

Joe Lombardo
Governor



Richard Whitley
Director

Language Access Plan, 2024

Aging and Disability Services Division

Shannon Ivy, Language Access Coordinator

04/24/2024



Department of Health and Human Services

Helping people. It's who we are and what we do.



Agenda

1. Legal Requirements
2. Language Access Plan Guidance
3. Division Language Access Plan
4. Solicitation of Feedback



Legal Requirements

Title VI of the Civil Rights Act of 1964

- “No person in the United States shall, on the ground of race, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance.”

American Disabilities Act (ADA) 1990

- Title II of the ADA places the responsibility directly with state and local government services to provide effective communication, including the use of interpreters.

Executive Order 13166

- Requires federal agencies that provide financial assistance to draft limited English proficiency (LEP) guidance for agencies that are recipients of Federal Financial Assistance.
- Senate Bill (SB) 318 of the 81st Legislative Session, codified in Nevada Revised Statutes (NRS) 232
 - Requires state and local agencies receiving public money to provide meaningful, timely access to services for persons with LEP in their preferred language.



Language Access Plan Guidance

1. Each state agency shall designate an employee responsible for developing and biennially revising the plan;
2. Each agency Language Access Plan (LAP) must assess existing needs of the agency and clients and how the agency is meeting those needs;
3. Where insufficient information is available to develop the LAP, the agency shall develop procedures to obtain the missing information;
4. The plan must outline the agency compliance with existing federal regulation or state law regarding language service and accessibility;
5. Address availability of language access services during a Declaration of Emergency;
6. Include any funding needs and make recommendations to the Legislature concerning statutory changes necessary to implement the LAP;
7. Solicit public comment regarding the initial LAP and each revision thereafter; and
8. Submit the LAP no later than the date the agency submits its proposed budget pursuant to NRS 353.210.



Aging and Disability Services Division (ADSD)

Vision: Nevadans, regardless of age or ability will enjoy a meaningful life led with dignity and self-determination.

Mission: Ensure the provisions of effective supports and services to meet the needs of individuals and families, helping them to lead independent, meaningful, and dignified lives.

Philosophy: ADSD seeks to understand and respond to the individual and his/her needs using principles of accessibility, accountability, culturally and linguistically appropriate services, ethics, mutual respect, timeliness, and transparency.

“It is the policy of ADSD to ensure meaningful and timely access to program services and resources to LEP individuals.”



ADSD LAP Policies and Procedures

- ADSD is committed to take all reasonable steps to provide LEP individuals with meaningful access to services, programs, and activities.
- ADSD seeks to reduce barriers by increasing capacity to deliver services and benefits to people in their preferred language.
- Language services are required to be provided at no cost to the individual.
- Staff, at the initial point of contact, have a duty to identify the primary language and assist the individual with interpreter services as needed.
- Use of a formal interpreter/translator is required by qualified bilingual staff or a professional interpreter/translator service. Family, friends, other customers, or minor children are not permissible.
- No individual shall be denied services based on their language access needs.



