



## AITKIN COUNTY HEALTH & HUMAN SERVICES

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Aitkin, MN 56431

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### Attachment D

## Limited English Proficiency (LEP) Plan

### Aitkin County Health & Human Services

#### 1. Purpose

The purpose of this plan is to document the policies and procedures as it applies to providing meaningful access (language access) to individuals with Limited English Proficiency (LEP) while accessing services and information at Aitkin County Health & Human Services (ACHHS) in Aitkin, MN.

#### 2. Authorities

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964.
- Section 1557 of the Affordable Care Act (ACA) (Section 1557).  
<https://www.gpo.gov/fdsys/pkg/FR-2016-05-18/pdf/2016-11458.pdf>
- Office for Civil Rights Policy Guidance, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 68FR 47311 (2003).  
<http://www.hhs.gov/ocr/civilrights/resources/specialtopics/lep/policyguidancedocument.html>
- Department of Justice regulation, 28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation. [http://www.justice.gov/crt/grants\\_statutes/corregt6.txt](http://www.justice.gov/crt/grants_statutes/corregt6.txt)
- Bilingual requirements in the Food Stamp program, 7 CFR §272.4 U.S. Department of Agriculture, Food and Consumer Service. <http://www.gpo.gov/fdsys/pkg/CFR-1998-title7-vol4/pdf/CFR-1998-title7-vol4-sec272-4.pdf>
- Communications Services, Minnesota Statutes § 15.441, subd (1), (2), (3), (4).  
<https://www.revisor.leg.state.mn.us/statutes/?id=15.441&format=pdf>
- Information for persons with limited English language proficiency, Minnesota Status §256.01 subd 16. <https://www.revisor.mn.gov/statutes/?id=256.01>
- National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care. <https://thinkculturalhealth.hhs.gov/clas>

### 3. Definitions

- **Culturally appropriate services** – Is the utilization or application of services, testing, and any other methodology that does not have the effect of subjecting individuals with LEP, and/or their families to discrimination because of their race, color, or national origin, or do not have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin. - 45 CFR 80.3(b)(2).
- **Effective communication** - In a healthcare and social services delivery setting such as health and human services, effective communication occurs when provider staff has taken the necessary steps to make sure that a person with Limited English Proficiency is given adequate information to understand the services and benefits available and receives the information and services for which they are eligible. Effective communication also means that a person with Limited English Proficiency (LEP) is able to communicate the relevant circumstances of their situation to the provider, and the provider has access to adequate information to do their job.
- **I Speak Cards** - “I Speak” Cards say both in English and the target language “I need a (target language) interpreter.”
- **Individual with Limited English Proficiency (LEP)** – A person with Limited English Proficiency or “LEP” is not able to speak, read, write, or understand the English language well enough to allow them to interact effectively with healthcare, social services agencies, and other providers.
- **Interpreting**—Interpreting means the oral, verbal, or spoken transfer of a message from the source language into the target language. Different modes of interpreting exist, such as consecutive, simultaneous, sight-translation, and summarization.
- **Language Block (LB)** – This is a block of text that informs readers, in 33 different languages, how they can get free help interpreting the information on a particular document or included as an insert in appropriate documents.
- **LEP Implementation Team** (*or responsible individuals for compliance*) - Individuals appointed by LEP Coordinator to review LEP Implementation activities within ACHHS.
- **Meaningful access** - Meaningful access to programs, information, and services is the standard of access required of federally funded entities to comply with language access requirements of Title VI of the Civil Rights Act of 1964. To ensure meaningful access for individuals with Limited English Proficiency, service providers must make available to clients and their families language assistance that is free of charge and provided without undue delay resulting in accurate and effective communication.
- **Office for Civil Rights (OCR)** - The Office for Civil Rights is the civil rights enforcement agency of the U.S. Department of Health and Human Services. OCR Region V is the

regional office that enforces Title VI in Minnesota for health and human services agencies and providers.

- **Primary languages** - Primary languages are the languages other than English that are most commonly spoken by clientele as identified by ACHHS collection of demographic data. Currently there are 3 primary languages: English, Spanish, and Russian.
- **Qualified Bilingual staff** - Is the person who has met and demonstrated the minimum linguistic proficiency and fluency requirements in both languages (target and source languages), AND has demonstrated cultural responsiveness, AND ACCHS has documented the above.

If the qualified bilingual staff is going to act as interpreter for others, the above criteria are required, in addition to receiving at least 8 hours annually of interpreting Continuing Education (CE) including 2 hours of ethics and 2 hours of skills development (performance skills), AND at least one of the following documented by ACHHS:

The qualified bilingual staff:

- i. Is a Healthcare Certified Interpreter (CHI, or CoreCHI), Certified Medical Interpreter (CMI), Federal or State Court certified interpreter
- ii. has received healthcare interpreting training (minimum of 40 hours)
- iii. has received community interpreting training (minimum of 40 hours)
- iv. has developed proven skills and abilities as an interpreter
- v. understands boundaries and roles as an interpreter by abiding by the National Code of Ethics and Standards of Practice for Healthcare Interpreters by NCIHC, Canons, the conduct for court interpreters, or other professional codes of ethics and standards of practice related to language access

ACHHS must keep documentation of the above readily available upon request, audits, or in the process of investigations.

- **Qualified Interpreter** - A person who either has met training and competency requirements, or who is a certified healthcare interpreter, certified federal or certified state court interpreter and is in good standing before their certifying body, AND adheres to the interpreter National Code of Ethics and Standards of Practice for Interpreters in Health Care (National Council on Interpreting in Health Care –NCIHC), the canons of ethics, the conduct for court interpreters, or other professional codes of ethics and standards of practice related to language access.
- **Sight translation** - The verbal translation (transfer) of a written document from the source language into the target language.
- **Translation** - Translation means the written transfer of a message from the source language into the target language.

