

LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

State Agency: New York State Office for the Aging (NYSOFA)

Effective Date of Plan: April 1, 2015

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PART 1 – INTRODUCTION

Pursuant to Executive Order No. 26 (“Statewide Language Access Policy”), we have prepared this Language Access Plan (“Plan”) that sets forth the actions we will take to ensure that persons with limited English proficiency (“LEP”) have meaningful access to agency services, programs, and activities.

Statement of Agency Services to the Public:

The Older Americans Act (OAA) requires the federal Administration on Aging (AoA) to allocate OAA funds to State Units on Aging (SUA) primarily based on the number of people 60 and older in the state/territory with adjustments. These funds serve as the nucleus for developing the aging network in each state by developing supportive and community-based services. SUA receive funds for nutrition, a variety of supportive services to enable older adults to remain independent, elder rights, long term care ombudsman services, legal services, outreach, abuse prevention efforts and caregiver support services.

The New York State Office for the Aging (NYSOFA) is part of the Executive Department in New York State and is the designated State Unit on Aging (SUA) under the federal Older Americans Act (OAA) of 1965, as amended. As the SUA, NYSOFA is responsible for developing and administering a multi-year statewide Plan for Aging services and serves as the primary advocate for older adult residents in New York State.

The mission of NYSOFA is to help older New Yorkers to be as independent as possible for as long as possible through advocacy, development and delivery of person-centered, consumer-oriented, and cost-effective policies; programs and services which support and empower the older adult and their families, in partnership with the network of public and private organizations which serve them. As required under the OAA, NYSOFA divides the State into planning and service areas (PSA) and designates an Area Agency on Aging (AAA) within each area. Each AAA is required to complete and submit a Four Year Plan with an Annual Implementation Plan provided to the State Unit, which describes how OAA funds will be allocated for specific programs targeted to the older population. Upon approval of an Area Plan, NYSOFA approves distribution of OAA funds based on an approved federal funding formula. NYSOFA monitors the implementation of the AAA Plans, conducts fiscal reviews and provides technical assistance and training to the AAAs to ensure compliance with the requirements as well as the goals and objectives outlined to serve the needs of older adults at the local level.

The majority of direct programs and services for older adults in NYS are administered and provided through the local Area Agencies on Aging (AAAs), described above, which receive federal and state funds through NYSOFA. In these programs preference is given to older adults with the greatest economic or social need. There are 59 local AAAs which serve each county, the City of New York as well as the St. Regis Mohawk Indian Reservation, and the Seneca Nation of Indians, which includes the Cattaraugus and Allegany Reservations. These are the only Indian Reservations with offices for the aging east of the Mississippi. Most AAAs are part of local governmental entities; however, in a few cases, the designation of an AAA is held by a local nonprofit.

NYSOFA's primary role is to administer funding for various Titles under the Federal Older Americans Act of 1965 as amended, and for a variety of state-funded programs which serve the older adult.

NYSOFA performs other key policy and administrative functions which include:

- Advises and assists the Governor to develop policies to help meet the needs of older New Yorkers and to encourage their full participation in society;
- Coordinates State programs and services for older adults;
- Stimulates community interest in problems faced by older adults;
- Promotes public awareness of resources available for older adults and their caregivers;
- Ensures the development of local programs; and
- Fosters and supports studies, research and education on the older adult population.

NYSOFA has responsibilities in providing limited direct service to the public and/or materials used in the statewide Aging Network of locally directed service providers, as described below:

- Senior Help Line: constituents contact NYSOFA directly through a toll-free telephone Help Line staffed by The Office of Children and Family Services (OCFS) Human Services Call Center representatives for over-the-phone consultations and/or written correspondence. This service provides information and assistance to empower consumers to make informed decisions about, and be able to easily access, relevant programs and services that meet their specific needs.
- The Long Term Care Ombudsman Program (LTCOP): is a federal advocacy program dedicated to protecting people living in long term care facilities. NYSOFA operates LTCOP through the Office of the State Long Term Care Ombudsman. The State Ombudsman supervises Substate Ombudsman Coordinators who serve all communities throughout the State. Substate Ombudsman programs are sponsored either by AAAs or other qualified organizations. The heart of the Long Term Care Ombudsman Program is the corps of specially trained and certified citizen-volunteer ombudsmen. Many volunteers are retired professionals from various fields. Ombudsmen spend an average of four to six hours a week

in each assigned facility, advocating for the residents. NYSOFA LTCOP staff has frequent contact with the public.