ADSD Profile

REPORTED PRIMARY LANGUAGE, SFY21

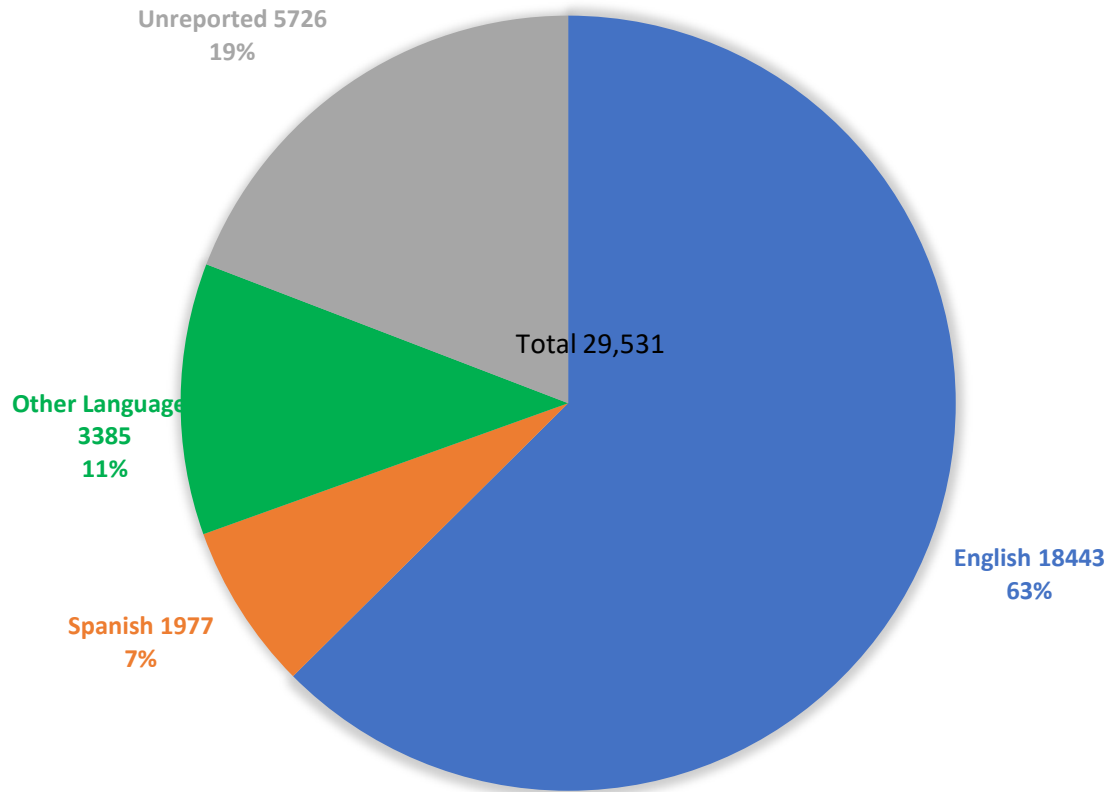


Chart created by Aging and Disability Services Division, Language Access Plan SFY21

