

LEP

**COMMUNITY MENTAL HEALTH
PARTNERSHIP OF SOUTHEAST
MICHIGAN:**
LENAWEE
LIVINGSTON
MONROE
WASHTENAW

Providing meaningful
Service to individuals with
Limited English Proficiency



This document gives an overview of available options and resources for providing services in other languages. It outlines the importance of providing services to LEP persons and gives some examples of what is already being done within organizations. It is meant to be an introductory brochure to guide service providers. It is especially important for agencies and organizations who receive federal funding through Medicaid, grants, and other sources, where Executive Order 13166 applies.

Please review the CMHPSM’s policy, Culturally & Linguistically Appropriate Services, available at:
http://www.ewashtenaw.org/government/departments/cmhpsm/provider_information/CSSN%20Info/regional_policies/Culturally%20Linguistically%20Appropriate%20SVC

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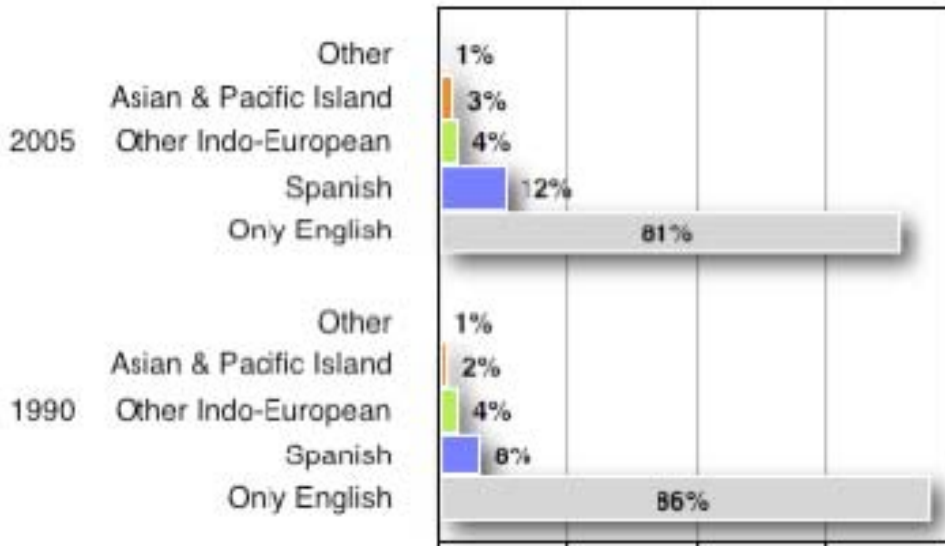
Why is it important to provide services to LEP individuals?

Language barriers can prevent people from getting high-quality care or needed services. Sometimes they do not know about services they could be getting. Sometimes they apply for services, but they do not understand what they are being asked for, so they may give the wrong information. Or they cannot answer questions because they do not speak English very well.

It is important for LEP individuals to understand their rights and responsibilities. They need help in order to have equal access to government services. Interpretation or translation services can make a big difference for people who do not speak English well.

It is also important because federal regulations are tied to Medicaid funds. Those regulations require that an agency provides services in a language that its consumers understand.

Figure: All languages spoken at home 1990 and 2005, in percent



Sources: 1990 U.S. Census & Data Set; 2005 American Community Survey

From LEP.gov:

Under Title VI and federal agency regulations implementing Title VI, recipients of federal financial assistance have a responsibility to take reasonable steps to provide LEP individuals with meaningful access to their programs and activities. Title VI and its accompanying regulations prohibit recipients from discriminating on the basis of race, color, or national origin. Discrimination on the basis of national origin can occur if a recipient does not provide appropriate language assistance to LEP individuals because these individuals, whose language is usually tied to their national origin, will not have access to the same benefits, services, information, or rights that the recipient provides to everyone else. Thus, in certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate Title VI and its regulations prohibiting national origin discrimination.

LEP: Definition

The Department of Justice defines an LEP individual as:

A person who is unable to speak, read, write or understand the English language at a level that permits him or her to interact effectively with health and social services agencies and providers.

Why LEP Services?

Changing Demographics

According to data from the U.S. Census, the number of Americans who do not speak English in their homes is growing.

Executive Order 13166

The Federal government requires that any agency that gets federal funding must provide "meaningful access for LEP individuals"

Final DOJ Published Guidance Here:

<http://www.usdoj.gov/crt/cor/lep/DOJFinLEPFRJun182002.htm>

Civil Rights

Because they do not speak or read English well, LEP persons may not know that they can get services if they need them.

Or, they may not be well served by programs: they may have delays in getting services, or they may be denied services. Or they may get services that are based on inaccurate or incomplete information.

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d et. seq. states: "No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."



What can we do? Selected Examples

Dial-up services

Many agencies use dial up services or “telephone interpretation”. This provides interpretation services around the clock, every day of the week.

The convenience of this access may make this a valuable option, especially for smaller agencies that do not serve a high number of LEP clients. On the other hand, such services could be expensive for those agencies that serve a lot of LEP persons. The fees can be 2 dollars and more per minute, depending on the specific circumstances of the call and language used.

