# Massachusetts Department of Transitional Assistance



Language Access Plan Updated: February 2024

#### I. Introduction

The Department of Transitional Assistance (DTA or the Department) has developed and prepared this Language Access Plan (LAP) outlining ongoing efforts taken to provide language services to constituents with Limited English Proficiency (LEP).

This plan also defines the actions DTA is taking to ensure meaningful access to programs, services, activities, and materials for all constituents with LEP.

DTA will review and update this LAP as needed to ensure continued responsiveness to community needs and compliance with Executive Order 615 as well as the Executive Office for Administration and Finance (ANF) Administrative Bulletin # 16 (Language Access Policy and Implementation Guidelines).

DTA serves a diverse population of various ages and linguistic origins. A person with LEP is someone who cannot speak, read, write, or understand the English language at a level that allows them to interact effectively with staff. A constituent maintains the right to self-identify with LEP.

# II. Purpose

The purpose of this LAP is to ensure meaningful access to programs, services, activities, and materials for all constituents with LEP.

DTA is committed to making services available to persons with LEP as part of its mission. Based on this commitment, DTA makes every attempt to assist constituents with LEP in accessing its services.

This LAP does not create new services, rather, it strives to eliminate barriers for constituents with LEP accessing existing services and ensures that all staff can assist constituents with LEP in accessing resources.

DTA will provide quality language assistance to constituents with LEP in a fair and timely manner, ensuring meaningful access to the agency's services.

This LAP centralizes language access materials for staff and outlines the regular training for new hires to ensure that all staff can access the materials and services listed in the sections below.

The objectives of this Language Access Plan are to:

- Improve access to and quality of DTA programs, services, and activities for non-English speakers and constituents with LEP;
- Reduce any disparities and delays in the provision of programs/services to eligible constituents with LEP; and
- Streamline training and resources for staff to increase effectiveness and ensure public satisfaction with DTA.

# III. Policy

It is the Department of Transitional Assistance's policy to provide meaningful access to programs and services to persons who are non-English speakers or those with LEP.

# V. Applicability

This policy applies to all local Transitional Assistance Offices (TAOs) and Central Office business units within DTA. This LAP informs all aspects of DTA's business process which include, but are not limited to, how DTA:

- produces notices, forms, resource materials, and messages;
- writes policy and procedural guidance for DTA's Online Guide;
- offers language choices for self-service options;
- interacts with constituents with LEP face to face, telephonically, or virtually; and
- prioritizes the hiring of multilingual case managers and support staff.

#### V. Role

DTA's mission is to assist and empower low-income individuals and families to meet their basic needs, improve their quality of life, and achieve long term economic self-sufficiency. DTA offers a comprehensive system of programs and support to help individuals and families achieve greater economic mobility, including food and nutritional assistance, economic assistance, and employment supports.

DTA serves one out of every six people in the Commonwealth (over one million individuals), including working families, children, older adults, and people with disabilities. The Department currently has 20 local offices throughout the state and employs approximately 1,750 employees.

DTA receives input and guidance from Community Advisory Boards that represent individuals and organizations in the catchment area of each local TAO. These Community Advisory Boards convene periodically to discuss issues relevant to DTA's constituents and make recommendations on policies and operations.

# VI. Language Access Plan

DTA's Language Access Plan was developed to adhere to Executive Order 615, the Language Access Guidelines of ANF Administrative Bulletin #16, and the Federal Plain Language Guidelines outlined in 45 CFR 92.101. This LAP is posted on DTA's internet page under the "About the Department of Transitional Assistance (DTA)" section. The link to this page can be accessed <a href="here">here</a>.

Over the last two decades, DTA has continued to work with the Office for Civil Rights of the federal Department of Health and Human Services and community/legal service organizations to improve services to LEP constituents. The Department recently held focus groups with community-based stakeholders to simplify language and increase readability of DTA forms, documents, and notices. Feedback and recommendations from the Department's Diversity, Equity, and Inclusion Council are also heavily involved in the agency's language access efforts.

The guidelines outlined within this current LAP build upon the blueprint established in previous plans. With each successive year the Department demonstrates its commitment to language access by prioritizing the translation of vital documents, increasing the hiring of bilingual or multilingual staff, and adopting more inclusive practices.

This LAP shall be fully implemented, subject to the availability of requisite fiscal resources. It represents the Department's commitment to ensuring that all residents of Massachusetts can readily access information and resources from the Department of Transitional Assistance.

