

SOUTHWEST HEALTH & HUMAN SERVICES

Southwest Health and Human Services Comprehensive Civil Rights Plan (CCRP)

Southwest
Health and
Human Services
607 W. Main
Suite 100
Marshall, MN
56258
507-637-6747

MN Relay Service: 711 or (800) 627-3529

Civil Rights Coordinator: Beth Wilms (507) 532-
1248

ADA Coordinator: Nancy Walker
(507)-532-1256

Limited English Proficiency Coordinator: Kathryn
Herding (507)836-6144

This CCRP is posted in the lobby of each office

Americans with Disabilities Act Advisory

This information *is* available in accessible formats to individuals with disabilities and for information about equal access to services, call (507) 537-6747. TTY users place calls through MN Relay Service: 711 or (800) 627-3529

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1. Purpose

As a recipient of federal financial assistance, Southwest Health and Human Services is responsible for providing core services to assist and support Minnesota's most vulnerable individuals and families so they can meet their basic needs and be treated with respect and dignity. Southwest Health and Human Services has a CCRP to ensure that all eligible individuals receive equal access to program services and information. Its programs are operated in a nondiscriminatory way, without regard to race, color, national origin, age, disability, sex, sexual orientation, religion, political beliefs, creed and public assistance status. In medical programs, sex includes sex stereotypes and gender identity under any health program or activity receiving federal funds. This CCRP also serves as a source of information for county agency staff and the general public. It sets out Southwest Health and Human Services' civil rights administrative policies and procedures, identifying key contacts within the agency and linking the reader to applicable state and federal civil rights laws and resources.

2. Legal Authorities (See full list in Appendix, Attachment A)

- Title VI of the Civil Rights Act of 1964 (race, color, national origin)
- Section 504 of the Rehabilitation Act of 1973 (disability)
- Section 508 of the Rehabilitation Act of 1973 (disability)
- Title 11 of the Americans with Disabilities Act of 1990; State and local government services (disability)
- Age Discrimination Act of 1975 (age)
- Section 1557 of the Patient Protection and Affordable Care Act (added sex discrimination in health care programs)
- Title IX of the Education Amendments of 1972 (sex)
- Bilingual Requirements in the Food Stamp Program, Food and Nutrition Service, U.S. Department of Agriculture
- FNS Instruction 113-1, Civil Rights Compliance and Enforcement- Nutrition Programs and Activities, Food and Nutrition Service, U.S. Department of Agriculture (2005)
- Minnesota Human Rights Act, Chapter 363A

3. Civil Rights Contact

Southwest Health and Human Services designates Christopher Sorensen to serve as the agency's Civil Rights Contact, agency point person on civil rights matters.

Beth Wilms - Director
(507) 532-1248
MN Relay Service: 711 or (800) 627-3529
beth.wilms@swmhhs.com

4. Equal Opportunity Policy and Procedure

Southwest Health and Human Services Equal Opportunity Policy and Procedure

It is the policy of Southwest Health and Human Services to make sure that program benefits and services are available to everyone and provided to all eligible individuals without discrimination in compliance with civil rights laws.

Southwest Health and Human Services employees, services, programs, benefits and policies will not discriminate against applicants, clients or members of the public because of race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or public assistance status. "Sex" includes sex stereotypes and gender identity under any medical or health program receiving federal financial assistance, such as Medical Assistance, CHIP programs, health clinics, insurance companies and state health insurance exchanges.

This policy covers Southwest Health and Human Services' full range of services, programs and benefits, including, but not limited to, access to information about services, eligibility determinations and intake, admission procedures and treatment. The policy applies to the agencies and providers receiving federal and state funds under contracts, licenses and other arrangements with Southwest Health and Human Services. The Minnesota Human Rights Act also applies to the work of Southwest Health and Human Services and those agencies carrying out its programs.

Program Accessibility for People with Disabilities

Southwest Health and Human Services and all of its services, programs and benefits, are accessible to and usable by people with disabilities, including people with hearing loss, low vision and other sensory disabilities.