Dedicated on-site or on-call Interpreters

There are several advantages to using on-site interpreters, such as staff, volunteers, or contractors.

- Face-to-face communication is the best way to provide high-quality services, especially when a client is in crisis or has health problems.
- The agency can use its current staff or volunteers who are fluent in a language other than English.
- Depending on the size of the agency and the number of LEP clients, the agency may have an entire program with a staff of interpreters and translators.
- Of course, an agency should evaluate the cost effectiveness of any interpretation program. Some places have found that hiring bilingual staff or volunteers can help to cut costs in the long run.

Volunteers

If telephone interpretation or paid interpreters are not within an agency’s budget, it may be possible to use a pool of volunteers from the community for interpretation/translation services. Some agencies keep a list of on-call volunteers.

When using volunteers, however, they may not always be available when needed. For example, if an LEP client shows up at 3:00 a.m. in a crisis, a volunteer may not be available.

A combination of services

An agency might use a variety of methods for interpretation and translation services. The agency may use different resources depending on the specific situation.

For instance, an agency may have full-time or part-time staff or volunteers available during a set schedule. If services are needed outside of this time period, the agency may use dial-up services. The agency’s policies should have guidelines for which type of service to use under certain circumstances, and staff should be trained how to implement the policy.

LEP website resources

Lep.gov has examples of agencies that have been creative in providing LEP services and have strong policies in place. Those examples can be seen here:

Executive Order 13166 Limited English Proficiency Resource Document: Tips and Tools from the Field

http://www.usdoj.gov/crt/cor/lep/tips_and_tools-9-21-04.htm

Healthcare-related planning tools are also available:

A Patient-Centered Guide to Implementing Language Access Services in Healthcare Organizations

<http://www.omhrc.gov/templates/content.aspx?ID=4375>

*Also see planning resources on page 8

Questions to address when designing a program

Federal Guidelines

The Department of Justice (DOJ) has created an LEP Guidance to assist agencies in meeting their legal responsibilities to provide access and services to LEP clients.

The LEP Guidance describes the four factors to be considered when serving LEP clients. The DOJ uses these when evaluating programs for compliance.

These four factors are:

1. The number or proportion of LEP persons in the agency's eligible service population;
 2. How often LEP individuals come into contact with the agency's programs;
 3. The importance of the benefit, service, or information to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation); and,
 4. The resources available to the agency, and the cost of providing language services.
- <http://lep.gov/recip.html>

1 Demographics

What are the current and projected demographics for your service area?

For statistical information on languages spoken in your area, refer to the demographics resources on p. 7. This data will help you decide the scope of services you need to provide. Remember to include sign-language.

Consider conducting a survey or focus group.

2 Service Level

Based on the demographic data you have collected, what size should your language program be? After you have gathered information on languages spoken in your area, you can decide what level of services may be needed at your agency, and for which languages.

3 Staff

Do you have existing staff that are fluent in foreign languages? What is their skill level and availability?

Do you have the ability to contract with an agency that provides interpretation programs? Would language line services help your clients?

Consider language training programs for staff.

4 Resources Available

What financial resources are available for LEP services? Can your agency pool resources with other local agencies to create a pool of interpreters/translators?

Use community or university resources for languages.

Consider a volunteer pool from the community. Remember that volunteers must understand and abide by confidentiality requirements.

Frequently Asked Questions

Q. Who is a Limited English Proficient (LEP) individual?

A. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are limited English proficient, or "LEP." These people may be entitled to language assistance when receiving services from agencies that are funded by federal dollars.

Q. What kind of federal funding requires LEP services be provided?

A. In addition to federal programs like Medicaid, federal funding includes grants, training, equipment, donations of surplus property, etc. Subrecipients are also covered when federal funds are passed from a recipient to a subcontractor. Recipients of federal funds range from state and local

English as a Second Language

Note: Many LEP clients may be learning English and may read, write, speak, and/or understand some English. However, they may not be fluent with complex or specialized language, such as health-related communications.

It is important to offer LEP clients the chance to have services in their native language. This improves communication and improves the quality of services that are provided.

agencies, to nonprofits and other organizations. A list of the types of recipients and the agencies funding them can be found at: Executive Order 12250 Coordination of Grant-Related Civil Rights Statutes.

Civil Rights law also applies. Title VI covers a recipient's entire program or activity. This is true even if only one part of the recipient receives the federal assistance. For example: if the federal Department of Justice provides funding to the Michigan Department of Corrections to improve a particular prison facility, then all of the operations of the entire MDOC are covered under Title VI - not just the particular prison that received federal funds.

General information on Title VI can be found at: Title VI of the Civil Rights Act of 1964 42 U.S.C. § 2000d et seq.

Q. What are recipients of federal funds and federal agencies required to do to meet LEP requirements?

A. Recipients of federal funds are required to take reasonable steps to ensure LEP persons have meaningful access to their programs and activities. While designed to be a flexible and data-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided; and
4. The resources available to the program, and the costs of LEP services. As indicated above, the intent of this guidance is to find a balance that ensures meaningful access by LEP persons to critical services, while not imposing undue burdens on small businesses or nonprofits.

