

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Office of Alcoholism and Substance Abuse Services

Effective Date of Plan: 5/30/2017

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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 limited English proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

Statement of Agency Services to the Public:

The New York State Office of Alcohol and Substance Abuse Services (OASAS) oversees one of the nation’s largest addiction services systems with approximately 1,600 prevention, treatment and recovery programs. OASAS-certified chemical dependence treatment programs have an average daily enrollment of 97,000 and serve over 230,000 New Yorkers every year. During the 2015-16 school year, OASAS-funded prevention programs delivered direct prevention services to approximately 336,000 youth. OASAS plans, develops and regulates the State’s system of chemical dependence and gambling treatment agencies, which includes the direct operation of 12 Addiction Treatment Centers statewide.

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: Approximately 19,795,791- the NYS population in 2015

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

	Estimated Number of LEP Individuals Who
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Language	Speak this Language
Spanish	1,240,490
Chinese	350,976
Russian	130,296
Haitian Creole	68,509
Korean	61,833
Italian	58,200

Source: U.S. Census Bureau, 2010-2014 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: [Click here to enter text.](#)

- Information from other government agencies

Names of agencies: [Click here to enter text.](#)

- Other (describe) [Click here to enter text.](#)

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

Where vendor interpreting services are required to assist OASAS with LEP individuals on telephone calls or office visits, a record is made and that data is sent to our offices in periodic reports. Also, the NYS HOPEline submits a monthly and annual report which provides our office with data of the primary languages of callers to the hotline.

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? We display “I Speak” posters at all of our state facilities where we provide direct service to the public in conjunction with telephonic interpreting services provided by a vendor. All OASAS employees receive instructions on how to access an interpreter using the telephone. Therefore, if any LEP individual calls the agency or our state facilities we can assist them immediately with an interpreter. As well, OASAS staff can direct LEP individuals who need treatment services for alcoholism, substance abuse and problem gambling to our toll-free 24 hour, multilingual, statewide hotline known as the HOPEline. LEP individuals can now also use the new text services provided by the HOPEline.

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? OASAS does outreach to the population speaking the top six (6) LEP languages and beyond. The primary language targeted is Spanish because it is one of the highest populations served.

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

Telephonic voice menu providing information in non-English languages

In which languages: The OASAS NYS HOPEline has English and Spanish available directly from the main menu that callers hear first.

Other (describe) OASAS website also provides information about our Language Access Services.

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*:

- "I Speak" posters or visual aids
- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available
- Other (describe) [Click here to enter text.](#)

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*:

- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available
- Telephonic interpreting service
- Other (describe) Our statewide toll-free, 24 hour hotline known as the HOPEline provides assistance in more than 140 languages for anyone needing to find treatment services for alcoholism, substance abuse and problem gambling.

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

We receive periodic reports from the vendors on the use of interpreting services throughout the agency and our HOPEline provides monthly and annual reports on LEP language assistance. Upon admission, specific individual languages needs are recorded at our 12 Addiction Treatment Centers.

A. Oral Interpreting Services

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

For in-person encounters: A bilingual staff member may be able to identify the language that the LEP individual speaks or they can use the "Language Identification Tool" to identify the language being spoken.

By telephone: A bilingual staff member may be able to identify the language that the LEP individual speaks or they can use our telephonic interpreting services to get assistance from an interpreter at no cost to the LEP individual.

At initial contact in the field: A bilingual staff member may be able to identify the language that the LEP individual speaks or they can direct LEP individuals who need treatment services for alcoholism, substance abuse and problem gambling to our statewide, toll-free, 24 hour, multilingual, hotline known as the HOPEline. Staff can also use the "Language Identification Tool" to identify the language being spoken.

For pre-planned appointments with LEP individuals: For LEP individuals (clients) who have applied for admission and have a scheduled admission appointment, his/her language needs are identified in advance and the respective Center will be prepared for their arrival with the appropriate language assistance services ready for use.

Other (describe): Click here to enter text.

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: Our clients are advised by either our bilingual staff or an interpreter during the assessment process that they do not need to bring or hire their own interpreter.

By telephone: Either through our bilingual staff or with an interpreter, we inform clients about the interpreter services we have available at no cost to them.

At initial contact in the field: Either through our bilingual staff or with an interpreter, we inform clients about the interpreter services we have available at no cost to them. The staff can also direct LEP individuals who need treatment services for alcoholism, substance abuse and problem gambling to our statewide, toll-free, 24 hour, multilingual, hotline known as the HOPEline.

For pre-planned appointments with LEP individuals: For LEP individuals (clients) who have applied for admission and have a scheduled admission appointment, his/her language needs are identified in advance and the respective Center will be prepared for their arrival with the appropriate language assistance services ready for use.