For staff, this plan centralizes resources, training, and the Department's multilingual content and publications, while outlining the minimum standard of access to the agency for constituents with LEP.

According to 2022 statistics from the United States Census Bureau, 25% of Massachusetts households speak a language other than English at home. This figure represents 1,660,772 residents who have bilingual or multilingual capabilities. From within this subset, roughly 9.6% of residents speak Spanish.<sup>1</sup>

<sup>1</sup> 2022 United States Census Bureau: American Community Survey – Language Spoken at Home (1-Year Estimates Subject Tables).

Currently, Spanish-speaking constituents with LEP make up approximately 11% of the Department's service population. A figure slightly higher than the state average. No other non-English language, besides Spanish, makes up more than 3.6% of our constituent population. See chart below.

Primary Language Spoken by DTA Household	# of DTA Households Who Speak Language	% of DTA Households Who Speak Language
English	555,733	79.2
Spanish	77,637	11.0
Haitian Creole	25,184	3.6
Chinese (Cantonese, Mandarin, etc.)	8,880	1.3
Brazilian Portuguese	6,684	1.0
Vietnamese	5,152	0.7
Russian	5,007	0.7
Arabic	3,352	0.5
Khmer (Cambodian)	2,978	0.4
Cape Verdean Creole	2,324	0.3
Other*	9,463	1.3

**Figure 1:** Language Breakdown of DTA Households. Statistics derived from analyzing active household data from within DTA's BEACON eligibility system.

#### a. Language Access Coordinator

The Language Access Coordinator shall assist the agency head in complying with the outlined responsibilities under <u>Executive Order 615</u>. Additional duties include locating interpreters or contracting vendor translation services in situations where the necessary language skills are not present within a local office. Individual(s) in this role are also responsible for updating the Department's LAP as policies change.

A complaint may be filed with the DTA Language Access Coordinator if any individual believes they have been denied the benefits of this LAP. The complaint must outline the incident and be submitted in writing.

To file a complaint with the Language Access Coordinator, submit the written complaint to both representatives below:

#### Sarah Stuart

Associate Commissioner for Local Implementation and Special Populations 600 Washington Street, 5<sup>th</sup> Floor Boston, MA 02111 857-303-1248 (cell) sarah.stuart@mass.gov

# **Kevin Pouv**

<sup>\*</sup>The Other category includes Albanian, French, American Sign Language (ASL), Somali, Nepali, Amharic, Polish, Greek, Armenian, Italian, Laotian, Tagalog, Croatian, Serbian, Slovenian, etc. The percentage of households that speak these individual languages is less than 0.1% across the entire service population.

Acting Director of Local Office Implementation 600 Washington Street, 5<sup>th</sup> Floor Boston, MA 02111 857-274-9315 (cell) kevin.pouv@mass.gov

To file a complaint with the Governor's Office, submit a written complaint to:

# Yarlennys Villaman

Director of Community Affairs
Language Access Coordinator
Office of the Governor Maura T. Healey
Massachusetts State House, Room 280
Boston, MA 02133
617-947-9759 (cell)
yarlennys.k.villaman@mass.gov

### b. Language Resources

# **Multilingual Staff**

The Department of Transitional Assistance is committed to hiring and retaining multilingual staff for all positions. DTA has actively recruited and hired staff to meet the language needs of many of our constituents. There are multilingual staff in all local offices, based on the unique language needs of the constituents in that catchment area. The majority of in-person interpreting is provided by staff within the office.

Constituents with LEP who present in office and for whom there is not a staff person available with that language skill set, are offered several options to conduct business including the use of a <u>virtual interpreter</u>, <u>telephonic interpreter</u>, or <u>scheduling a future in-person appointment</u> for which an interpreter can be arranged in advance. If the constituent opts for a future in-person appointment, staff will escalate the case to their management team so they may request the assistance of the Language Access Coordinator. If it is determined that staff assigned to another work location can assist, the appointment is scheduled in coordination with that office/individual. If there are no staff available, the Language Access Coordinator will request services through one of the state's contracted vendors.