- NY Connects: Choices for Long Term Care, also known as NY Connects, provides comprehensive information and assistance to individuals in need of long term services and supports and informal caregivers. NY Connects is available to individuals and families seeking private pay, Medicaid and other publicly funded services. Individuals with long term service and support needs typically contact the local NY Connects’ office for assistance.
- The Health Insurance Information, Counseling and Assistance Program (HIICAP) receives federal funds to operate a statewide network of local programs which: educate the public about Medicare, Medicaid, managed care, EPIC, and other health insurance options and issues; assist Medicare beneficiaries of all ages to access needed health care and to apply for programs such as the Medicare Savings Programs. Additionally, there is also an automated HIICAP Helpline which directs callers to local assistance in answering health insurance related questions. Consumers occasionally contact NYSOFA’s HIICAP staff for assistance.
- Senior Medicare Patrol (SMP) is a program designed to educate and empower the public and the Aging Network about how to protect, detect and report Medicare/Medicaid fraud and abuse. SMP’s objective is to empower older adults to protect personal identifying information such as their Social Security and Medicare numbers, review their Medicare Summary Notices for improper billing, and report suspected fraud to the proper authorities. Collectively, the work of the HIICAP and SMP programs help older adults to be aware, protect vital information and report suspected wrong doing. Lifespan of Greater Rochester operates a SMP Hotline where individuals can report suspected Medicare/Medicaid fraud and abuse. The Lifespan call center uses its proven capacity to assist Medicare beneficiaries with their Medicare concerns such as inaccurate billings, deceptive health practices, and communication inaccuracies between healthcare companies and patients.

In developing this plan, we have understood LEP individuals to be persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. We will reassess language needs periodically as needed, but at least every two years starting from the effective date of this plan.

PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS

The estimated total number of individuals in our service area is: more than 3.89 million New Yorkers age 60 or over.

The top six languages spoken by LEP individuals that our agency serves or could potentially serve are as follows:

Language	Estimated Number of LEP Individuals Who Speak this Language
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Spanish	1,230,302
Chinese	329,482
Russian	130,961
Italian	65,243
Korean	64,426
French (Haitian) Creole	64,046

Source: U.S. Census Bureau, 2008-2012 American Community Survey

We use the following resources to determine the top six languages spoken by LEP individuals:

- U.S. Census data (including American Community Survey data)
- Agency data on client contacts
- School system data
- Information from community organizations that serve LEP individuals

Names of organizations:

- Information from other government agencies

Names of agencies:

- Other (describe) Due to the incomplete breakdown of available Census data for NYSOFA’s statewide constituent group of older adults age 60 and over, the table below, appearing after this narrative, provides currently available Census data on statewide representation of Older New Yorkers, but has less detailed language data. However, NYSOFA will use the top six languages listed above in determining its plans for language assistance services.

Limited English Population in Service Community of New York State Office for the Aging

Total Population:

Ages 18 to 64: 12,544,537
(i.e., potential caregivers)

Ages 65 and over: 2,759,407
(i.e., that portion of older adults eligible for NYSOFA services, ages 60 and over, who are discretely reported by Census Bureau. NOTE: current Limited English data are not available for ages 60 and over.)