Other (describe): Click here to enter text.

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 emergencies** an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. 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:

Our staff has access to telephonic interpreting services at all times. If, through our pre-planned appointment process, OASAS Addiction Treatment Centers are made aware of the respective LEP needs of an incoming individual, interpreting service arrangements will be ready at time of intake.

In the field our colleagues encourage LEP individuals who need to find treatment services statewide to call or text our toll-free 24 hour HOPEline (1-877-8-HOPENY) which can provide immediate assistance in their language.

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

OASAS records and maintains documentation of oral interpreting services via its contract arrangements with the vendor and through its billing mechanism. In addition, OASAS Addiction Treatment Centers document patient's primary language in the Electronic Health Record.

Competency and confidentiality

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

Currently, through on-going cultural competency and sensitivity training, OASAS provides basic/essential interpreting services through its bilingual staff, where and as available, as well as through our HOPELine service. Where OASAS 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:

As an established employment practice/condition, OASAS employees are under a strict obligation to adhere to the confidentiality of all whom it serves. Under a Qualified Service Organization Agreement a contract with any person/agency providing services to OASAS (in this case interpreting services) is bound by 42 CFR to abide by strict confidentiality rules in relation to information about any LEP individual receiving services from OASAS. Independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

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: Approximately four Spanish bilingual staff members in two of our 12 Addiction Treatment Centers.

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken: Our 12 Addiction Treatment Centers have over 52 volunteer staff that speak several languages including: Spanish; French Creole; Greek; Polish; Malayalam; Russian; Haitian Creole; Hindi; Farsi; Hebrew; Tagalog and Swahili.

Telephonic interpreting service

Names of vendors: Any vendor under the NYS Office of General Services (OGS) Statewide Administrative Services Contract.

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

Names of individuals/organizations and languages: Click here to enter text.

Other (describe) OASAS contracts with the Mental Health Association of NYC for operation of our statewide toll-free, 24 hour hotline known as the HOPEline which provides assistance in more than 140 languages for anyone needing to find treatment services for alcoholism, substance abuse and problem gambling.

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:

OASAS staff is made aware of interpreter services through trainings, signage and postings, e-mails, and directions for accessing our interpreter services are posted on our intranet language access page accessible to only OASAS staff.

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:

The LAC along with other executive staff reviews and assesses changes to existing documents and any new publications to determine if said documents are vital and must therefore be translated into the six languages required by EO 26.

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

Any documents submitted by an LEP individual that cannot be accurately translated onsite by a qualified bilingual staff person will be submitted to a designated vendor (as identified by NYS OGS) for translation in a timely manner.

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

Any documents submitted for translation must be reviewed by the Executives in each Division to ensure that they are written in plain language.

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

Form #	Name	Top Six Languages					
		Spanish	Chinese	Russian	Haitian Creole	Korean	Italian
TRS-1	Prohibition on Redisclosure of Information Concerning Alcoholism & Substance Abuse Patient	✓	✓	✓	✓	✓	✓
TRS-2	Consent for Release of Information Concerning Alcoholism & Substance Abuse Patient	✓	✓	✓	✓	✓	✓
TRS-2.2	Withdrawal of Consent for Release of Information	✓	✓	✓	✓	✓	✓
TRS-2.3	MATS Consent for Release of	✓	✓	✓	✓	✓	✓

	Information						
TRS-3	Consent for Release of Information Concerning Alcoholism and Substance Abuse Patient's Presence in Facility & General Medical Condition	✓	✓	✓	✓	✓	✓
TRS-4	Criminal Justice Consent to Release Information	✓	✓	✓	✓	✓	✓
TRS-5	Authorization for Release of Confidential HIV-Related Information	✓	✓	✓	✓	✓	✓
TRS-6	Notice of Status and Rights - Informal Admission	✓	✓	✓	✓	✓	✓
TRS-7	Consent to Disclose Communicable Diseases	✓	✓	✓	✓	✓	✓
TRS-8	Notice to Patients	✓	✓	✓	✓	✓	✓
TRS-9	Consent for Inpatient Rehabilitation Treatment for a Person under Age of 18	✓	✓	✓	✓	✓	✓
TRS-25	Patient Satisfaction	✓					

	Survey						
TRS-28	Request to Obtain a Copy of the Clinical Record	✓	✓	✓	✓	✓	✓
TRS-32	Request to Amend the Record of Alcoholism and Drug Abuse Patient	✓	✓	✓	✓	✓	✓
TRS-33	Privacy Complaint Form	✓	✓	✓	✓	✓	✓
TRS-33.1	Privacy Complaint Resolution Form	✓	✓	✓	✓	✓	✓
TRS-35	Request to Restrict the Use of Confidential Information	✓	✓	✓	✓	✓	✓
TRS-36	Request to Review the Denial of a Documentation Request	✓	✓	✓	✓	✓	✓
TRS-49	Consent to Release of Information for Criminal Justice Clients	✓	✓	✓	✓	✓	✓
TRS- 51	Authorization for Release and Exchange of Health and Behavioral Health Information	✓	✓	✓	✓	✓	✓

