

## LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

**State Agency:** NYS Office Of Addiction Services and Supports

**Effective Date of Plan:** August 1, 2021

**Language Access Coordinator:** Dir. of Internal Communications, Jannette Rondo

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This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

	<p>The Limited English Proficient (“LEP”) population in our service area.</p>
	<p>How we notify the public about language access services.</p>
	<p>Our resources and methods for providing language access services.</p>
	<p>How we train our staff to provide language access services to the public.</p>

	<p>How we monitor language access services and respond to complaints.</p>
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## **PART 1 – Our Agency’s Services**

We prepared this Language Access Plan (“Plan”) to comply with Executive Order No. 26, as amended by Executive Order No. 26.1, which established New York’s [Statewide Language Access Policy](#).<sup>1</sup> This Plan explains how we make sure that Limited English Proficient (“LEP”) individuals have meaningful access to agency services, programs, and activities.

**In this Plan, LEP individuals are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.**

**Our agency’s services to the public include:**

The New York State Office of Addiction Services and Supports (OASAS) oversees one of the nation’s largest Substance Use Disorder systems of care with approximately 1,700 prevention, treatment and recovery programs serving over 680,000 individuals per year. This includes the direct operation of 12 Addiction Treatment Centers where our doctors, nurses, and clinical staff provide inpatient and residential services to approximately 8,000 individuals per year. OASAS is the single designated state agency responsible for the coordination of state-federal relations in addiction services. Our mission is to improve the lives of New Yorkers by leading a comprehensive system of addiction services for prevention, treatment, and recovery. Our vision is a future where New York State is alcohol-safe and free from chemical dependence and compulsive gambling.



## **PART 2 – The Limited English Proficient Population in Our Service Area**

**Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top ten languages most commonly spoken by LEP individuals in New York State.**

**The estimated total number of LEP individuals in our service area is:** Approximately 2.5 million LEP individuals in New York State.

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<sup>1</sup> For additional information about our agency’s obligations to provide language access services, please visit: <https://www.ny.gov/language-access-policy>

**The top ten languages spoken by LEP individuals in New York State are:**

#	Language	Estimated Number of LEP Speakers
1	Spanish	1,201,322
2	Chinese	379,745
3	Russian	119,380
4	Yiddish	64,070
5	Bengali	64,020
6	Korean	55,506
7	Haitian Creole	54,746
8	Italian	46,431
9	Arabic	40,781
10	Polish	34,840

Our agency will reassess the public’s language needs at least every two years after the effective date of this Plan.

**Our agency tracks encounters with LEP individuals in the following ways:**

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, our 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 About the Availability of Language Access Services**

**Our agency informs LEP individuals about their right to free language assistance services in the following ways, using at least the top ten languages shown in Part 2 of this Plan:**

- LEP individuals are directly informed by our staff

**In which ways?** We display “I Speak” posters that inform the public about the availability of free interpreting services at all our state facilities that provide direct services to the public in conjunction with telephonic interpreting services provided by a vendor. Instructions for using our telephonic interpreting services are available to all employees on the OASAS intranet.

- Signs posted about language assistance services
  - In areas operated by the agency and open to the public
  - Other (describe)

OASAS staff can also direct LEP individuals who need treatment services for alcoholism, substance abuse and problem gambling to call or text our toll-free 24-hour, multilingual, statewide hotline known as the HOPEline. Language access information is published on our agency’s website in at least the top ten languages spoken by LEP individuals in New York State.

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

**What are the LEP populations targeted?** OASAS does outreach to the populations speaking the top ten LEP languages and beyond. The primary language targeted is Spanish because it is one of the largest populations being served in our system of care. We advertise our 24/7 toll free and confidential hotline known as the HOPEline for treatment and problem gambling services. The implementation of a multiple language HOPEline provides callers with toll free access to bilingual staff to provide services in English and Spanish. It also has a menu with 6 languages (Spanish, Korean, Traditional-Chinese, Haitian-Creole, Italian and Russian) which informs callers about the provision of language services through an interpreter.

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

**What are the LEP populations targeted?** The largest LEP population we target through media is Spanish speaking New Yorkers.

- Social media posts directed at LEP individuals in their languages

**What are the LEP populations targeted?** The largest population of LEP individuals we target through our social media outlets is Spanish speaking New Yorkers.

- Telephonic voice menu providing information in non-English languages

**In which languages?** The implementation of a multiple language New York State HOPEline provides callers with toll free access to bilingual staff to provide services in English, Spanish, Bengali, Traditional Chinese, Haitian-Creole, Korean, Italian, and Russian. There is a voice menu for English, Spanish, and one which informs callers about the provision of language services through an interpreter. Our marketing materials and agency website advertise the New York State HOPEline as a 24/7 toll free and confidential hotline for problem gambling and chemical dependency treatment services.