The primary source of in-person interpretation support is provided by Human Services Assistants (HSA). The Department employs 90 Human Service Assistants who work as interpreters within the local offices. Each HSA is affiliated with a specific office. The list of HSAs for all offices is located on the <u>DTA Online Intranet site</u>. This is an increase of 37 additional interpreters from the year before. The languages these employees speak are Spanish, Haitian Creole, Chinese (Cantonese/Mandarin), Portuguese, Vietnamese, Khmer, Cape Verdean Creole, French, Hindi, and Tibetan.

Staff can also access <u>contracted interpreter services</u> by phone or video when DTA employee interpreters are not available. Moreover, in procuring vendors who provide constituent services for the Department (e.g., employment services providers), the ability to work with LEP constituents is an important factor in making contracting decisions.

#### **General Phone Line**

The Department's statewide phone system, the DTA Assistance Line, provides Interactive Voice Response (IVR) in English, Spanish, Haitian Creole, Chinese (Cantonese), Brazilian Portuguese, and Vietnamese. Local office main phone lines have messaging in a minimum of English and Spanish, with some office phone systems having the capacity for a third language.

IVR allows constituents to find out information about their case and make certain changes or requests, such as proof of benefits, without having to wait to speak with DTA staff. Also, the IVR is programmed to first connect constituents with staff who speak their language. Staff who primarily assist constituents with LEP are paid a language differential. This service is currently available for Spanish, Haitian Creole, Chinese (Cantonese/Mandarin), Portuguese, Vietnamese, Russian, Arabic, Khmer, and Cape Verdean Creole constituents.

The Department has a well-accessed mobile application and website, called DTA Connect, which enables constituents to easily update their case, request an EBT card, access forms, or find out information about their cases. DTA Connect is available in Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese.

Staff making outbound calls to constituents are required to assess potential language needs by reviewing the case file and obtaining a telephonic interpreter prior to calling the constituent. If receiving an inbound call through the DTA Assistance Line, the language of the constituent is identified so that the call can be prioritized for staff with the same language capacity or for staff to conference in a telephonic interpreter. Interpreter Services for In-Person Business Transactions

#### Walk-In Constituents

DTA informs its constituents of the availability of free language services in two primary ways. All local offices display a "Do You Need an Interpreter" poster, which states: "Point to your language. An interpreter will be provided at no cost" in 16 different languages. This document is also found in the LEP Service Binder, kept at every local office's reception desk.

Copies of the <u>Language Identification Flashcard</u> are available in all local office lobbies for front end staff to use. The card states "I speak" in 38 languages and can be used to identify the language spoken by constituents with LEP seeking DTA services.



**Figure 2:** Language Identification Flashcard

While the preference is to provide direct service to constituents with LEP in their primary language, staff also have access to an over-the-phone language service that can provide translations for 380 languages. Step-by-step instructions on how to use the over-the-phone language service, including ASL, are outlined in the Interpreter Services booklet listed under the Cross Programs section of the <u>DTA Online Guide</u>.

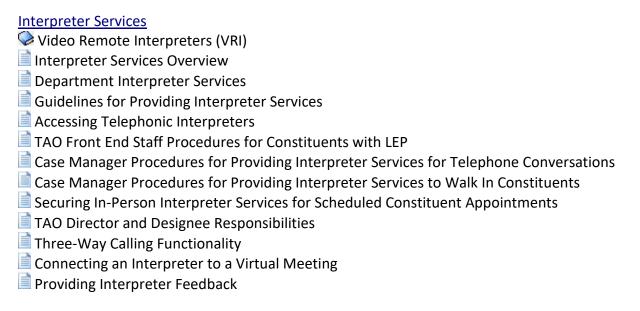
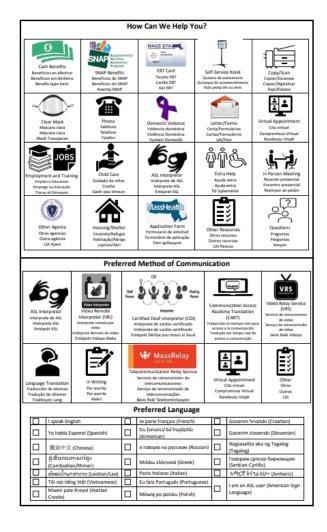


Figure 3: Interpreter Services Chapters from the DTA Online Guide

All local offices include a constituent facing pictorial board to facilitate communication for individuals who are Deaf, hard of hearing, non-verbal, or may have limited verbal or English proficiency. The boards include images and descriptive words in eight languages to help DTA staff determine the primary reason for a constituent's visit. This may be to apply for benefits, obtain an EBT card, scan documents, or more. Furthermore, the board has a section on preferred methods of communication for constituents who want to request an ASL interpreter, Communication Access Realtime Translation (CART) services, and/or choose one of the languages available via the over-the-phone language service.