Ages 18 to 64 (i.e., potential caregivers)

Language	Estimated Number of LEP Individuals Who Speak this Language	Total language speakers in age cohort	Percent of language speakers with LEP in age cohort
	(i.e., speak less than "well")		
Spanish:	586,301	1,997,073	29.36%
other Indo-European languages:	134,175	134,175	12.05%
Asian and Pacific Island languages:	218,205	669,501	32.59%
other languages:	21,502	203,655	10.56%

Ages 65 and over
(i.e., that portion of older adults ages 60 and over reported by the Census Bureau)

Language	Estimated Number of LEP Individuals Who Speak this Language	Total language speakers in age cohort	Percent of language speakers with LEP in age cohort
	(i.e., speak less than "well")		
Spanish:	132,928	264,138	50.33%
other Indo-European languages:	97,471	290,265	33.58%
Asian and Pacific Island languages:	70,044	112,592	62.21%
other languages:	4,741	24,173	19.61%

Source:

U.S. Census Bureau, American Community Survey, 2012 1-Year Estimates, Table B16004

Notes:

Data are based on a sample and are subject to sampling variability. Data reported are point estimates around which there is a confidence interval: in general, the greater the estimate the smaller the confidence interval.

Language categories are as specified in the table B16004, reporting "Age By Language Spoken At Home By Ability To Speak English For The Population 5 Years And Over," which is the only source that has been identified for the specified data categories.

We have determined the frequency of our contacts with LEP individuals as follows:

A logical field for the question, “does the client have Limited English Proficiency” has been added to the agency’s reporting system. This data is collected for all clients receiving a registered service including: Personal Care Level 1, Personal Care Level 2, Case Management, Consumer Directed In-Home, Home Health Aide, Adult Day Care Services, Home Delivered Meals, Congregate Meals, Assisted Transport and Nutrition Counseling. Information on specific languages is currently held at the local AAA level. NYSOFA has interpreting services available on the Senior Help Line as described in detail in Part 3. Language Line Solutions accounts are in place for LTCOP, HIICAP, SMP and NY Connects: Choices for Long Term Care. The services offered by Language Line include thorough records on frequency of use, languages spoken and costs associated with service.

PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

We inform LEP individuals, in the languages indicated in the chart in Part 2 of this plan, about their right to free language assistance services by using the following measures:

- LEP individuals are informed directly by our staff

In what ways? The OCFS Human Services Call Center has trained representatives who identify callers with LEP and offer telephonic interpreting services. The OCFS Human Services Call Center frequently reviews access for LEP callers. The Help Line Supervisor is responsible for ensuring that Call Center representatives are aware of and sensitive to LEP callers, and that knowledge of language assistance resources are available to them.

- Brochures or flyers about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Signs posted about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Outreach and presentations at schools, faith-based groups, and other community organizations

What are the LEP populations targeted?

- Local, non-English language media directed at LEP individuals in their languages

- Telephonic voice menu providing information in non-English languages

In which languages:

- Other (describe) NYSOFA's toll-free 1-800 Senior Citizen's Help Line number appears in many federal, state, and local publication materials with a brief narrative about information and assistance services. There is no prior authorization granted by NYSOFA for advertisement of offered services through the helpline. Materials and information offered advertise the toll-free Help Line, which includes a notice of the availability of free interpreting services.

The free language assistance notification has been added to NYSOFA's website.

PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *in person*:

The occurrence of in-person encounters at NYSOFA is less than 1 per quarter. In the event that an LEP consumer requires in-person assistance, NYSOFA's administrative staff have been trained to offer free interpreting services by using the "I Speak" poster/card and accessing Language Line Solutions interpreters to assist the consumer.

- "I Speak" posters or visual aids
- Reception staff make those determinations based on experience, with the assistance of bilingual staff members where available
- Other (describe)

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *by telephone*:

When the encounter is by telephone through the 1-800 toll-free Help Line or other telephonic resources for assistance, the staff have been trained to assess the language needs of the caller and connect the caller to an interpreter. If they cannot identify the specific language needed, staff will connect to Language Line Solutions for assistance and use their professionally trained interpreters to complete the call per usual Help Line protocol.