REPORTED PRIMARY LANGUAGE, SFY23

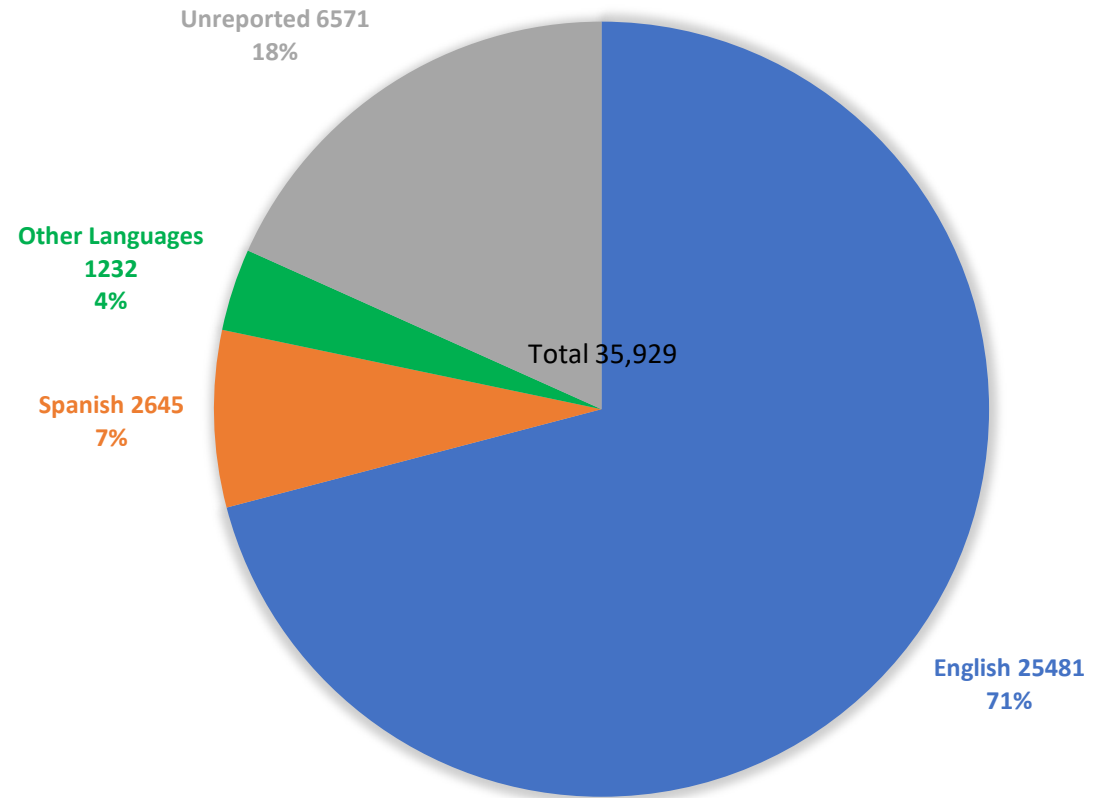


Chart created by Aging and Disability Services Division, Language Access Plan SFY23



ADSD Profile Cont'd

Limitations:

- Not all program data systems support collection of primary language or race/ethnicity.
- No program data system supports collection of refugee status.

Other Data:

- 1% identify as indigenous
- 1% list American Sign Language as their primary language.



Language Access Services

All language service providers must be competent and qualified. Services include:

- Oral Interpreter Services
- Sign Language Interpreter Services
- Written Language Services
 - Vital Documents for translation by program
 - Safe Harbor thresholds
 - Public notices
- Community Outreach and Engagement
- Alternative Language Access



Vital Document Translations

VITAL DOCUMENT TRANSLATIONS, SFY23

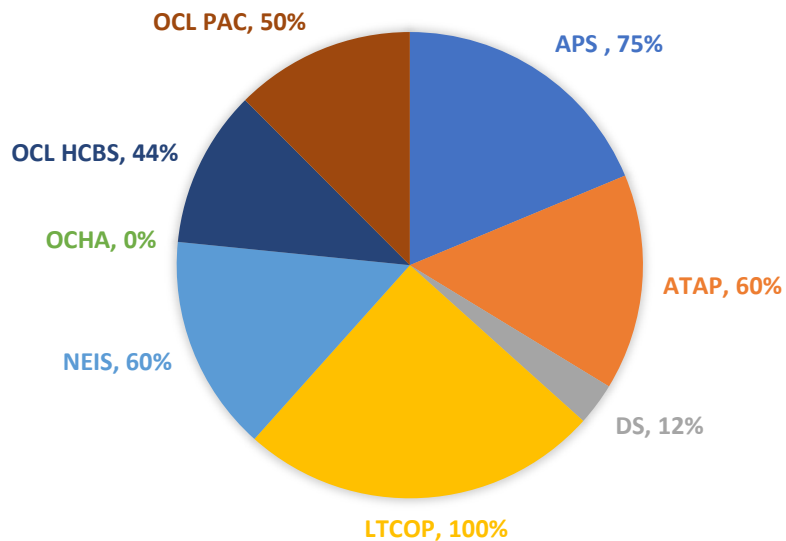


Chart created by Aging and Disability Services Division, Language Access Plan SFY23

- SFY23, 36% of all vital documents were translated in safe harbor languages.
- Progress dependent on available funding and qualified translation services.
- Data does not account for translations of vital documents at the individual level (e.g., Person-Centered Care Plans, Individual Family Service Plans, Individual Support Plans, etc.)
- One shot appropriation for SFY25, pending work program.



