

Department of Social and Health Services
Olympia, Washington
EAZ Manual

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Category Limited English Proficiency
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Summary

Updated ACES Documentation guidelines to include ACES 3G for Limited English Proficiency (LEP)
See below for edited text:



Limited English Proficiency (LEP)

Created on:

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Purpose:

This chapter provides staff with basic information about Community Service Office (CSO) responsibilities in identifying the need for and providing services to LEP clients. LEP services ensure people with limited English reading, writing, listening and/or speaking skills have equal access to department programs and

services. The provision of qualified interpreters and fully translated letters to LEP clients is required under the Reyes Consent Order (implementing previous Pre-Determination Settlement Agreements in 1983 and 1987 between the Region X Office for Civil Rights and DSHS) as well as by state (RCW 74.04.025) and federal laws (Title VI of the Civil Rights Act and implementing regulations at 45 CFR Part 80).

[WAC 388-271-0010](#) What are limited English proficient (LEP) services?

- **[Clarifying Information](#)**

[WAC 388-271-0020](#) What are the department's responsibilities in providing me with an interpreter?

- **[Clarifying Information](#)**

[WAC 388-271-0030](#) What are the department's responsibilities in providing me with written communication in my primary language?

- **[Clarifying Information](#)**

Clarifying Information - [WAC 388-271-0010](#)

1. The department provides interpreter and translation services in accordance with DSHS Administrative Policy 7.21.
2. The department asks clients to identify if they have trouble reading, writing, listening or speaking English on the Application for Benefits form. Just because someone appears to know English, does not mean they fully understand all communications provided by DSHS. Inform them of their right to interpreter and translation services, at no cost to them and without significant delay.
3. Each CSO designates at least one staff to assist in coordinating interpreter and translation services for their office.
4. Employees who contact clients are required to participate in LEP Program training. This training covers the following topics:
 1. LEP laws and regulations.
 2. Differences between bilingual workers and contracted interpreters.
 3. How to access the services of an interpreter in all situations.
 4. How to effectively conduct an interview with an interpreter.

Clarifying Information - [WAC 388-271-0020](#)

Interpreter Services

1. If the client needs assistance in communicating orally with staff, their case is assigned to an authorized bilingual employee who speaks their language. If there are no bilingual employees available, an interpreter is scheduled to facilitate communication with the client. These services are provided at no cost to the client and without significant delay. An over the phone interpretation is available as well.
2. Do not use family members, friends, or children as interpreters.
3. The department contracts with brokers who assign interpreters to DSHS appointments. These services charge a minimum hourly rate for the first hour of services and in fifteen minute increments thereafter. Contact your CSO Interpreter Services Coordinator to request an interpreter through the interpreter brokerage contract. On-demand telephone interpreter services are also available by contract.
 1. Services cost a per-minute rate at no expense to the client;
 2. On-demand telephone interpreter services back up the brokered in-person interpreters and provide services for emergent and/or brief need such as emergency applications and walk-ins. When we are aware of a scheduled appointment, an interpreter can be scheduled.
 3. When calling a client on the telephone or receiving an incoming client call, use conference call capabilities to get an interpreter on the line as well as using a dual handset.
 4. Inform both the client and the interpreter that such phone calls are covered by DSHS confidentiality rules.

The department also contracts with sign language interpreter providers who assign interpreters for appointments with persons who are deaf, deaf-blind, or hard of hearing. Contact your CSO Interpreter Services Coordinator to request the services of a sign language interpreter. Assistance in communicating by phone with persons who are deaf, deaf-blind or hard of hearing is available through the Washington Relay Service. Information about the Washington Relay Service is available at the following website:

<https://www.dshs.wa.gov/altsa/odhh/sign-language-interpreters>

Clarifying Information - [WAC 388-271-0030](#)

1. Send letters to LEP clients in their primary language and in English. Fully translate these letters, including all worker fill-ins, for clients whose primary language is anything other than English.
2. Allow additional time to respond when a letter in English or forms in English need full translation. Actions taken based on the previously released letters in English must be rescinded.

Translated ACES Correspondence

1. ACES generates and mails the following letters from State Office:
 1. All Automated Case Maintenance (ACM) Letters with no free form text in supported and non-supported languages. ~~These letters cannot be added to or changed.~~
 - ~~2. Letters with free form text translated by an authorized bilingual employee.~~
 2. Letters resulting from the worker taking action on a case when the Primary Language Code is a "supported" language.
2. Print the following ACES letters locally ~~and translate by an authorized bilingual employee or~~ and send to an authorized contracted translation agency: ~~for translation:~~
 1. Letters with free form text resulting from ~~the worker taking~~ action on a case when the client's primary language "supported" (other than Spanish added by a certified bilingual employee) ~~or is a~~ "non-supported" language.
 - ~~2. Letters with free form text.~~

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ACES supported languages include the following:

- Cambodian
- Chinese
- Korean
- Laotian
- Russian
- Spanish
- Vietnamese
- Somali

Worker Responsibilities

1. To ensure LEP clients receive adequate services:
 1. Identify the client's primary language at first contact.
 2. Enter the correct Primary Language Code (PLC) into the Primary Language field in ACES.
 3. Periodically discuss the primary language with the client.
 4. Review the PLC and updated as necessary.

