

Language Access Plan

2022



*Division of Welfare and Supportive Services
Nevada Department of Health and Human Services*

Welcome

The Nevada Division of Welfare and Supportive Services (DWSS) is honored to be a part of a long tradition of strengthening individuals, families, and communities across Nevada. As we are constantly endeavoring to improve access, barriers to communication are being addressed. This Language Access Plan is a comprehensive account of our ongoing efforts and demonstrates the iterative nature of identifying access needs, planning and implementing improvements, and assessing efficacy.

Language access is critical to every area of our service delivery. Leaders and policymakers at all levels know the importance of developing strong communities and ensuring that supports for Nevadans are accessible in the language in which they feel most comfortable communicating. We aim to meet those language needs in all modalities of communication including on the phone, in person, on the web, in forms and documents, and holding our partners accountable for the same level of service.

I am proud of the strides we have made in meeting the challenges we face, and we will continue to explore new ways to improve our services and performance. As the intent of the DWSS Language Access Plan is to provide valuable information to enable people to assess our progress and what remains to be accomplished in providing the best possible access to public assistance, my staff and I welcome comments and suggestions so future editions may be improved.

Sincerely,

Robert Thompson, Administrator DWSS

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Purpose and Authority

Nevada's Senate Bill 318 (SB318) of 2021 Legislative session amending NRS 232, and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 puts it, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

Nevada Division of Welfare and Supportive Services is committed to compliance with NRS 232 as applicable and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this document is to review existing capabilities, identify gaps and establish an effective plan for future services to individuals who have limited English proficiency. Following this plan and protocol is essential to the success of the DWSS mission.

This Language Access Plan was developed with the assistance of the Governor's Office of New Americans, Division of Aging and Disability Services, Division of Public and Behavioral Health and Division of Health Care Financing and Policy.

Mission

The mission of the Division of Welfare and Supportive Services is to engage clients, staff, and the community to provide public assistance benefits to all who qualify and reasonable support for children with absentee parents to help Nevadans achieve safe, stable, and healthy lives.

Programs and General Policy

Nevada Division of Welfare and Supportive Services recognizes that the population eligible to receive its services includes limited English proficient (LEP) individuals. It is the policy of Nevada Division of Welfare and Supportive Services to ensure meaningful access to LEP individuals.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. Nevada Division of Welfare and Supportive Services intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. Nevada Division of Welfare and Supportive Services seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Toward this outcome, Nevada Division of Welfare and Supportive Services upholds the following policies via the Welfare Administrative Manual (WAM) Chapter 500-Nondiscrimination:

- Nevada Division of Welfare and Supportive Services is committed to equity and will take all reasonable steps to provide limited English proficient (LEP) individuals with meaningful access to all its services, programs, and activities.
- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.

Programs

DWSS administers many of the state's safety net programs: Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Child Care Development Program, Child Support Enforcement Program and Energy Assistance Program.

DWSS also determines eligibility for Nevada Medicaid, enrolling all who qualify to be Medicaid members. The Nevada Division of Health Care Financing and Policy administers the rest of the Nevada Medicaid program.

This plan applies to all Nevada Division of Welfare and Supportive Services' programs and services.

Temporary Assistance for Needy Families

The purpose of the TANF program is to provide temporary assistance for the care of dependent children in their homes, or in the homes of relatives, by furnishing financial and self-sufficiency services.

“Assistance” is defined as cash payments, vouchers, and other forms of benefits provided to cover a family’s ongoing basic needs, such as food, shelter, clothing, etc. It includes childcare, transportation, and other supports for families that are not employed.

TANF- NEON

The purpose of the NEON Program is to provide recipients of cash assistance with employment assistance, education development, vocational training, and support services by promoting education, job preparation, and work. These services assist clients to become self-sufficient, thereby reducing dependency on cash assistance.

Social Services

The challenge of working with “hardest to employ” (HtE) participants, who are also facing cash assistance time limits, are addressed by the Division of Welfare and Supportive Services social workers. HtE families experience a multitude of barriers/issues, which prevent them from being both emotionally and economically self-sufficient. Some issues addressed by social workers with the HtE family are domestic violence, substance abuse, mental health, health, and/or caring for children with severe medical or emotional needs.