- Reception staff make those determinations based on experience, with the assistance of bilingual staff members where available
- Telephonic interpreting service
- Other (describe)

We record and maintain documentation of each LEP individual's language assistance needs as follows:

Language Line Solutions provides NYSOFA with an ongoing summary of frequency of use, type of interpreting service provided and costs by program areas. Records are cross compared to hand written logs maintained by NYSOFA staff. The OCFS Human Services Call Center provides documentation to NYSOFA regarding the status of every call that required Language Line services.

A. Oral Interpreting Services

Our protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:

For in-person encounters: The occurrence of in-person encounters is less than 1 per quarter. In the event that a consumer does not appear to understand information provided or appears unable to communicate their needs clearly enough for staff to provide service, administrative staff have been trained to offer and provide free interpreting services using their “I Speak” poster/card and access to Language Line Solutions interpreters to assist the consumer.

By telephone: When the encounter is by telephone through the 1-800 toll-free Help Line or other telephonic resources for assistance, staff have been trained to assess the needs of the caller and connect the caller to an interpreter. In the event that a consumer does not appear to understand information provided or appears unable to communicate their needs clearly, staff will contact Language Line Solutions for assistance and use the professionally trained interpreter to complete the call per usual Help Line protocol.

At initial contact in the field: The occurrence of in-person encounters in the field by NYSOFA staff is rare. In the event that a consumer contacted in the field does not appear to understand information provided or appears unable to communicate their needs clearly enough for staff to respond, the NYSOFA staff person will contact, as appropriate, the local AAA for interpreting assistance or the appropriate NYSOFA’s program, Language Line Solutions or Senior Help Line for telephonic interpretation.

For pre-planned appointments with LEP individuals: The occurrence of in-person encounters is less than 1 per quarter. In the event that a consumer does not appear to understand information provided or appears unable to communicate their needs clearly, the NYSOFA Help Line, the appropriate NYSOFA program, or Language Line Solutions will be accessed and telephonic interpretation will be provided.

Other (describe):

Our protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:

For in-person encounters: The occurrence of in-person encounters is less than 1 per quarter. In the event that a consumer seeking assistance does not appear to understand information provided or appears unable to communicate their needs clearly, the administrative support staff will be contacted to assist. Administrative support staff have been trained and have resources including an “I Speak” poster/card (which includes notice of free language assistance) and access to Language Line Solutions interpreters to assist the consumer.

By telephone: NYSOFA's Senior Help Line or other programmatic representatives will directly inform callers with LEP or use the Language Line interpreter to advise callers that free language assistance is available. There is also a message in Spanish that is activated during a period of delay due to high call volume that advises callers that if they need a free language interpreter, they will be placed on hold while the interpreter is contacted.

At initial contact in the field: The occurrence of in-person encounters in the field by NYSOFA's staff is rare. In the event that a consumer contacted in the field does not appear to understand information provided or appears unable to communicate their needs clearly, the NYSOFA staff person will contact, as appropriate, the local AAA, the appropriate NYSOFA program, Senior Help Line or Language Line services. Interpretation will be provided through that mechanism to advise the consumer that they do not need to provide their own interpreters and that free interpreting services will be provided.

For pre-planned appointments with LEP individuals: The occurrence of in-person encounters is less than 1 per quarter. In the event that a consumer does not appear to understand information provided or appears unable to communicate their needs clearly, NYSOFA's program or Senior Help Line or Language Line services will be accessed and telephonic interpretation will be provided.

Other (describe):

If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocol(s) for determining whether to accept or decline such an arrangement is as follows:

LEP individuals that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, **during non-medical emergencies** an LEP individual may be permitted to use a minor, a family member or friend as an interpreter. Planning and implementation will occur to minimize this from happening. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the agency's office and an individual is permitted to use an interpreter of his or her choosing, he or she must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the agency, the agency will provide an independent interpreter at all times. An LEP individual will not be permitted to use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

Our protocol(s) for obtaining interpreter services in a timely manner is as follows:

The OCFS Human Services Call Center account with Language Line Solutions ensures that NYSOFA's Help Line has access to interpreters in a timely manner. NYSOFA utilizes Language Line Solutions accounts for the Long Term Care Ombudsman Program (LTCOP), the Health Insurance Information, Counseling and Assistance Program (HIICAP), Senior Medicare Patrol, and

NY Connects: Choices for Long Term Care. The addition of these telephonic interpreting services to the referenced program areas will ensure timely access to interpreter services, as needed.