NOTE:

Use the services of an interpreter if you feel you are unable to communicate with the client well enough to provide quality services, even if the client tells you they do not need an interpreter.

5. Provide interpreter and translation services timely so LEP cases can be processed within required timeframes defined in Chapters [388-406 - Applications](#), [388-416 - Certification Periods](#) and [388-434 WAC - Eligibility Reviews and Recertifications](#).
6. Indicate any language needs on all referrals of LEP clients to other divisions, administrations, or agencies.
7. Provide LEP clients with the same safeguards of confidentiality as provided to English proficient clients.
8. Provide assistance to LEP clients in understanding and completing forms. Remember that LEP clients may have learning disabilities, cognitive problems and/or may not be literate in their native language. Include screening for Equal Access (See: [Equal Access Chapter EA](#)).
9. In the event that there are no available employee or contractor resources to serve an LEP client in their primary language, an exception to policy may be made. This may include contacting refugee service providers, client advocates, members of the client's community (e.g., church or community center), and as a last resort, friends or family members (minor children should never be used as interpreters) to ask for their assistance in facilitating communication with the client. Any exception to policy must be documented in the ACES narrative.

NOTE:

Authorized representatives of LEP clients receive letters for the LEP client in English.

2. Provide fully translated DSHS forms in the primary language of the LEP client whenever appropriate:
 1. Many DSHS forms are available in non-English languages at the [DSHS Forms and Records Management \(FRMS\) web site](#) and [DSHS Forms page](#)
 2. If the form is not available online, and has not been translated into the language needed for the client, make a request for the form to be translated through your CSO Translation Coordinator (CSO TC). The CSO TC submits translation requests through the Translation Tracking System. Translation work is usually completed in 3-6 business days.
 3. The ESA Translation Services Coordinator emails a copy of the form to the CSO TC when the translation is complete. The translated form is also posted at the FRMS website.
3. Provide fully translated DSHS publications in the primary language of the client whenever appropriate.
 1. Some translated publications are available in the Publications library.
 2. Publications needed in languages not available online can be ordered by completing a Communications Request form (DSHS 16-097) and submitting it to DSHS Visual Communications via fax: 360.902.7669 or email: morganl@dshs.wa.gov
4. Provide locally generated/client specific documents in the primary language of the client whenever appropriate.

1. Translation of locally generated, client specific documents are provided by authorized bilingual employees or requested directly from an authorized translation services contractor.

NOTE:

When documents include locally generated ACES letters, posters and CSO developed flyers, it should be coordinated through the CSO TC.

2. The CSO TC processes the translation order by completing a SOLTRA request or the Document Translation Service system to email it, with the client specific document that needs to be translated, to an authorized contracted translation agency.

NOTE:

If a specific client needs information contained in a document immediately, you can request the services of an interpreter to explain the information or request a rush translation of the document from the CSO TC.

5. Upon receiving completed translation work from the CSO TC:
 1. Make a copy of the English and translated documents.
 2. Mail the originals of both documents to the client.
 3. Send copies of the English and translated documents to DMS to be imaged into the electronic case record. If an exact duplicate of the English document is already in the ECR, do not send another copy to DMS.
6. Continue benefits through the advance notice period if the action requires advance notice and the fully translated letter is mailed within the 10-day advance notice period.

ACES Documentation

1. On the ACES 3G Contact Information-~~remarks~~ page:
 1. Enter the client's PLC for the language the client reads and understands (the PLCs are listed in alphabetical order by language on the drop down menu from the PLC field).
 1. Code "EN" for clients that do not read any language.
 2. Code "OT" if the client's language is not listed (for other language) and enter the name of the language in remarks behind the Contact Information Page.
 2. If the client needs assistance with communicating orally, indicate that an interpreter is needed in the Interpreter Needed field and enter the name of the language as directed above.
2. Document the following information in the ACES Narrative:
 1. All efforts to secure LEP services, including when efforts are unsuccessful.

2. How the client was served if an exception to policy was made.
3. The date the CSO translation coordinator received a translation request.
4. The date we sent a translated letter, form or publication to the client.
5. The interpreter ID and vendor name who provided services for an interview with the LEP client.