Workforce Development

DWSS works with employers both directly and collaboratively by participating in planning, meetings, and initiatives, with networks and agencies like the Governor’s Office of Economic Development (GOED), Governor’s Office of Workforce of Innovation (GOWINN), Northern Nevada Literacy Council (NNLC), Job Opportunities in Nevada (JOIN), Truckee Meadows Community College (TMCC), Western Nevada College (WNC), Economic Development Authority of Western Nevada (EDAWN), Nevada System of Higher Education (NSHE), and the Department of Employment Training and Rehabilitation (DETR). DWSS leverages those employer relationships to build momentum to manage expectations of both employees moving from welfare to work, and their future employers; additionally, DWSS Workforce Development further develops new initiatives that support workers such as the Recovery Friendly Workplace initiative, which aims to encourage employers to hire people who have barriers related to substance use and mental health in their background which are sometimes automatic disqualifiers for employment. DWSS provides education to the employers to break the stigma and encourage flexibility in hiring practices.

Supplemental Nutrition Assistance Program

Formerly known as the Food Stamp Program, the Supplemental Nutrition Assistance Program (SNAP), was renamed effective October 1, 2008, by federal mandate in order to engender a more positive identity and to provide broader nutritional support for low-income families. The purpose of SNAP is to raise the nutritional level among low-income households whose limited food purchasing power contributes to hunger and malnutrition.

SNAP –Employment and Training

Nevada operates a SNAP Employment & Training (SNAP E&T) program statewide to provide employment, education, training, and support services to SNAP recipients required to participate in a work activity as a condition of eligibility for SNAP. Support services, such as transportation and money for work-related costs, are available to participants.

Child Care

The program provides childcare subsidies to low-income families who are working, searching for work, or participating in the Temporary Assistance for Needy Families (TANF), New Employees of Nevada (NEON) program through the Division of Welfare and Supportive Services. The purpose of CCDP is to provide necessary supports that assist families in moving from welfare to work. In addition to subsidizing childcare for low-income families, a percentage of program funds are used for quality improvement activities, which include increasing parental access and choice for child care services, improving the delivery of child care services, and improving the education level of the childcare workforce.

Child Support

The Child Support Enforcement Program (CSEP) is a federal, state, and local intergovernmental collaboration functioning in all 50 states; the District of Columbia; and the Commonwealths of Puerto Rico, Guam, and the Virgin Islands.

The Nevada CSEP provides five basic services: (1) locating parents who have an obligation to support their children; (2) establishing paternity for children born outside of marriage; (3) establishing financial and medical support orders; (4) enforcing support orders; and (5) collecting and distributing support payments. The program works closely with family court officials and uses quasi-judicial processes to establish paternity, establish support orders, and enforce support orders.

A variety of families are directly served by the CSEP, including those receiving TANF or public assistance, children receiving assistance under the foster care program, families receiving assistance under the Medicaid program, and all other families who apply for services.

Energy Assistance

The Energy Assistance Program (EAP) assists low-income Nevadans with the high cost of home energy. Funding is provided from the Low-Income Home Energy Assistance Program (LIHEAP) block grant through the US Department of Health and Human Services, and from Universal

Energy Charge (UEC) monies distributed through the Nevada Fund for Energy Assistance and Conservation.

Medicaid Eligibility to include:

FAMILY MEDICAL GROUPS - covers individuals, families, and children in Medicaid and Nevada Check-Up. Eligibility is determined using the modified adjusted gross income (MAGI) budgeting methodologies. These groups have no resource test. Medicaid under these groups provides free healthcare coverage for low-income people,

SPECIALIZED MEDICAL GROUPS - covers individuals in specialized groups, such as Aged out of Foster Care, Rite of Passage, and Breast and Cervical. Allows for exemptions from income and resource determinations.

Medical Assistance for the Aged, Blind and Disabled (MAABD)

Medical Assistance for the Aged, Blind, and Disabled (MAABD) is a medical services only program. Frequently, many applicants are already on Medicare; thus, Medicaid supplements their Medicare coverage. Additionally, others are eligible for Medicaid coverage as a result of being eligible for a means-tested public assistance program (i.e., Supplemental Security Income [SSI]).

Medicare Savings Program

Medicare Savings Programs are different from other coverage groups in that they do not receive the full scope of Medicaid benefits. The five groups described below comprise the Medicare Savings Program population. Application for benefits must be made, with a decision rendered within forty-five (45) days. Success in the Medicare Savings Program is assessed by the fact that program expenditures by the state are lowered if the state can pay for a low-income individual's Medicare premium. For example, a medical service costing \$100 is incurred by a client with dual coverage, with approximately 80% of the charge (\$80) paid by Medicare, with the remaining \$20 paid on a 50/50 basis by the state and federal government.