Q. Do recipients of federal funds have to submit written language access plans to their government funders?

A. No, unless it is requested. While planning is important to ensure that reasonable steps are taken to provide meaningful access to LEP individuals seeking services, benefits, information, or assertion of their rights, there is no blanket requirement that the plans themselves be submitted to the federal government. In certain circumstances, such as compliance investigations or compliance reviews, a program may be required to provide a copy of its LEP plan.

Resources for LEP Program Planning and Implementation

General guidelines: LEP.gov
For planning resources, see Planning Tool

U.S. Health & Human Services

 <http://www.omhrc.gov/templates/content.aspx?ID=4375>

A Patient-Centered Guide to Implementing Language Access Services in Healthcare Organizations)

 **Case Summaries**

<http://www.hhs.gov/ocr/selectacts/>

Demographic information:

 **Michigan: SEMCOG: <http://semcog.org/>**

 **U.S. Census Fact Finder:**

<http://factfinder.census.gov/home/saff/main.html?lang=en>

 **U.S. Census “Language Use”**

http://www.census.gov/population/www/socdemo/lang_use.html

Interpretation (see extended list below):

 **Sign Language: www.weinterpret.net**

- Deaf Hearing & Sign Language Center Inc, www.dhsconline.org

 **Language Lines/translation/interpretation:**

- LLE Communications: www.lle-inc.com
- AT&T Language Line: <http://www.language.com/page/welcome/>

 **Translator resource list from Michigan.gov (PDF):**

http://www.michigan.gov/documents/Translators_Resource_List_95124_7.pdf

 **UM Hospital contracts out its interpreter staff:**

<http://www.med.umich.edu/interpreter/interpreting.htm>

Local Interpretation Resources

A few options....

Inline Translation Services, Inc.
 Spanish Translations Business - Medical - Technical
 (866) 818-8056

University Translators Services
 220 North Fifth Avenue, Ann Arbor, MI 48104
www.univtrans.com

OLE Servicios Latino Americanos
 2730 Washtenaw Road, Ypsilanti, MI, 48197
 (734) 528-1212
www.oleservicioslatinoamericanos.com

LLE Language Services:

Offers professional interpretation and other language services, including LLE-LINK Telephonic Interpretation
www.lle-inc.com

Lingua Science

921 West Washington St, Apt 2, Ann Arbor, MI 48103
 (734) 930-1553

Babel Latina Inc. Editorial Translation Group

(734) 995-0373
www.babel-latina.com

Speak Easy Languages
757 S Main St
Plymouth, MI, 48170
(734) 459-5556
www.speakeasylanguages.com

Multilanguage Services Inc
31153 Plymouth Rd
Livonia, MI, 48150
(734) 513-0886
www.multilanguagenet.com

Suzuki Myers & Associates LTD
PO Box 852, Novi, MI 48376
(248) 344-0909

Middle East Translation Services Inc
Arabic translators
6017 Whitefield St - Dearborn Heights, MI 48127
(313) 724-8188
www.arabtrans.com

Arabic Chaldean International Language Service
21800 West 10 Mile Road, Southfield, MI 48075
(248) 357-0651

NEW ERA Translating Technology
1956 Churchill Avenue, Trenton, MI 48183
(734) 692-0550

Language Center International
Offers ESL classes, translations, interpretations, and
immigration information
24445 Northwestern Highway, Southfield, MI 48075
(248) 355-5506
www.languagecenter.us

Nuevo Bilingual Service Center
68 North Roessler Street, Monroe, MI 48162
(734) 241-3317

United International Services
7001 Wyoming Street, Dearborn, MI 48126
(313) 846-6903

Foreign Language Studios
17340 W 12 Mile Rd Ste 100 - Southfield, MI 48076
(248) 557-1919

Resources

Policy and Guidance Documents

Department of Justice Guidance: <http://www.usdoj.gov/crt/cor/13166.htm>

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency Document: <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>

Federal Interagency Working Group on Limited English Proficiency, www.lep.gov.

Recipient (of federal funding) guidance: <http://www.lep.gov/recipient.html>

The Modern Language Association, <http://www.mla.org>. - for mapping languages

U.S. Department of Health and Human Services: *A Patient-Centered Guide to Implementing Language Access Services in Healthcare Organizations*, <http://www.omhrc.gov/templates/content.aspx?ID=4375>

Presentations, Guides, and Teaching Tools

“Breaking Down the Language Barrier: Translating Limited English Proficiency into Practice”

A streaming video link on www.lep.gov

“How to Identify Limited English Proficient (LEP) Populations in Your Locality”

A presentation given by the Federal Highway Administration at the American Association of State Highway and Transportation Officials (AASHTO) 2004 Civil Rights Conference.

Available at: <http://www.fhwa.dot.gov/civilrights/confworkshops04.htm>.

Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance, created by the U.S. Department of Justice. [PDF] www.lep.gov/selfassesstool.pdf

“Providing Language Access for Persons with Limited English Proficiency”

A power point presentation produced by the FTA Office of Civil Rights available at:

http://www.fta.dot.gov/civilrights/title6/civil_rights_5102.html.