We record and maintain documentation of oral interpreting services provided to LEP individuals at each encounter as follows:

Language Line Solutions provides thorough records on frequency of use, languages spoken and costs associated with service. Written logs of LEP contacts are maintained and reconciled with Language Line records.

Competency and confidentiality

The linguistic and cultural competence of interpreters is addressed as follows:

Where NYSOFA utilizes independent interpreting services, that vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

The issue of confidentiality pertaining to the use of interpreters is addressed as follows:

Independent interpreters will enforce standards of confidentiality in accordance with NYS Law. All Language Line interpreters sign a confidentiality agreement and are bound by a strict code of ethics ensuring that all information pertaining to services rendered remains strictly confidential. Interpreters destroy any notes made during sessions as well.

Maintaining a list of oral interpreting resources

We use, or have available for oral interpreting, the following resources:

- Bilingual staff members who work directly with LEP individuals

Number of staff and languages spoken: 1 Spanish

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken: 1 Spanish

- Telephonic interpreting service

Names of vendors: Language Line Solutions, Inc. and potentially any other vendor under the OGS Statewide Administrative Services Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages:

- Other (describe)

The agency's Language Access Coordinator maintains the list of oral interpreting resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedure for accessing each interpreter or service

We inform all staff members who have contact with the public how to obtain oral interpreting services as follows:

All NYSOFA's program areas that have public contact either has or are in the process of acquiring Language Line Solutions accounts and access. All necessary information and training is provided to obtain and properly utilize oral interpreting services.

B. Translations of Written Documents

The process to determine and reassess, at least every two years starting from the effective date of this plan, those vital documents (including website content) which must be translated is as follows:

NYSOFA's Language Access Coordinator has regular communication with the Executive Management Team to identify any new or existing vital documents to be translated pursuant to the Executive Order. Additionally, new programmatic initiatives will include a review by the Language Access Coordinator to determine what new vital documents being created require translation. The Language Access Coordinator will then work with the agency's management to complete the recommended translations.

The process to timely translate documents that LEP individuals submit in their primary languages is as follows:

NYSOFA utilizes the translation services offered by Language Line Solutions, or by any other vendor under the OGS contract, to reply to the inquiries as per normal process. The same process is used for any hand written correspondences that are sent to us with request for assistance. In all cases, if a phone number is provided as requested, then Language Line interpreting services would be used to call the person and address their needs by phone in a prompt fashion.

The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:

NYSOFA's Public Information Unit is used to develop and edit materials produced by the agency for public use. As a standard, written materials produced by the agency are written to a grade school to middle school level. [Note as a comparison, newspapers are generally written to the 12th grade level.]

The following documents are currently translated by the agency in the languages indicated:

1) The following are *vital documents* that have been translated in the top six languages.

A. New York State's Senior Citizen Resource Guide: approximate size: 13,117 words.

This document is available on NYSOFA's public website. NYSOFA provides links in the top six languages to a message explaining the importance and purpose of the Resource Guide, and directs consumers with LEP to the appropriate local AAA (through which direct services are provided) for assistance.

B. Long Term Care Ombudsman Program (LTCOP):

- i. LTCOP Brochure: 8.5" x 11"; approximately 200 words; two pages. LTCOP produces a comprehensive brochure that describes the program and offers contact information.
- ii. LTCOP Authorization and Waiver of Confidentiality: 8.5"x 11"; approximately 150 words; one page. LTCOP Authorization and Waiver of Confidentiality must be explained by the certified ombudsman and signed by the resident.
- iii. LTCOP Adult Home Residents Rights Poster: 14" x 11"; approximately 200 words; one page. LTCOP produces a poster for residents of NYS Adult Homes outlining and explaining residents' rights. A notation has been added to the LTCOP website homepage (www.ltcombudsman.ny.gov) that free language assistance is available in the top six languages identified in this Plan when calling the Help Line (1-800-342-7891).
- iv. A Google Translate option has been added to the LTCOP website's homepage (www.ltcombudsman.ny.gov) with a link to a translation feature developed by Google™ Inc., entitled Google™ Translate, to assist visitors to the LTCOP website. The website contains a disclaimer of use.