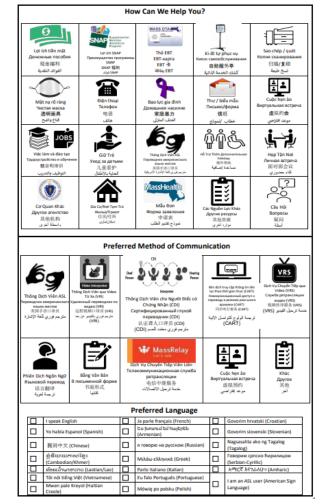


Figure 4: DTA Lobby Pictorial Board

# **Scheduled Hearings**

The Request for an Appeal form (DOH-10) includes a space where constituents can list their primary language or dialect as well as phone and relay numbers which they can use to contact the Division of Hearings (DOH). DOH administrative staff includes an individual who speaks Spanish. For other languages, the staff use an overthe-phone language service to communicate with constituents.

If a constituent requests an interpreter and/or if the primary language in DTA's BEACON eligibility system is anything other than English, DOH contacts Bay State Interpreters or Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) and schedules an interpreter when they are scheduling the hearing.

# Interpreter Services for In-Person Events: Requesting a Verbal Interpreter

DTA staff may use <u>PRF75 Statewide Contract</u> to request in-person interpreters for events. Staff should follow guidance specifically outlined in PRF75 Statewide Contract and adhere to State procurement laws and best practices.

# Interpreter Services for In-Person Events: Requesting an ASL Interpreter or CART Services

Interpreters should be requested from the <u>Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH)</u>. The process for requesting interpretation is laid out on the Commission's website, linked above. Additional information on MCDHH services is further outlined on the <u>Communication Spectrum Tip Sheet for First-Time Interpreter/CART Requests</u>.

When registering for events, participants have the option to request an ASL interpreter or CART Services. These requests are collected at least two weeks or more in advance of the event to allow DTA organizers time to reach out to MCDHH with the date and time of the event, obtain a quote for services, and coordinate payment through the DTA Finance Department.

If ASL interpretation is requested, most events will require two interpreters. There may be times when interpreters are contracted from different organizations. It is best practice to make time prior to the event for the interpreters to connect.

If the services are no longer needed or the event is cancelled, DTA will provide notice to MCDHH at least three days before the scheduled date to avoid fees.

## **Translating Vital Documents and Publications**

The Department currently translates all its vital documents, including adverse action notices, into Spanish. Additionally, DTA is committed to maintaining all its widely applicable publications in the six most spoken languages in our service population: English, Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese. As documents are updated or newly developed, translated versions are automatically requested as part of the production process. Longer and more specific publications are translated when there are accessibility concerns for the intended audience.

Consistent with past practice, the Department will use available funding to update already translated documents that need revisions and to expand translation of application related materials to lower incidence languages.

DTA budgets funding annually to pay for translation services and continuously maintains contact with translation vendors on the <u>PRF75 Statewide Contract</u>. The process for translating Department issued notices, forms, resource materials, messages, and other communications is primarily handled by the DTA Policy and Program Support (PPS) Unit.

The process of translating publications is outlined below:

- PPS staff emails a Word document of the publication to one of the contracted vendors;
- PPS staff identify the languages for translation;
- PPS staff request a price quote and delivery estimate from the vendor; and
- Once a quote is received, PPS staff will coordinate with DTA's Finance Department to authorize payment for the project.

Multilingual staff assist as a second level review for accuracy of the translations. Approved publications are forwarded to DTA's print shop (Schrafft's) for production and distribution. If there is an urgent time sensitive

need, DTA staff who are proficient in a particular language are used for initial translation.

TAO Directors and Assistant Directors may also place bulk orders for translated publications through the Department's publication ordering system, WebCRD. Applicable orders are placed based upon the languages prevalent within each TAO's catchment area.