Recruitment

ADSD INTERPRETER RECRUITMENT

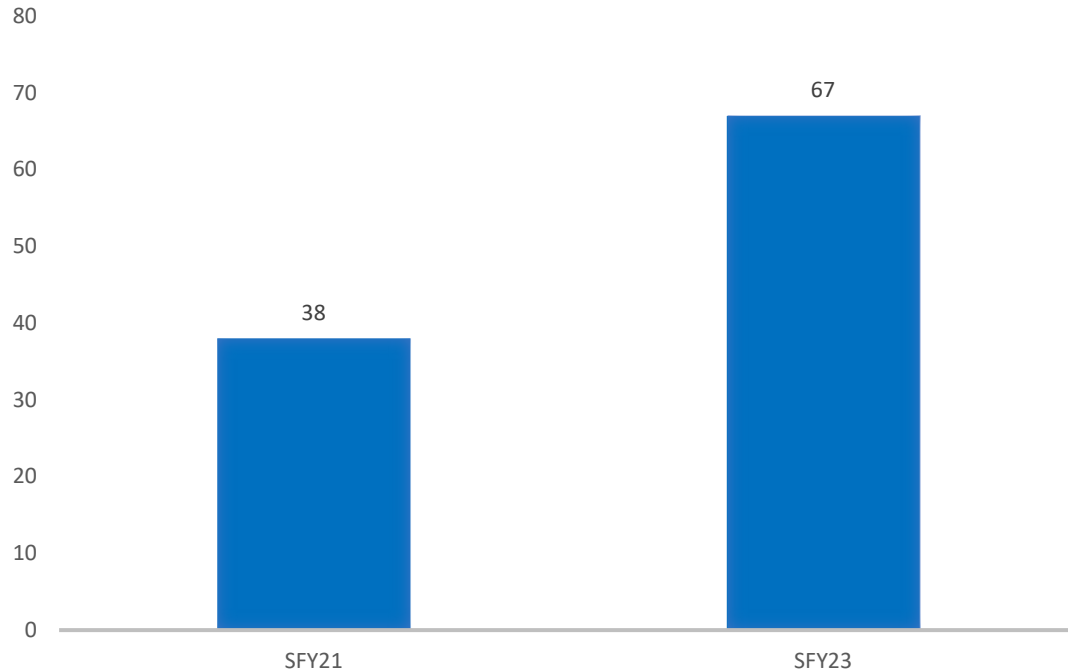


Chart created by Aging and Disability Services Division, Language Access Plan SFY21

- ADSD follows fair and equitable hiring practices (State Law and Department of Administration).
- All efforts are made to recruit qualified dual role interpreters to meet the needs.
- Leverage state contracts for interpreter/translation services to the extent funding is available.



Training

ADSD will ensure staff are familiar and trained on the language access policies and procedures to include:

- New employee onboarding;
- Position specific training;
- Incorporated LAP into regular training provided by programs with annual refreshers; and
- LAP policies and procedures for annual review and acknowledgement.



ADSD Implementation Limitations

ADSD continues to work towards full compliance with language access services and considered the following limitations as part of the implementation plan:

- System limitations to meet full reporting requirements on LEP individuals, primary language proficiency, indigenous individuals, and refugee status.
- Dual-role interpreter certification and access to qualified and competent workforce.
- Funding



Implementation & Evaluation

Bilingual Staff Directory	September 1, 2022
Update Website w/Language Access Information	September 1, 2022
Complaint Procedures	October 1, 2022
Training on ADSD LAP	October 1, 2022
Vital Document Translation*	January 1, 2023 (ongoing)
Vital Document Distribution	As materials are translated
Develop/Distribute “I SPEAK” Cards	January 1, 2023
Policies and Procedures	January 1, 2023
Website language options (English/Spanish)	January 1, 2023
Bilingual Staff Qualifications*	Ongoing
System enhancements to address data collection*	Dependent on budget authority and available system enhancement hours.



Implementation & Evaluation cont'd

At a minimum ADSD will review, evaluate, and update the LAP to include:

- Program data on language needs and the population served;
- Review of vital documents for any addition/revisions;
- Review any issues/concerns (including formal complaints filed) regarding language access services;
- Conduct periodic quality assurance reviews to ensure LAP compliance;
- Surveying staff/contractors on knowledge and use of language access services; and
- Solicit and monitor stakeholder feedback.



Budget Implications and Legislative Recommendations

Budget Implications:

- ADSD will submit funding requests in accordance with biennial legislative process.

Legislative Recommendations:

- Align requirements with the existing federal language plan requirements.
- Add definitions on the parameters of English proficiency level.
- Revisions to dual-role interpreter qualifications in NRS 232.
- Add clarity around language access services for individuals who are deaf/blind or non-verbal.



Questions?



Contact Information

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Acronyms

ADA	American Disabilities Act
ADSD	Aging and Disability Service Division
APS	Adult Protective Services
ATAP	Autism Treatment Assistance Program
DS	Developmental Services
LAP	Language Access Plan
LEP	Limited English Proficiency
LTCOP	Long Term Care Ombudsman Program
OCHA	Office for Consumer Health Assistance
OCL HCBS	Office of Community Living, Home and Community Based Services
OCL PAC	Office of Community Living, Planning and Community Services
SFY	State Fiscal Year