined Application Form (CAF). Language preferences will be entered into the applicant's primary language field in the MAXIS system. If an interpreter is needed, it also will be entered in the MAXIS system. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will present the LEP person with a card that lists the eight major languages in order to determine which language is involved, if any. It is expected that reasonable efforts will be made by CCPHHS to provide same-day interpreter services.

**203 Points of Contact** - The greatest likelihood of need for interpreter services will be at the point of intake - at the time of an emergency or application for financial assistance. The principal point of contact will most likely be, therefore, in the office setting in Cloquet or Moose Lake. The most appropriate form of interpreter services will likely be language assistance in completion of an application for financial assistance or health care. The other point of contact may involve field-based contact when conducting child or adult protection assessments or Public Health home visits or WIC contacts. These contacts will typically take place in the home of the applicant/recipient.

**204 Resources Needed** - CCPHHS will utilize its extant informal linkage with **Clarity Interpreting Services** (218-343-3657) in Duluth, Minnesota . Additionally, CCPHHS will utilize **Language Line Services** (1-800-528-5888) after normal business hours. When feasible, on-site interpreter services will be made available and would be the first preference. (Note: The closest available interpreter is 25 miles from the Agency.) Use of reciprocal faxing processes will be used when necessary, to facilitate completion of applications and processing of interviews.

**205 Timely Access** - The **Clarity Interpreting Service** is available during customary business hours, Monday through Friday, 8:00AM to 4:00PM, **Language Line Services** are available 24x7. Contact with either entity will be made by commercial phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times - for the client and the interpreter.

### **300 Policies and Procedures**

**301 Agency Commitment** - CCPHHS is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all persons, including persons with LEP, to the various programs administered by Carlton County Public Health and Human Services. CCPHHS has, by prior action, adopted a policy statement entitled Civil Rights Compliance Requirements effective 1-1-95 , this in conformity with DHS Bulletin #94-84A dated 12-27-94.

**302 Range of Oral Language Assistance** - There will be limited oral language assistance on site in the CCPHHS Cloquet-based agency from current agency employees. Employees have very cursory proficiency in several non-English languages. Rather, use will be made of the informal linkage with the **Clarity Interpreting or Language Line**. Use of **Clarity Interpretations or Language Line** services is seen as encompassing 100% of the LEP needs of CCPHHS. Subsidiary use of **Language Line Services or Clarity Interpreting** will take place as necessary. CCPHHS will take advantage of the 8 brief "notice of rights to language services" documents for persons with LEP as they are made available by the Department of Human Services.

**303 Uncommon Languages** - There may be circumstances when customers present for services who use a language other than that most commonly used in Carlton County. There may be languages such as Russian, Hmong, Vietnamese, Khymer/Cambodian, Lao, Somali and the like. Receptionist staff will refer all such cases to the Financial Services Supervisor, Child Support Supervisor, Social Service Supervisors, Public Health Supervisor or Director. This person will be responsible for trying to determine what the customer's language or country of origin. Once determined, contact will be made with an appropriate interpreter in the customary manner.

**304 Affirmative Action** - The CCPHHS employee handling the case will inform either the customer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the customer incur any costs associated with LEP-directed interpreter services.

**305 Use of Family and Friends** - Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or Director. Alternative methods of customer service will need to be discussed. If the worker has determined that a family member, friend or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be

acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that a family member or friend be used. Under no circumstances may minor children be used for interpreter services.

**306 Competency Standards for Interpreters** - Any interpreter used for LEP services must be bi-lingual: fluent in English and fluent in the language of the customer needing the service. When using well-recognized interpreter services provided from a recognized agency - such as the **Clarity Interpretations** and **Language Line Services** , competency is presumed. When using family, friends or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. "Certification" as an interpreter is not a pre-requisite.

**307 Dissemination of LEP Plan** - Copies of the LEP Plan will be provided to the following: all CCPHHS employees who have direct customer contact, area Legal Aid office and Carlton County Courthouse. A copy of the main public announcement of the public's right to language assistance services emphasizing that these services are offered free of charge will be prominently displayed in the CCPHHS central reception area when developed and distributed by DHS.