- Other (describe)



## PART 4 – Provision of Language Access Services

### A. Determining the Need for Services

**During *in person* encounters, our agency uses the following tools to determine whether an individual is LEP, and what their primary language is:**

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying LEP individual’s language
- Other (describe)

**On *telephone calls*, our agency uses the following tools to find out if an individual is LEP, and what their primary language is:**

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying an LEP individual’s language
- Telephonic interpreting service
- Other (describe) Our statewide toll-free, 24-hour hotline known as the HOPEline aids in more than 140 languages for anyone needing to find treatment services for alcoholism, substance abuse and problem gambling.

**Our agency’s protocols for assessing whether an individual needs *oral interpreting* services in different service situations is as follows:**

**During office in-person encounters:** A bilingual staff member may be able to identify the language that the LEP individual speaks or the “Language Identification Tool” is used to identify the language being spoken.

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

**When speaking on the telephone:** A bilingual staff member may be able to identify the language that the LEP individual speaks or telephonic interpreting services are used to get assistance from an interpreter at no cost to the LEP individual.

**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 Addiction Treatment Center will be prepared for their arrival with the appropriate language assistance services ready for use.

**Other (describe):** Our statewide toll-free, 24-hour hotline known as the HOPEline aids in more than 140 languages for anyone needing to find treatment services for alcoholism, substance abuse and problem gambling.

**Our agency records and maintains 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. In addition, our HOPEline provides monthly and annual reports on language assistance. Upon admission, specific individual languages needs are recorded at our 12 Addiction Treatment Centers.

**B. Oral Interpreting Services**

**Our agency has made the following resources available for oral interpreting requests:**

Bilingual staff members who work directly with LEP individuals

**Number of staff and languages spoken:** We have 4 staff who speak Spanish.

Bilingual staff members who provide oral interpreting services on a volunteer basis

**Number of staff and languages spoken:** We have 56 volunteer staff who speak Spanish, Hindu, Creole, Edo, Yoruba, Tagalog, Creole, Swahili, Ibo, Greek, Belarusian, Urdu, Yiddish, Hebrew, Tamil, Pushto, Russian, Serbian, various Hindi languages, French, Romanian, Russian, Malayalam, and Polish.

Telephonic interpreting service

**Name of vendors:** Language Link Over-the-Phone Interpretation (OPI) services and potentially any vendor under the NYS OGS Statewide Administrative Services Contract.

Contracts or other arrangements with school and community organizations

**Number of staff and languages spoken:**

Other (Describe)

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

**Our agency protocols for informing LEP individuals that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:**

**During office in-person encounters:** A bilingual staff member may be able to identify the language that the LEP individual speaks or the “Language Identification Tool” is used to identify the language being spoken.

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

**When speaking on the telephone:** A bilingual staff member may be able to identify the language that the LEP individual speaks or telephonic interpreting services are used to get assistance from an interpreter at no cost to the LEP individual.

**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 Addiction Treatment Center will be prepared for their arrival with the appropriate language assistance services ready for use.

**Other (describe):**

**Our agency’s protocols for obtaining interpreting services in a timely manner is as follows:**

Our staff has access to telephonic interpreting services whose instructions are available on our intranet. 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 treatment services for alcoholism, substance abuse and problem gambling to call or text our statewide, toll-free, 24 hours, multilingual, hotline known as the HOPEline (1-877-8-HOPENY).

**If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocols for deciding whether to accept or decline such an arrangement is as follows:**

LEP individuals that meet 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 always provide an independent interpreter. 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 agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is 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.

**The agency's Language Access Coordinator ("LAC") maintains a list of oral interpreting resources that are available to staff. This resource list 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 an LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

**Our agency records and maintains documentation of oral interpreting services provided to LEP individuals at each encounter. Our protocol in this regard is 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.

**Cultural Competence and Confidentiality**

**Our agency makes sure interpreters are culturally competent<sup>2</sup> in the following ways:**

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.

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<sup>2</sup> Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from: [https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring\\_Cultural\\_Competence\\_in\\_Health\\_Care-1999.pdf](https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf)

**Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:**

As an established employment practice/condition, OASAS employees are under a strict obligation to adhere to the confidentiality of all whom the agency 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.

**C. Translations of Documents**

**At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents (including website content) that must be translated. This process is accomplished in the following ways:**

A semiannual 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 EO26.1. 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.

**Our agency's process for making sure documents are written in plain language<sup>3</sup> before they are translated into other languages is as follows:**

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

**Our agency has the following resources available for translation of documents:**

Contracts with vendors for translation services

**Names of vendors:** Geneva Worldwide provides us over 180 languages in written translation services. We can also potentially contract with any other vendor under the NYS OGS Statewide Administrative Services Contract.

