

# Washington State Department of Social and Health Services

## Language Access Program Overview

### Background Information

In the 1980's and earlier 1990's the Washington State Department of Social and Health Services (DSHS) entered into agreements with the Office for Civil Rights, as well as with client advocacy groups representing DSHS clients, after these groups filed complaints against the Department for not granting LEP clients equal access to its programs. As a result of these agreements, a new office, Language Interpreter Services and Translations (LIST) was formed within DSHS. LIST was given two primary responsibilities. One was to develop and administer a written document translation services program, focusing on timely and accurate translation of Department forms and publications. The other was to develop and implement a language testing and certification program to assess the language skills of Department bilingual staff, as well as contracted interpreters and translators, who are then available to provide language services at local DSHS benefit offices and for health care providers participating in DSHS programs.

Another result of these agreements was the formation of a Limited English Proficiency (LEP) Task Force within the Department. The task force made several recommendations, one of which was the creation of a LEP Coordinator Committee, comprised of at least one representative for each of the Department's 6 distinct administrations. This committee still exists and meets every other month to discuss language access related issues (e.g., development and implementation of LEP policies and procedures, development and implementation of interpreter and translation services contracts, language testing and certification issues, etc.)

### Washington State Language Access Rules/Laws

#### *Washington Administrative Code (WAC)*

##### 388-271-0010

##### What are limited English proficient (LEP) services?

(1) The department provides limited English proficient (LEP) services to you if you are limited in your ability to read, write and/or speak English. These services provide a way for us to communicate with you even though you are limited in your ability to communicate in English. LEP services are provided in your primary language by authorized bilingual workers or by contracted

interpreters and translators. Your primary language is the language you have indicated on your application or your eligibility review as the language you wish to communicate in with the department.

(2) LEP services include:

- (a) Interpreter (verbal) services in person and/or over the telephone; and
- (b) Translation of department forms, letters and other printed materials.

### **388-271-0020**

#### **What are the department's responsibilities in providing me with an interpreter?**

(1) If you have trouble speaking and/or understanding English, and a bilingual worker is not available to assist you, we get a qualified interpreter in your primary language to help you communicate verbally with us. A qualified interpreter is someone who is fluent in English and your primary language and is trained on the Interpreter Code of Professional Conduct.

(2) Interpreter services are provided in-person or over the telephone.

(3) We pay for the interpreter. You do not have to pay anything.

(4) If a worker from our department feels that they are not able to communicate with you well enough to provide adequate services, they may request the services of an interpreter even if you did not ask for help.

(5) We will provide interpreter services to you in a timely manner so that we can process your case within the processing timeframes defined in chapters 388-406, 388-418, and 388-434 WAC.

### **388-271-0030**

#### **What are the department's responsibilities in providing me with written communication in my primary language?**

(1) We provide fully translated written communication in your primary language. This includes, but is not limited to:

(a) Department pamphlets, brochures and other informational material that describe department services and client rights and responsibilities;

(b) Department forms, including applications and individual responsibility

plans, that we ask you to complete and/or sign; and

(c) Department letters as described in chapter 388-458 WAC.

(2) We pay for the written translation. You do not have to pay anything.

(3) We will provide translated documents to you in a timely manner so that we can process your case within the processing timeframes defined in chapters 388-406, 388-418, and 388-434 WAC.

*This information can be accessed at the following website:*

<http://apps.leg.wa.gov/WAC/default.aspx?cite=388-271&full=true>

### *Revised Code of Washington (RCW)*

#### **74.04.025**

#### **Bilingual services for non-English speaking applicants and recipients – Bilingual personnel, when – Primary language pamphlets and written materials.**

(1) The department and the office of administrative hearings shall ensure that bilingual services are provided to non-English speaking applicants and recipients. The services shall be provided to the extent necessary to assure that non-English speaking persons are not denied, or unable to obtain or maintain, services or benefits because of their inability to speak English.

(2) If the number of non-English speaking applicants or recipients sharing the same language served by any community service office client contact job classification equals or exceeds fifty percent of the average caseload of a full-time position in such classification, the department shall, through attrition, employ bilingual personnel to serve such applicants or recipients.

(3) Regardless of the applicant or recipient caseload of any community service office, each community service office shall ensure that bilingual services required to supplement the community service office staff are provided through contracts with interpreters, local agencies, or other community resources.

(4) Initial client contact materials shall inform clients in all primary languages of the availability of interpretation services for non-English speaking persons. Basic informational pamphlets shall be translated into all primary languages.

(5) To the extent all written communications directed to applicants or recipients are not in the primary language of the applicant or recipient, the department and the office of administrative hearings shall include with the written communication a notice in all primary languages of applicants or recipients describing the significance of the communication and specifically how the applicants or recipients may receive assistance in understanding, and responding to if necessary, the written communication. The department shall assure that sufficient resources are available to assist applicants and recipients in a timely fashion with understanding, responding to, and complying with the requirements of all such written communications.

(6) As used in this section, "primary languages" includes but is not limited to Spanish, Vietnamese, Cambodian, Laotian, and Chinese.

### **Language Access Contracts**

DSHS has 6 different language access contracts that are used when bilingual workers are not available to provide direct services to clients. All contracts are competitively procured and, with the exception of the Brokered Interpreter Service Contract, contracts are available to other government and non-profit entities for use.