To avoid disability discrimination, Southwest Health and Human Services will:

- Notify the public about rights and protections for people with disabilities under the Americans with Disabilities Act
- Designate an ADA Contact and maintain a complaint procedure
- Make sure that its buildings are physically accessible for people with disabilities
- Assist individuals with disabilities to apply and qualify for benefits based on their eligibility
- Provide appropriate auxiliary aids and services, including accessible formats, to ensure effective communication with people with disabilities
- Provide services, programs and benefits that are accessible to and usable by qualified people with disabilities

Physical access includes:

- Convenient off-street parking designated specifically for people with disabilities
 - Curb cuts and ramps between parking areas and the Southwest Health and Human Services building
 - Level access into the first floor of the Southwest Health and Human Services building with elevator access to all other floors
-

Reasonable Modifications to Policies, Procedures or Practices

Southwest Health and Human Services will make reasonable modifications to its policies, procedures or practices when necessary to avoid discrimination on the basis of disability, unless Southwest Health and Human Services can demonstrate that making the modifications would fundamentally alter the nature of the services, programs or benefits.

Effective Communication and Auxiliary Aids and Services

Southwest Health and Human Services will take appropriate steps to ensure that communications with people with disabilities and companions with disabilities are as effective as communications with others. To ensure effective communications, Southwest Health and Human Services will provide appropriate auxiliary aids and services, including accessible formats, so that people with disabilities can receive services, programs and benefits and participate in them in the same way as people without disabilities. Auxiliary aids and services include qualified readers, writers and interpreters who convey information effectively, accurately and impartially using any necessary specialized vocabulary.

To determine what types of auxiliary aids or services are necessary, Southwest Health and Human Services will give primary consideration to the requests of people with disabilities. Southwest Health and Human Services will honor the choice of the person requesting the auxiliary aid or service unless it would fundamentally alter the nature of the service, program or benefit or cause an undue administrative or financial burden. If this happens, Southwest Health and Human Services will find another equally effective auxiliary aid or service.

5. Complaint Resolution Procedure

Southwest Health and Human Services Civil Rights Complaint Procedure

You have the right to equal access to services, if you are an applicant, client or member of the public trying to gain access to human services program information or benefits. Southwest Health and Human Services has a civil rights complaint procedure that provides prompt and thorough resolution of civil rights complaints.

Civil rights complaints allege discrimination. You have a right to file a civil rights complaint if you believe you have been discriminated against because of your race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or public assistance status. Sex includes sex stereotypes and gender identity discrimination that occurs in medical or health programs and clinics receiving federal financial assistance, such as Medical Assistance, MNCare, CHIP programs, insurance companies and state health insurance exchanges.

It is against the law for anyone who works for Southwest Health and Human Services to retaliate against a person who files a complaint or who cooperates in the investigation of a civil rights complaint.

To file a complaint, ask for Southwest Health and Human Services' equal opportunity policy, complaint procedure and complaint form. Use the contact information below to help you to file your complaint. You can also review the law and regulations that outlaw discrimination in the Civil Rights Contact's office at Southwest Health and Human Services:

Beth Wilms
Southwest Health and Human Services
607 W. Main Marshall, MN 56258
(507)537-6747(voice)
MN Relay Service: 711 or (800) 627-3529
(507)537-6088 (fax)
beth.wilms@swmhhs.com

Procedure:

1. Civil rights complaints **must** be submitted to the Civil Rights Contact within 180 days of the date the alleged discrimination occurred.