TRS-52	Applicant Consent Form for Fingerprinting for OASAS Criminal Background Check (CBC)	✓	✓	✓	✓	✓	✓
TRS-53	Credentialing Applicant Consent Form for Fingerprinting for OASAS Criminal Background Check (CBC)	✓	✓	✓	✓	✓	✓
TRS-54	Certification Applicant Consent Form for Fingerprinting for OASAS Criminal Background Check (CBC)	✓	✓	✓	✓	✓	✓
TRS-60	Housing Consent Form	✓	✓	✓	✓	✓	✓
TRS-61	Authorization for Release of Behavioral Health Information - OASAS Client Data System	✓	✓	✓	✓	✓	✓
TRS-62	Consent to Release of Information Concerning Alcoholism and Drug Abuse Patient (LOCADTR Assessment Tool)	✓	✓	✓	✓	✓	✓
IDMS-3	Consent to	✓	✓	✓	✓	✓	✓

	Release of Information Concerning Subject Charged With Impaired Driving						
TA-20 822-4	Chemical Dependence Outpatient Services Screening Form	✓	✓	✓	✓	✓	✓
PAS-101L	Insurance Claim Denial Form	✓	✓	✓	✓	✓	✓
	OASAS Patient Advocacy Brochure and Poster	✓	✓	✓	✓	✓	✓
	OASAS HOPEline Flyers	✓	✓	✓	✓	✓	✓
	Understanding Your Rights for Substance Use Disorder Treatment & Insurance Coverage Brochure	✓					
	OASAS Combat Heroin Campaign Materials: Kitchen Table Toolkit Discussion Guide and Guidelines for Discussing Substance Abuse and Addiction at Community Forums; Faces of	✓					

	Addiction & Faces of HOPE-Help is Available PSA; Stop the Stigma Magnets, Buttons, Fans, & Clips; and Two new PSA's the Conversation and No Address.						
	OASAS Talk2Prevent Campaign: Radio PSA; Laundromat Poster & Web Ads.	✓					
	Kingsboro Addiction Treatment Center (ATC) Community Resources Program Brochure	✓					
	Synthetics	✓					

Any additional documents determined to be vital during the course of this plan will be timely translated.

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

OASAS, through its vendor (where applicable), will ensure 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. OASAS will also ensure 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: Any vendor under the NYS OGS Statewide Administrative Services Contract

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

Names of individuals/organizations and languages: [Click here to enter text.](#)

- Oral translations of written documents by bilingual staff members
- Oral translations of written documents by other individuals or community organizations
- Other (describe)

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: Language Access Coordinator & ATC Language Access Coordinators.

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 mandatory New York State language access training is conducted annually and refresher courses are provided as needed. A semi-annual review is conducted of all vital documents used within the agency and at our 12 Addiction Treatment Centers to ensure that they are current and in compliance with EO26. New employees are required to review agency policies which includes NYS Language Access Policy as set forth by EO26.

PART 6 – ADMINISTRATION

Monitoring

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

The agency's Language Access Coordinator will work with the Language Access Coordinators at our state facilities to review the Plan and ensure that all translation/interpreting services are being provided to LEP individuals as needed. The LAC will provide updates to the Plan and work with Division heads to ensure implementation and compliance.

Complaints

We provide information to the public in at least the top six languages, 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:

The standard complaint form is made available to the public in the top six (6) languages as required by EO26 through our website. If an LEP individual feels that we have not provided them with adequate interpretation services or have denied them an available translated document, the client should submit a complaint form to our Patient Advocacy Unit Manager. The information to contact the Advocacy Unit and submit the form is on our Language Access webpage.

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

If a person feels that they have not been provided with adequate interpretation services or have been denied an available translated document, we ask that they fill out the complaint form available on our

website. They are to submit the complaint form to Mike Yorio, OASAS Patient Advocacy Unit Manager, by e-mail or by fax at (646) 728-4692 or (646) 728-4740. All complaints are then forwarded to the Language Access Coordinator for review and resolution.

All complaints must be timely forwarded to the Statewide Language Access Coordinator.

PART 7 – SIGNATURES

Arlene Sanchez Commissioner 4/21/17
Head of Agency Title Date

Jannette Rondo Director of Internal Comm. 4/21/17
Agency LAC Title Date

Norma Ramos 5/25/17
Deputy Secretary for Civil Rights Date