### **3. Methods of Providing Services to individuals with LEP**

The primary methods used are DHS-4374-ENG Interpreter Cards, Language Line Services, and Family and/or Friends.

Contracted Qualified Interpreters: Interpreter Services vendors contracted with the Minnesota Department of Administration can be accessed as necessary at:

[http://www.mmd.admin.state.mn.us/pdf/s-885\(5\).pdf](http://www.mmd.admin.state.mn.us/pdf/s-885(5).pdf)

Telephone Interpreter Services: Language Line Services, 1-800-367-9559, provides 24-hour phone interpretation services in over 140 languages.

Video Remote Interpreting (VRI) Services: ACHHS does not have a contract for VRI.

Bilingual staff: Aitkin County currently doesn't employ any bilingual staff.

LEP Liaison & Coordinator: Director, ACHHS

LEP Liaison Back-up: Financial Assistance Supervisor or Social Services Supervisor, ACHHS.

### **4. Interpreter Services**

ACHHS, without undue delay and at no cost to individuals with LEP and/or their families, provides meaningful access to information and service to all individuals with LEP and/or their families receiving information and services.

### **5. Translation of Documents**

ACHHS will rely on the state produced documents as the primary source of translated materials to assist individuals with LEP in translating all vital documents, or documents needed to provide information and perform services. Downloading of documents from the DHS website will also be used as necessary. ACHHS will follow DHS's translation numerical guidelines as required.

### **6. Dissemination and Mandatory Training to Agency Staff, Volunteers, and Others**

ACHHS is committed to providing LEP training to:

- All staff at new employee orientation, AND
- At least once a year to all staff, volunteers, and contractors

ACHHS will keep a record of those training sessions, and individual records of attendance to training will be part of personnel files. Record of this training will be kept for at least five years and readily available during DHS audits, investigations, or any proceeding and as required by the law.

This training is to include at least the following:

- Title VI of the Civil Rights Act of 1964
- How to work effectively with interpreters and use of new technology, and
- Any other cultural and equity components related to delivery of information and services to individuals with LEP served by ACHHS.

This LEP plan is added to the Manual of Policies and Procedures of ACHHS.

## Dissemination of Language Access Information in Public Areas

ACHHS makes available to individuals with LEP:

- Notice of language access services by posting in public areas the “Language Poster” (DHS-4739A-ENG), available through the DHS public Web site (<https://mn.gov/dhs/general-public/publications-forms-resources/edocs/> )
- “I need an interpreter” (DHS-4374-ENG) cards available in 33 languages and from the DHS public website (<https://mn.gov/dhs/general-public/publications-forms-resources/edocs/> )
- Catalog of Languages (DHS-4059-ENG) available through the DHS public website (<https://mn.gov/dhs/general-public/publications-forms-resources/edocs/>)

### 7. Annual Review of the LEP Plan

ACHHS reviews annually its LEP plan to adjust or modify its contingencies based on demographic data collected by ACHHS during its delivery of information and services to individuals with LEP throughout the year.

ACHHS upon DHS request will complete and submit DHS LEP Plan review annually or as often as requested by DHS.

### 8. Collection of Data & Its Analysis

ACHHS is committed to monitoring and making reasonable adjustments to comply with Title VI requirements. ACHHS will utilize the following mechanisms to assess unique language needs in Aitkin County:

- Local Agency Survey – Administrative staff indicated that the need for LEP services has historically been very limited. Most bilingual contact has been misdirected calls to our county. The following non-English languages have been identified as being the most likely to be encountered in Aitkin County: Spanish and Russian.
- School District Data – This data indicates that Aitkin County has few individuals with LEP.
- Other Data Sources – The Legal Aid office in Brainerd, Minnesota reported no multilingual requests for Aitkin County in the last year.
- As information becomes available through the Minnesota Department of Human Services or other resources, ACHHS will modify its policies and procedures as appropriate.

### 9. Complaint Process:

Individuals with LEP have the right to file a formal complaint with:

- Aitkin County Health & Human Services:
  - Sarah Pratt, Director

204 1<sup>st</sup> Street NW  
Aitkin, MN 56431  
218-927-7225 (voice) or 711 or  
800-627-3529 (MN Relay)  
Email: [Sarah.pratt@co.aitkin.mn.us](mailto:Sarah.pratt@co.aitkin.mn.us)

- Minnesota Department of Human Services (DHS), Limited English Proficiency (LEP) Coordinator:
  - Alejandro Maldonado  
P.O. Box 64997  
St. Paul, MN 55164-0997  
651-431-4018 (voice) or 711 or  
800-627-3529 (MN Relay)  
Email: [alejandromaldonado@state.mn.us](mailto:alejandromaldonado@state.mn.us)
  
- Office for Civil Rights (OCR), Region V – Chicago, IL
  - Regional Manager  
Office for Civil Rights  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
800-368-1019 (voice)  
202-619-3818 (FAX)  
800-537-7697 (TDD)  
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)  
<http://www.hhs.gov/ocr/civilrights/complaints/index.html>

This LEP Plan is available in public areas of ACHHS, to all staff, volunteers, and contractors, and to members of the community.

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**Revisions to this LEP Plan**

<i>Creation</i>	May 2001	by Tom Burke
	No changes made at this time as this is the creation of the LEP plan.	
<i>First Revision</i>	August 2013	by Tom Burke
<i>Second Revision</i>	February 2018	by Jessica Goble
<i>Third Revision</i>	July 2024	by Paula Arimborgo
	<i>Updated LEP Coordinator and format</i>	