Eligible groups include:

- 1. Qualified Medicare Beneficiaries (QMBs)** are Medicare recipients who have income at or below 100% of the federal poverty level. Medicaid pays the Medicare premiums, co-insurance, and deductibles for these individuals. Eligibility begins the month following the month the eligibility decision is made.
- 2. Special Low Income Medicare Beneficiaries (SLMBs)** are Medicare recipients with incomes between 100% - 120% of the federal poverty level. Medicaid pays their Medicare Part B medical insurance premiums. Eligibility begins with the application month with three months of prior medical coverage available.
- 3. Qualifying Individuals 1 (QIs-1)** are Medicare recipients with income of at least 120%, but less than 135% of the federal poverty level. Medicaid pays their Medicare Part B medical insurance premiums. Funding is 100% federal up to the state allocation.

Eligibility begins in the application month; applicants can request eligibility to be determined for the three months prior to the application month.

- 4. Qualified Disabled Working Individuals (QDWIs)** have their Medicare Part A hospital insurance premiums paid by Medicaid. Eligibility begins in the application month; applicants can request eligibility to be determined for the three months prior to the application month.

Plan Oversight

The DWSS Language Access Coordinator is responsible for the development and maintenance of the Language Access Plan (LAP) to include:

Facilitation of Division workgroups (consisting of DWSS program leadership) to obtain necessary data and information to comply with NRS 232.0081 and all elements required in the LAP:

- Act as the Liaison and be responsible for coordination with other agencies regarding the LAP;
- Drafting the LAP incorporating feedback from Division workgroups;
- Solicit public feedback
- Finalize the plan to include fiscal impacts, receive Administrator approval, and submit with the agency recommended biennial budget; and
- Maintain ongoing plan monitoring and revisions to the plan.

The DWSS Managers/Chiefs of all program areas are responsible for implementation of the LAP to include:

- Active participation in the LAP workgroups and LAP decision making; to include forward facing staff who work directly with the public.
- Implementation and oversight of the LAP for their respective programs and staff/contractors; and
- Communication and Training on the LAP at initial roll out, training for all new staff/contractors as part of onboarding, and annual training for all staff/contractors.

Nevada Division of Welfare and Supportive Services Language Access Coordinator:

Julie Balderson Knight, Public Information Officer

Backup: Niani Cooper, Diversity, Equity and Inclusion Liaison

Profile of Nevada Division of Welfare and Supportive Services LEP Clients

The demographic data about clients that is collected by DWSS depends on the program and services the client is eligible and enrolled to use. Some of the data is collected and retained in a way that can be queried, and some is gathered in a way that is meant for the use of caseworkers, not for reporting purposes. Many demographic data points are not required to be shared by clients as a factor of determining eligibility. While DWSS conscientiously make every effort to validate the data, DWSS relies heavily on client attestation for personal demographic details and respects the clients' right not to answer. Any and all data that is gathered or shared for purposes other than what it was intended should be scrutinized with skepticism.

The common denominator of clients served directly by DWSS is that they meet some definition of low-income or are owed or paying court-ordered child support, or both.

People who are indirectly served by DWSS are typically looking for or sharing information about DWSS programs.

Many client transactions with DWSS are within the customer service realm. The majority of DWSS client engagement is to process applications, answer questions about a case, or refer to another resource. For example, DWSS may approve a client for Supplemental Nutrition Assistance Program benefits, but DWSS does not itself, sell food or feed people directly. Instead, DWSS issues an Electronic Benefit Transfer (EBT) card to the client, who then can use the card to purchase food elsewhere.

There is a small subset of client transactions with more involved engagement, usually around social worker interventions, or job training. These transactions are by nature case-by-case and usually somewhat customized to the circumstance.

While SB318 specifically requires agencies to report the following information, much of the data is not kept in a way that can be queried readily and some is not currently gathered by DWSS:

1. Type of services received by the relevant groups.
2. Preferred languages of your LEP clients.
3. Literacy levels of your LEP clients in their preferred language and in English.
4. Ability of the relevant groups to access agency services electronically.
5. Number and percentage of clients who are indigenous.
6. Number and percentage of clients who are refugees.

Going forward, DWSS will make efforts to modify computer systems as applicable to help collect sort the required information. This may include engaging with the Health and Human Service Office of Data Analytics and Governor's Office of New Americans. The LAP coordinator and back up will work together to establish regular meetings and work groups as necessary to

enhance future iterations of the LAP. There are several ways to gather the data

Nevada Division of Welfare and Supportive Services is committed to provide meaningful, timely access to our services and programs without regard to any language impediments by tracking the languages preferred for communication among our limited English proficient (LEP) clients. Attachment 1a shows a year (July 2021 to July 2022) utilization for telephonic interpretive language services. Attachment 1b shows the Nevada SNAP and Nevada Medicaid client preferred languages compared to national data.