C. HELP LINE: Constituent Request for Assistance Online Form (1 page)

D. NY Connects:

- i. NY Connects Brochure (2 pages): the brochure, which describes the program and services available, has been translated into the top six languages. The translated brochures have been posted on the NY Connects Resource Directory as referenced below.
- ii. NY Connects Resource Directory: the provider directory is designed to increase public access to long term services and supports resources via a web-based platform. The NY Connects Resource Directory is currently hosted and maintained by RTZ Associates, Inc. The database is searchable by topic and locality allowing individuals, providers, and NY Connects Information and Assistance Specialists to quickly find information on a State website. The site is currently available only in English and consists of both static and dynamic information. However, NYSOFA has added a link to a translation feature developed by Google™ Inc., entitled Google™ Translate, to assist visitors to the NY Connects Resource Directory's website that contains a disclaimer of use.

- E. The Health Insurance Information, Counseling and Assistance Program (HIICAP):
- i. Brochure (2 pages): the brochure, which describes the program and services available, has been translated into the top six languages. The Office of Temporary and Disability Assistance has provided translations of the brochure in other languages including Arabic, Burmese, Nepali, Ukrainian and Uzbek identified as being commonly used by older adult refugees.
 - ii. HIICAP operates a statewide toll-free consumer Help Line at 1-800-701-0501. HIICAP receives over 35,000 calls per year. The helpline requires that callers enter their zip code to be transferred to the local County HIICAP Program. In New York City, callers are sent to 311 and instructed to ask for “HIICAP.” The welcome message is available in English, Spanish, Chinese, Italian, Russian, Haitian Creole and Korean. Callers are informed of the zip code process and that the call will be transferred to the local HIICAP Program or 311 in NYC.
- F. Senior Medicare Patrol (SMP):
- i. Brochure (2 pages): the brochure, which describes the program and services available, has been translated into the top six languages. The Office of Temporary and Disability Assistance has sponsored translations of the brochure in the languages spoken by high numbers of older adult refugees including Arabic, Burmese, Nepali, Ukrainian and Uzbek.

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

NYSOFA, through its vendor (where applicable), ensures that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided by any vendor under contract as part of the publication process. NYSOFA also ensures that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.

We use, or have available for translating, the following resources:

- Contracts with language service vendors
 - Names of vendors:** Language Line Solutions, Inc. and potentially any other vendor under the OGS Statewide Administrative Services Contract.
- Contracts or other arrangements with community organizations or individuals for oral interpreting services
 - Names of individuals/organizations and languages:**
- Oral translations of written documents by bilingual staff members
- Oral translations of written documents by other individuals or community organizations

- Other (describe) NYSOFA has added a link to a translation feature developed by Google™ Inc., entitled Google™ Translate, to assist visitors to the NYSOFA's website with a disclaimer of use. The Google™ Translate Disclaimer states "The "Google™ Translate" option may assist you in reading the materials on this website in a variety of languages; however, Google™ Translate cannot translate all types of documents and it may not give you an exact translation all the time. Anyone relying on information obtained from Google™ Translate does so at his or her own risk. NYSOFA does not make any promises, assurances, or guarantees as to the accuracy of the translations produced by Google™ Translate. The State of New York, its officers, employees, and/or agents shall not be liable for damages or losses of any kind arising out of, or in connection with, the use or performance of such translated information, including but not limited to, damages or losses caused by reliance upon the accuracy of any such translated information, or damages incurred from the viewing, distributing, or copying of such materials."

