

**County of San Diego, Health and Human Services Agency (HHSa)
Eligibility Policy and Procedures Guide**

**Services to Non-English Speaking Customers and Customers with Disabilities
– Reasonable Accommodations/Modifications**

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Revised Date:

6/1/2020

Background:

The California Department of Social Services (CDSS) Manual of Policies & Procedures (MPP) Division 21-115 requires counties to provide effective bilingual/interpreter services to non-English speaking customers and provide reasonable accommodations/modifications to customers with disabilities.

Non-English speaking persons are defined as those whose primary language is other than English. Their primary language must be used to effectively communicate program information and requirements. American Sign language (ASL) is also subject to this definition.

An individual with a disability is defined as any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such impairment.

Purpose:

The purpose of this document is to state the policy for serving customers whose primary language is other than English and customers with disabilities. This policy has been revised to add clarification regarding types of accommodations and modifications.

Policy:

The language needs of non-English speaking customers must be met by provision of free interpreter services at all contacts, without undue delay. These services are to be provided by bilingual staff who speak the customer's primary language, professional interpreters contracted by the County, or if the customer prefers, an adult relative or friend. Forms and written notices in the customer's primary language must be provided when available.

Procedures:

For the Family Resource Center (FRC) procedures regarding this policy, see the Services to Non-English Speaking Customers and Customers with Disabilities – Reasonable Accommodations/Modifications Processing Guide located on the Eligibility Operations Insite Share Point Site under the Eligibility Operations Processing Guide Page (<http://insite.sdcounty.ca.gov/hhsa/eligibility/Pages/default.aspx>).

Bilingual/Interpreter Services

All bilingual/interpreter services must be provided entirely in the non-English speaking customer's primary language. The use or insertion of English words or phrases is not acceptable unless there is no corresponding word or phrase in the customer's primary language.

Customer Provided Interpreters and Minors Acting as Interpreters

Customers may provide their own interpreter. However, they cannot be mandated to do so. Consent form 20-49 HHSa "Civil Rights-Interpreters" must be obtained from the customer when individuals other than Health and Human Services Agency (HHSa) employees or HHSa approved interpretation

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vendors are used as interpreters. Interpreters in this capacity are chosen and provided by the customer to provide interpretation.

Additionally, only under an extenuating circumstance should a minor (under age 18) be allowed to temporarily act as an interpreter. The nature of the extenuating circumstance must be documented in case comments. The use of a minor as an interpreter is subject to the same documentation requirements as outlined below for adult customer-provided interpreters.

Reminder: The 20-49 HHS is not required for any interpreters provided by HHS, which would include HHS bilingual staff as well as HHS-approved interpretation vendors.

Acceptance or Refusal of Forms or Other Written Material

The HSS must document in Case Comments the customer's acceptance, or refusal, of forms or other written material offered in the individual's primary language at Intake and/or at annual Redetermination. In the event that a non-English speaking or Limited English Proficiency (LEP) customer refuses written translations in the customer's primary language, the HSS should determine and document the reason to ensure that the customer is aware of the availability of the County to translate notices for customers who are unable to read or need accommodations.

Individuals with Disabilities – Reasonable Accommodations/Modifications

HHS must provide reasonable accommodations/modifications and auxiliary aids and services as a way to provide equal opportunity to participate in and enjoy the benefits of services and programs to individuals with disabilities.

An individual with a disability is defined as any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such impairment.

Examples of impairments include but are not limited to the following:

- Hearing impairments (including people who are deaf)
- Speech impairments
- Visual impairments
- Mental/emotional/cognitive impairments
- Manual skills/mobility impairments

Reasonable Accommodations/Modifications and Auxiliary Aids

Examples of the types of reasonable accommodations/modifications and auxiliary aids that HHS may make available to person(s) with disabilities include:

- Audio file versions of written text materials
- Electronic notices and correspondence compatible with assistive technology
- Teletypewriter Services (TTY)
- Video Relay Services (VRS)
- Large print materials
- Forms completion/assistance
- Sign language interpretation
- Braille documents

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- Referrals for services to community organizations that can provide prompt and effective services without undue delays

The service needs of individuals with disabilities may also be accommodated by other means, such as reading a form to an applicant/recipient. Staff should always narrate the action taken in Case Comments.

If a form is needed to be translated to braille or another type of modification that is not readily available by utilizing CalWIN or the interpreter vendor, reach out to the Civil Rights Liaison in your office to request this accommodation.

Access Telephone Assistance for Hearing Impaired

The Access Customer Service Center is an extension of the County of San Diego FRCs. Access serves residents, providers, and other government agencies with questions or needs related to FRC programs and services, including providing case management services for current FRC customers.

The Access Customer Service Center has Telecommunications Device for the Deaf (TDD) capability for the hearing impaired. Access contact numbers are: (866) 262-9881 (toll-free voice) and 619-668-2266 (TDD-hearing impaired).

Impacts:

All Programs

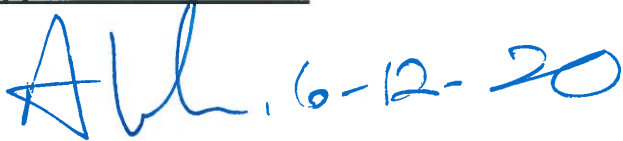
References:

Services to Non-English Speaking & Limited English Proficient (LEP) Applicants/Recipients and Individuals with Disabilities – Reasonable Accommodations/Modifications Processing Guide

Sunset Date:

This policy will be reviewed for continuance by 5/31/2023.

Approval for Release:



Rick Wanne, Director
Eligibility Operations