Nevada Division of Welfare and Supportive Services Language Access Services and Procedures and Implementation –

Identifying Client Language Needs and Preferred Language:

- Greet all customers appropriately, immediately ask customers preferred language.
- Inform customers the availability of language services at first contact.
- Record and track LEP customers language preferences in applicable computer system if available.

For direct services where staff are working with LEP clients visiting DWSS offices in person for SNAP TANF Medicaid eligibility related business, staff use the “I Speak Card” (Attachment 2a) to identify which language the client is most comfortable using. Attachment 2b outlines the process for using DWSS in-house Spanish interpretation as well as using third-party telephonic translation services.

Sign Language Interpreting

DWSS engages staff employed as ASL interpreters by the Nevada Aging and Disability Services Division. When those interpreters are unavailable, contractors are hired by DWSS. Finding and scheduling this type of interpreter can be difficult, so DWSS is currently exploring options for video remote interpreting services as well as potential dual-role staff who can interpret in compliance with NRS 656A.

Written Language Services

Nevada Division of Welfare and Supportive Services will send client written information about their SNAP, TANF or Medicaid case in either English or Spanish based on client preference.

For Spanish translation of written forms, flyers, and other items, DWSS has a full-time staff translator.

Community Outreach and Engagement

Nevada Division of Welfare and Supportive Services is committed to ensuring that the larger LEP community is aware of and able to access all available language services. In doing so, Nevada Division of Welfare and Supportive Services has taken steps to publicize the availability of its language services in the community. All DWSS information boards are available in English and Spanish. Additionally, Nevada Division of Welfare and Supportive Services continues to provide notification of its services at all relevant points of contact through various forms of outreach, out stationed staff and special events.

Evaluation of and Recommendations for Nevada Division of Welfare and Supportive Services' Language Access Plan

Processes for Monitoring and Evaluation

Key Recommendations

DWSS senior leadership will assign staff to take the following actions over the next two years to comply with NRS 232.0081 and report the results to the Language Access Coordinator by August 1, 2024 to be included in the 2024 Language Access Plan update.

1. Identify staff responsible for monitoring compliance related to WAM 500
2. Post a list of language access services in manner that is visible to serve persons who speak all frequently used languages during office closures, including emergency closures-
3. Develop procedures for designating certain information as vital for LEP accessibility.
4. Each program will participate in regular meetings to implement and improve language access in their respective program area.
5. Request that the Deputy Attorney General determine the threshold for language translation to comply with Safe Harbor.
6. Each program will ensure vital documents identified are translated into the appropriate languages to comply with Safe Harbor
7. Develop and include accommodation language at the top of meeting notices for LEP individuals.
8. Identify staff to review and report partner and vendor language services offered including the display of "Attention" cards or similar, develop recommendations and/or corrective actions regarding those services
9. Develop procedures for clients to request written translation, a phrase to notify members that written translation is available.
10. Develop a survey of Nevada DWSS employees for fluency in more than one language and develop a comparison with the number to employees who regularly have contact with the public in aggregate and disaggregated by language
11. Review the literacy level of the "Attention" translation card and ensure it is 5th grade or lower in all languages.
12. Monitor Division of Human Resource Management (DHRM) progress toward offering necessary credentials for staff currently identified as bilingual to act as staff translators.
13. Identify and implement ongoing training schedule that is online for language and cultural competency similar to training offered by Information Technology for information security purposes.
14. Request the Office of Analytics to develop an analysis of Nevada populations, who may qualify for DWSS services including their ethnicity and preferred languages for the next Language Access Plan update.
15. Engage Nevada Governor's Office of New Americans to advise and collaborate on all initiative of language access for DWSS.

Budgetary Implications

Nevada Division of Welfare and Supportive Services

Currently, Nevada DWSS has an agency request budget which includes computer system maintenance, updates and modernization, which if approved could assist in gathering necessary data to inform Language Access at DWSS. Additionally, a portion of DWSS training budget should be considered in order to implement ongoing cultural competence training. As staff begin to meet regularly if a need for additional positions to execute language access priorities is identified, those needs will be included in the next budget.

Suggested Legislative Amendments

DWSS looks forward to improving its internal procedures and reporting to a future where data can reliably inform good public policy recommendations; however, to include any such recommendations in this inaugural plan would be premature.