#### ***Interpreter Services***

- **Brokered Spoken Language Interpreter Services** – Interpreter services provided in-person and charged at a minimum hourly rate (currently \$34/hour). Broker is also paid an administrative fee (\$5-10 per billable encounter) for processing interpreter appointment requests.  
*Note: Field offices request services through the broker for an interpreter to physically go into the office and function as a 3<sup>rd</sup> party interpreter.*
- **Telephone Interpreter Services** – Interpreter services are accessed by calling a toll-free telephone number. Services are typically available within 30 seconds of identification of language needed. Charged at a per-minute rate (currently \$.98 - 1.10/minute).  
*Note: As an alternative to physically going in a field office to conduct business with the Department, clients can call into Customer Service Call Centers to apply for certain services and to ask questions regarding DSHS programs. Call centers use this contract exclusively to obtain the services of an interpreter. This service is also used as a backup to the Interpreter Service Broker Contract. Washington State will re-bid this contract in 2008 as a Western States Contracting Alliance (WSCA) contract, allowing state procurement offices from 11 states to purchase services off the new contract.*

- Sign Language Interpreter Services – Services provided in-person and charged at a minimum hourly rate (currently \$25 to \$55/hour depending on interpreter qualifications).

### *Translation Services*

- General Translation Services – Translation of Department forms and publications. Charged at a per word rate of \$.15-.25/word. Charge includes original translation, 2nd party technical and translation quality review and any formatting/desktop publishing.  
*Note: DSHS has a simultaneous release policy, which requires the department to simultaneously issue forms and publications in eight languages (Cambodian, Mandarin, Laotian, Vietnamese, Spanish, Korean, Russian, and Somali) in addition to English.*
- Local Office, Client Specific Translation Services – Translation of locally generated client letters and fill-in portions of previously translated form templates. Charged at a per word rate of \$.15-.25/word. Charge includes original translation, 2nd party technical and translation quality review and any formatting/desktop publishing.
- Non-Supported Language Translation Services - Translation of headquarters generated client letters in languages not supported by the Automated Client Eligibility System (ACES). Charged at a per-letter rate (\$10.25/letter) and \$.22/word for any translation of new text.

## Accomplishments/Promising Practices

### *Tracking of LEP Clients/Translation of Client Letters*

The Washington State Department of Social and Health Services utilizes an Automated Client Eligibility System (ACES) to track client eligibility for cash, food and medical benefits. A Primary Language Code (PLC) is used in the system to identify the language in which the client has requested their letters. There are approximately 90 different valid PLC values.

ACES is configured to generate client letters (there are approximately 200 different letter types) in nine different languages (English, Cambodian, Chinese, Korean, Laotian, Russian, Spanish, Vietnamese and Somali), known as *supported languages*. Approximately 60,000 non-English Supported language letters are generated per month. Letters needed in *non-supported languages* are generated in English, sent to a contracted translation company

for translation, and then mailed to the client upon translation completion. Approximately 4,000 non-supported language letters are generated per month.

### *Language Testing and Certification*

DSHS developed and implemented, in 1992, its own language testing and certification program to assess the skills of bilingual employees and contracted interpreters and translators, who provide language services to LEP clients of the Department. The following is a brief description of the Department's language testing and certification program.

- Bilingual Employees
  - Tested for language skills based on job classification. Seven clusters of testing.
  - Tested for written and verbal communication skills in both languages.
  - Testing offered in eight languages (Cambodian, Chinese-Cantonese, Chinese-Mandarin, Korean, Laotian, Russian, Spanish and Vietnamese).
  - Over 2,000 tests administered.
  - 70% of candidates become certified.
  
- Contracted Interpreters
  - Two subject areas covered – Social Services and Medical
  - All candidates take an English multiple choice test.
  - If successful, the candidate takes an oral test.
  - Comprehensive oral testing is done in 8 languages (Cambodian, Chinese-Cantonese, Chinese-Mandarin, Korean, Laotian, Russian, Spanish and Vietnamese). Passing=Certified
  - Oral "Screening" tests are offered in all other languages. Passing=Qualified
  - Over 9,000 medical interpreter tests administered.
  - Over 7,400 social services interpreter tests administered.
  - 42% of candidates become certified/qualified.
  
- Contracted Translators
  - Test evaluates translation from English to target language only.
  - Test is offered in seven languages (Cambodian, Chinese, Korean, Laotian, Russian, Spanish and Vietnamese).
  - Over 1200 tests administered.
  - 35% of candidates become certified.

### *Translation Project Tracking System*

DSHS developed and implemented, in 2004, a web-based application program for the processing and tracking of translation requests for the hundreds of forms and publications produced by the Department.

Upon placing a translation request into the tracking system, a project number is assigned and an email is sent to the DSHS translation coordinator. The translation coordinator uploads the source file (i.e., the English version of the document that needs to be translated) to a server and selects a translation contractor. The system sends a notice to the contractor, with a link to the source file. The translations, when completed, are uploaded to the server by the contractor. The system then notifies the translation coordinator that the project is complete. After reviewing the translations for correct formatting (translation accuracy may also be reviewed at this time), the translation coordinator releases the translations to the original requester.

Approximately 900 translation requests (a request may be for one language or multiple languages) are processed each year through the Translation Project Tracking System.