The agency's Language Access Coordinator maintains the list of written translation resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to provide oral translations of written documents
- Languages in which each translation service is qualified
- Procedure for accessing each translation service

PART 5 – STAFF TRAINING

The person(s) in the agency who is responsible for the provision of training to staff in language access issues is: Colleen Scott

The staff training includes the following components:

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- Cultural competence and cultural sensitivity
- Documenting the language needs of LEP individuals and the language services provided to them by the agency

- ☑ How to obtain written translation services

The methods and frequency of training are as follows:

The OCFS Human Services Call Center has trained representatives that work on the Help Line to recognize LEP callers and to utilize Language Line Solutions to access interpreting services for LEP callers who contact the NYSOFA 1-800 toll-free number. The OCFS Human Services Call Center frequently meets with staff to ensure the representatives are aware and sensitive to LEP callers, and that they have the tools and knowledge of language assistance resources available. Training was also conducted by Language Line’s National Service Representative to prepare staff to better understand the service and how to use it effectively. Most importantly, NYSOFA has and will continue to practice live connections to the Language Line interpreting service and professional and clear ways to communicate and serve the LEP public. Language access training is provided for all NYSOFA’s staff using the standardized curriculum developed and provided by the Governor’s Office of Employee Relations (GOER). The LAC is the lead trainer. The mandatory language access training occurs annually. Refresher courses and new staff training will be given as needed.

PART 6 – ADMINISTRATION

Monitoring

To ensure compliance with the Plan, the LAC will monitor its implementation as follows:

The LAC will review each relevant program area’s compliance with the Language Access Plan biannually. Programs will maintain a log of contacts with individuals with LEP and these will be reviewed by the LAC every two months and compared to the Language Line billing statements.

Complaints

We provide information to the public, including to LEP individuals in languages regularly encountered in this service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information we provide describes how and/or where to file a complaint. We do not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.

We display information on the right to file a complaint, and the procedures to file a complaint, in the following manner:

NYSOFA has added information on the NYSOFA’s website pertaining to consumers’ rights to file discrimination complaints based on national origin and language access. This information is accessible through links on the homepage in the top six languages. The standardized complaint forms are available to the public upon request in all six languages and through the NYSOFA’s website.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

NYSOFA’s General Counsel receives and investigates such complaints or oversees a designee in conducting the investigations. Telephonic interpreting services provided by Language Line are

utilized during the investigatory process to ensure linguistic accessibility for all complainants who have LEP.

Any applicant for, or recipient of, benefits and services or any potential applicant for, or potential recipient of, benefits or services funded by NYSOFA, who believes he or she has been discriminated against because of national origin stemming from inadequate language accessibility may file a complaint by contacting NYSOFA in the following ways:

- Use the Language Access Complaint Form for complaints about language assistance found on the NYSOFA's website under Civil Rights.
- Use the General Discrimination Complaint Form for all other types of discrimination complaints. Please see the forms for more information.

Submit completed complaint form as follows:

- By mail or email to: New York State Office for the Aging, ATTN: Office of the General Counsel, 2 Empire State Plaza, Agency Bldg. 2, 5th Fl., Albany, NY 12223.
- Email to civilrights@aging.ny.gov.
- Include name, address, and phone number on the complaint. Complaints may be submitted in English or in another language.
- Complaints may also be filed by calling the NYSOFA HELPLINE at 1-800-342-9871.
- Free interpretation and language assistance are available.

NYSOFA will process complaints as follows:

- NYSOFA will conduct an investigation.
- The investigator will prepare a report for the NYSOFA Director.
- The NYSOFA Director will make a final decision.
- NYSOFA will send the complainant a letter with the Director's decision with copies to the program named in the complaint.
- NYSOFA will generally send the decision letter within 90 days from the receipt of the complaint.

PART 7 – SIGNATURES

Christina Grudala Director 3/6/15
 Head of Agency Title Date

Colleen Fox language access coordinator 3/6/15
 Agency LAC Title Date

Datman L. Gulling 3/4/15
 Deputy Secretary for Civil Rights Date