**308 Services To Illiterate** - When confronted with a situation in which the customer is illiterate - cannot read or write in his or her native language - it is incumbent that CCPHHS find a suitable interpreter, one who can assist the person in completion of necessary forms, documents and the like. The CCPHHS intake worker needs to make the determination, in conjunction with the interpreter, about the customer's literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Faxing of forms and over-the-phone services may be required on a case-by-case basis.

**309 Emergency Situations** - When a determination has been made that an emergency exists and LEP considerations are identified as being present, CCPHHS may waive all proscriptions in order to insure that necessary emergency services are provided. Extraordinary efforts need to be put forth before circumvention of non-emergency procedures are followed. Consultation with a Supervisor or the Director are necessary before such action is taken.

**310 Access To and Costs of Interpreters** - Under no circumstances will CCPHHS indicate - either verbally or in writing - that any applicant or client in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours and when necessary, during non-business hours when an emergency has been determined to exist. Payment of interpreter services will be

based on the current recommended fee schedule for freelance interpreter services, if Language Line or Clarity Translations is not used.

**311 Notice of Service Availability** - LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the DHS document in the central reception area. Distribution of the LEP Plan to various parties cited above will help in putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it has been determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, CCPHHS will access these forms as necessary. Access to the Department's website at [www.dhs.state.mn.us/forms](http://www.dhs.state.mn.us/forms) will be made. Additionally, translated income maintenance forms located in TEMP Manual 12.01.13 will be accessed as needed.

**312 County-Produced Materials** - Insofar as the LEP census in Carlton County is limited, it is not anticipated that CCPHHS will develop any CCPHHS-produced material. Rather, CCPHHS will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web-page will also be used as necessary. CCPHHS will follow DHS's translation numerical guidelines as required.

**313 Complaint Resolution Protocol** - Any adverse action taken by CCPHHS with which an applicant or recipient disagrees is subject to complaint. CCPHHS has a formal complaint process that can be utilized to try to resolve any dispute. In the absence of local resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow in make a complaint to DHS or the Office of Civil Rights. The complaint procedure will conform in all respects to the extant CCPHHS procedure included in Civil Rights Compliance Requirements. Appropriate use of interpreter services with either **Clarity Interpretations** or **Language Line Services** to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of this LEP Plan.

**314 Posting** - A copy of the CCPHHS LEP Plan will be posted on the main bulletin board in the central lobby.

## **400 Training**

**401 Distribution of LEP Plan** - All CCPHHS employees who have direct contact with customers will be provided a copy of the LEP Plan upon its adoption. If any changes are made in the document, a revised copy will also be provided to the same entities listed in #307.

At this time, the following employees will be recipients of the document:

All Financial Services Staff	(N=22)
All Child Support Staff	(N=13)
All Social Services Staff	(N=51)
All Public Health	(N=31)
Office Support Staff	(N=19)
Office Support Supervisor	(N=1)
The Fiscal Supervisor	(N=1)
The Director	(N=1)

**402 Training of Staff - Initial** - With approval of the LEP Plan, there will be initial training on the document. This training will take place for current staff in the context of the annual All Staff meeting. For any new employee affected by the LEP Plan, this document will be incorporated into that person's orientation protocol at the time of hire.

**403 Training of Staff - Ongoing** - On at least an annual basis at an "All CCPHHS Staff" meeting, a review of the LEP Plan will take place.

## **500 - Monitoring**

**501 Evaluation of the LEP** - On at least an annual basis, the LEP Plan will be reviewed for effectiveness. This review will normally take place in April. It will be coordinated by the CCPHHS LEP Coordinator. The evaluation will involve consultation with representatives of the Financial Services, Child Support, Public Health and Social Services Units to determine compliance with the LEP Plan, identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include the following:

- \*Number of persons with LEP in Carlton County

- \*Assessment of current language needs of CCPHHS applicants and clients to determine if the client needs an interpreter and/or translated materials; updating case files which lack information about a client's language preference; determining if clients need to be asked their language preference at the time of certification or assessment.

- \*Determining whether existing assistance is meeting the needs of applicants and clients with LEP.

- \*Assessing whether staff members understand CCPHHS LEP policies and procedures and how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.

\*Seeking and obtaining feedback from non-English or limited-English speaking communities in Carlton County including applicants and clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

**502 - LEP Contact Person** -For purposes of the LEP Plan, Carlton County's designated contact person is the Director with appropriate delegation made to both the Financial Assistance Supervisors, Patti Hart and Dusty Letica.

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