Contracts or other arrangements with schools and community organizations

**Names of schools/organizations and languages:**

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<sup>3</sup> The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>

Translation of documents by bilingual staff members

Other (describe)

**The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:**

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

**Our agency translates documents that LEP individuals submit in their primary languages in a timely manner. Our protocol in this regard 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 OGS) for translation in a timely manner.

**The following non-exhaustive list of documents are currently translated by our agency in the languages indicated:**

In compliance with Executive Order 26.1, our agency will complete translations of the below list of documents in the newly added top languages (Arabic, Italian, Polish, and Yiddish) by August 1, 2022.

- *AR: Arabic*
- *BE: Bengali*
- *CH: Chinese*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *YI: Yiddish*

<b>NYS OASAS Forms are translated into the following languages: Bengali, Chinese, Haitian-Creole, Italian, Korean, Russian, Spanish, and Yiddish.</b>	
<i>These forms are in the process of being translated into Arabic and Polish.</i>	
FORM NUMBER	DOCUMENT NAME
TRS-AN	Consent to Release of Information Concerning Alcoholism/Drug Abuse Patient (Abuse/Neglect)
TRS-1	Prohibition on Rediscovery of Information Concerning Alcoholism and Substance Abuse Patient
TRS-2	Consent for Release of Information Concerning Alcoholism/Drug Abuse Patient

TRS-2.2	Withdrawal of Consent for Release of Information
TRS-3	Consent for Release of Information Concerning Alcoholism Drug Abuse Patient's Presence in Facility and Medical Condition
TRS-4	Criminal Justice Consent to Release Information
TRS-5	Authorization for Release of Confidential HIV-Related Information
TRS-7	Consent to Disclose Communicable Diseases
TRS-8	Consent to Disclose Communicable Diseases
TRS-9	Consent for Inpatient Rehabilitation Treatment for a Person Under the Age of 18
TRS-28	Request to Inspect or Obtain a Copy of the Clinical Record
TRS-32	Request to Amend the Record of an Alcoholism Drug Abuse Patient
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-52	Applicant Consent Form 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
TRS-62	Consent to Release of Information Concerning Alcoholism/Drug Abuse Patient
TRS-62G	Consent to Release of Information Concerning Problem Gambling Patient
TRS-63	Authorization for Release and Exchange of Behavioral Health Information
IDMS-3	Consent to Release Information Concerning Subject Charged with Impaired Driving
IDMS-8	Impaired Driver System (IDS) Probation Department Access Form
PAS-101L	Consent to Release Personal Information

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

**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 is 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.



## PART 5 – Staff Training

**The person in the agency who is responsible for training staff in language access services is:**  
The Language Access Coordinator & Addiction Treatment Language Access designated Coordinators.

**The staff training includes the following components:**

- ☒ The agency’s legal obligations to provide language access services
- ☒ The agency’s resources for providing language access services
- ☒ How to access and work with interpreters
- ☒ Cultural competence and cultural sensitivity
- ☒ How to obtain translation services
- ☒ Maintaining records of language access services provided to LEP individuals

**The methods and frequency of training are as follows:**

The mandatory New York State Language Access training provided by the Governor’s Office of Employee Relations is conducted annually, and refresher courses are provided as needed. New employees are required to review agency policies which includes NYS Language Access Policy as set forth by EO26.1.



**PART 6 – Monitoring the Plan and Responding to Complaints**

**A. Monitoring**

**Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:**

The agency’s Language Access Coordinator works 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 agency Division heads to ensure implementation and compliance.

**B. Complaints**

**We provide information to the public in at least the top ten most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.**

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

The standardized complaint forms, along with the procedures for filing a complaint, are available in all ten languages in our public offices upon request. The complaint forms are also available for download or online submission through our website. Additionally, information on the right to

file a complaint is posted in the top ten languages on our website and in our offices in areas where it can be easily seen by the public.

**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 and at our centers.

Complaint forms should be submitted to the NYS OASAS Language Access Coordinator, Jannette Rondo by e-mail ([LanguageAccessComplaint@oasas.ny.us](mailto:LanguageAccessComplaint@oasas.ny.us)) or by fax at (518)485-6914. All complaints are reviewed by the Language Access Coordinator.

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

**PART 7 – Signatures**



*Arlene González-Sánchez*

**Commissioner**

**07/28/2021**

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**Head of Agency**

**Title**

**Date**

*Jannette M. Rondo*

**Director of Internal Communications**

**07/28/2021**

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**Agency LAC**

**Title**

**Date**

*Debra Alligood Sarte*

**Deputy Secretary for Civil Rights**

7/30/2021

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**Date**