# **Written Translations**

When staff receive a written document from a constituent that needs to be translated, they are directed to reach out to their TAO's Human Services Assistant (HSA), whose primary role is to provide translation/interpreter services. If the HSA does not have the appropriate language skill set, staff must escalate to their TAO management team who works with DTA's Language Access Coordinator to determine if there are staff in another office who can assist. If no such person is available, the Language Access Coordinator will forward the written document to be translated by one of the state vendors.

# Correspondence

Regardless of the language on file for the constituent, DTA has long included a multilingual mail insert in all correspondence to constituents. This insert states the following in 22 languages:

"Important! The notice may affect your benefits. Please read it or have someone translate it for you right away. If you do not understand the information or need help translating it, please contact your Transitional Assistance Office right away or call 1-877-382-2363."

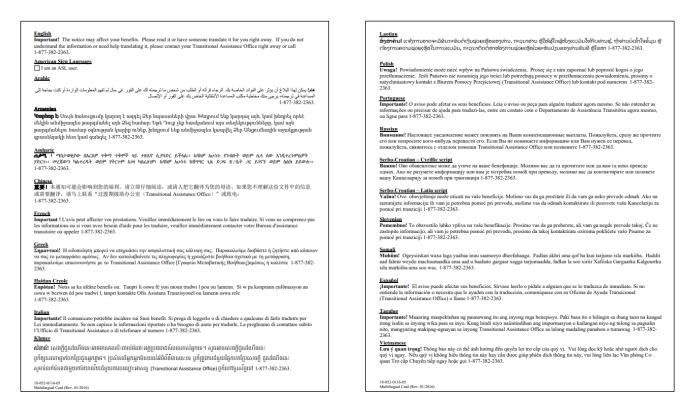


Figure 5: DTA Multilingual Mail Insert

More recently, DTA makes robocalls and sends text messages/emails to constituents including case specific information, reminders, and updates. These resources are generated in Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese based on BEACON language preferences.

Since its launch in May 2023, all Benefit Decision Notices (BDN) that are sent to constituents are generated in English or Spanish. Beginning in April 2024, households who have a language on file other than English and Spanish will receive a BDN in their preferred language. The BDN will be offered in six languages (English, Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese).

#### **Web Content**

DTA has translated many other notices, forms, resource materials, and videos into multiple languages. These items are publicly listed on its <u>website</u>, <u>Online Guide</u>, and <u>YouTube channel</u>. The following is a description of the translations done to date:

- Paper Supplemental Nutrition Assistance Program (SNAP) applications: Spanish, Haitian Creole,
   Chinese (Simplified), Brazilian Portuguese, Vietnamese, Russian, Arabic, Khmer, French, Polish, Italian,
   and Korean.
- Paper Transitional Aid to Families with Dependent Children (TAFDC) applications: Translated into Spanish as part of an interactive BEACON system interview with a case manager.
- Paper Emergency Aid to the Elderly, Disabled, and Children (EAEDC) applications: Translated into Spanish as part of an interactive BEACON system interview with a case manager.
- Online SNAP application: Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese.
- Notices of a DTA action affecting a constituent's case: Spanish
- Rights and Responsibilities and SNAP Penalty Warning: Spanish
- Your Right to Know Brochure: Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, Vietnamese, Khmer, and Russian.
- Your Right to an Interpreter and What Noncitizens Need to Know Brochures: Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, Vietnamese, Khmer, and Russian.
- Do you need an Interpreter Poster: Albanian, American Sign Language, Amharic, Arabic, Bosnian, Brazilian Portuguese, Chinese (Simplified), Farsi, Haitian Creole, Khmer, Russian, Somali, Spanish, Swahili, Tagalog, and Vietnamese.
- Multilingual Mail Insert: American Sign Language indicator, Arabic, Armenian, Amharic, Brazilian Portuguese, Chinese (Simplified), French, Greek, Haitian Creole, Italian, Khmer, Laotian, Polish, Russian, Serbo-Croatian Cyrillic, Serbo-Croatian Latin, Slovenian, Somali, Spanish, Tagalog, and Vietnamese.
- **Electronic Benefit Transfer (EBT) Brochures:** Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, and Vietnamese.
- **Community Information Brochure:** Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, Vietnamese, Russian, and Khmer.
- You Deserve to Be Safe (Domestic Violence) Brochure: Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, Vietnamese, Russian, and Arabic.
- **Do You Need Help Because of a Disability (Americans with Disabilities Act) Flyer:** Spanish, Haitian Creole, Chinese (Simplified), Brazilian Portuguese, Vietnamese, Russian, Khmer, and Laotian.
- SNAP Outreach, Protect Your Benefits from Scams, DTA Connect, DTA Assistance Line, and P-EBT Flyers: Available in 11 to 14 languages.
- The Department has also produced a variety of SNAP-related videos in multiple languages, which can be viewed on the agency's <u>YouTube channel</u>.

# c. Staff Training

This Language Access Plan (LAP) will be:

- Posted internally for all employees.
- Incorporated into the orientation for new employees.
- Presented to management so they are fully aware of and understand the LAP, to reinforce the plan's importance and ensure its implementation by staff.
- Presented to DTA staff having contact with the public, so such staff are trained to work effectively with constituents with LEP through telephone/in-person interactions.

The Department's protocols for providing services to individuals whose primary language is not English (or

who use American Sign Language) is included in its training materials, including the Online Guide. The following interpreter services guidelines have been issued to staff:

- The Department is committed to ensuring that interpreters have been trained in interpreter services, ethics, and confidentiality. Professional interpreters are offered free of charge to all LEP/ASL constituents to conduct Department business.
- A constituent who presents either in-person, by telephone, or virtual appointment with an adult intending to act as an interpreter must be advised that a professional interpreter can be provided free of charge. The constituent may decline the use of professional interpreter services and choose to have the adult serve as an interpreter.
- Children over age 12 may interpret only to schedule appointments.
- Children aged 12 and under may not be asked to interpret for any purpose.
- A constituent who speaks some English, or appears to understand English, may not have the language skills needed to fully comprehend Department terminology, rights, responsibilities, and penalties. If the case manager or other Department staff believes that a professional interpreter is necessary, at any point in the interaction a bilingual or multilingual staff person, if available, or contracted interpreter must be accessed to effectively communicate with the constituent.
- A constituent has the right to refuse the use of a particular interpreter if uncomfortable for a personal or cultural reason. Department staff must not inquire as to the reason for refusal. In this situation, an alternative staff or contracted interpreter must be accessed to conduct the interview or casework.
- If a contracted interpreter does not appear for a scheduled interview, the case manager must immediately access a telephonic or virtual interpreter to conduct the interview. The case manager must not reschedule the interview in this situation.
- Constituents must be allowed to complete Department business on the date of first contact if time permits. Otherwise, a follow-up appointment must be scheduled using the interpreter to arrange a mutually convenient date and time. All timing-related rights of the constituent must be preserved as of the first date of contact, based on program rules.
- The case narrative must be updated to reflect the method of translation or the refusal of translation services at each constituent interaction.

# VII. Monitoring

The Department of Transitional Assistance will review and update its Language Access Plan at least every two years or more frequently, as needed.

### The review assesses:

- Whether there have been any significant changes in the composition or language needs of the populations served;
- Whether staff knows and understands the LAP document, and is comfortable using the services described within;
- Whether additional documents require translation;
- Identification of any issues or problems related to serving persons with LEP which may have emerged during the past year; and
- Identification of any recommended actions to provide more responsive and effective language services (e.g., adding documents to be translated, creating, or expanding partnerships with community organizations, or changing staffing priorities).

Monitoring the effectiveness of a Language Access Plan may include, but not be limited to:

- Analyzing current and previous data on language assistance usage, including languages served;
- Surveying staff on how often they use language assistance services, if they believe there should be changes to the services provided or the providers used, and if they believe that the language assistance services in place are meeting the needs of the communities with LEP in their service area; and
- Monitoring feedback from community-based organizations, legal services, and other stakeholders about the agency's effectiveness and performance in ensuring meaningful access for individuals with LEP.

The Language Access Coordinator uses the above information as well as any received from other sources (complaints, local office staff, DTA Advisory Boards, contracted interpreters, etc.) to determine whether its LEP populations are receiving meaningful access to the Department's programs and services.

The Department is exploring using its Quality Improvement (QI) Unit to review compliance with language access policies, either as part of its routine case review function or as a separate review focusing primarily on language access. The QI unit is comprised of specialized staff charged with reviewing and analyzing cases to determine the accuracy of work performed by case managers.

# VIII. Approvals February 27, 2024 Date Commissioner of the Department of Transitional Assistance Kallaa E Walla

Kathleen E. Walsh	
Secretary of the Executive Office of Health and	
Human Services	