2. A complaint **must** be in writing and contain the name and address of the person filing it. You should also give your telephone number or relay service number if you are deaf or hard of hearing. Give your email address if it helps get in touch with you. The complaint **must** state the problem or action alleged and the relief desired. If you need assistance with your complaint, the Civil Rights Contact will help you.
3. Southwest Health and Human Services **must** conduct an investigation of the complaint. The investigation may be informal, but it **must** be thorough and timely. People who have an interest in the complaint **must** have an opportunity to submit relevant evidence about the complaint. Southwest Health and Human Services will issue a written decision on the complaint within 90 days after its filing. Southwest Health and Human Services will maintain the complaint records and files for three years. Complaints about program rules are not civil rights complaints and will be resolved through a different complaint process.
4. The person filing the complaint may appeal the decision by writing to the agency's Civil Rights Contact within 15 days of receiving the written decision. The Civil Rights Contact **will** issue a written decision in response to the appeal, no later than 30 days after the filing. This decision is final. - This appeal process is not the same as filing a fair hearings appeal with the Department of Human Services' Appeals and Regulations Division.
5. The person filing the complaint must be informed that he/she can file a discrimination complaint **directly** with the U.S. Department of Health and Human Services' Office for Civil Rights or the U.S. Department of Agriculture (USDA) for the SNAP Program.
 - (a) The **U.S. Department of Health and Human Services' Office for Civil Rights** prohibits discrimination in its programs because of race, color, national origin, age, disability, sex and religion. Sex includes sex stereotypes and gender identity discrimination that occurs in medical or health programs and clinics receiving federal financial assistance, such as Medicaid, CHIP programs and insurance companies and state health

Insurance exchanges under Title I of the Affordable Care Act.
Contact the federal agency directly:

**U.S. Department of Health and Human Services
Office for Civil Rights**

Region V
233 N. Michigan Avenue
Suite 240
Chicago, IL 60601
312-886-2359 (voice)
800-368-1019 (toll free)
800-537-7697 (TTY)

- (b) USDA requires that the following nondiscrimination statement be provided **exactly** as it is shown below:

In accordance with Federal civil rights law and **U.S. Department of Agriculture** (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, anti-employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who required alternative means of communication for program information (e.g. Braille, large print, Audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDS office, or write a letter addressed to USDA and provide

In the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to **USDA** by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

6. Filing Complaints with State Agencies:

The person filing the complaint **must** also be informed that he/she can file a discrimination complaint **directly** with the Minnesota Department of Human Rights and the Minnesota Department of Human Services.

(a) The Minnesota Department of Human Rights prohibits discrimination in public services programs because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status. Contact the Minnesota Department of Human Rights directly:

Minnesota Department of Human Rights
Freeman Building, 625 North Robert Street
St. Paul, MN 55155
651-539-1100 (voice)
800-657-3704 (toll free)
711 or 800-627-3529 (MN Relay)

(b) The **Minnesota Department of Human Services** prohibits discrimination in its programs because of race, color, national origin, creed, religion, sexual orientation, public assistance status, age, disability, or sex, including sex stereotypes and gender identity discrimination that occurs in health programs or

activities receiving federal financial assistance, such as Medical Assistance, MNCare, CHIP programs and insurance companies and state health insurance exchanges. Contact the Equal Opportunity and Access Division **directly** only if you have a discrimination complaint:

Minnesota Department of Human Services
Equal Opportunity and Access Division
P.O. Box 64997
St. Paul, MN 55164-0997
651-431-3040 (voice) or use your preferred relay service

- (c) County agencies are not permitted to investigate civil rights complaints in the Supplemental Nutrition Assistance Program (SNAP) because counties directly administer SNAP benefits. County agencies **must** refer SNAP civil rights complaints to OHS or the USDA regional office in Chicago. The USDA regional address is:

Civil Rights Director
Midwest Regional Office
USDA/Food and Nutrition Service
77 W. Jackson Blvd., 20th Floor
Chicago, IL 60604-3591
(312) 353-6657 (voice) or use your preferred relay service
Tamara.earley@fns.usda.gov

7. Arrangements for People with Disabilities:
Southwest Health and Human Services **will** make appropriate arrangements to ensure that people with disabilities are provided accommodations to participate in the complaint process in an equal to manner to people without disabilities. Appropriate arrangements include, but are not limited to, providing interpreters for people who are deaf or hard-of-hearing; providing taped cassettes and accessible formats for people who are blind or have low vision; and assuring a physically accessible location for complaint proceedings. The Civil Rights Contact or designee is responsible for making these arrangements.

8. Southwest Health and Human Services will refer all SNAP civil rights complaints to OHS or the USDA regional office in Chicago as soon as possible after received.

6. Complaint Notification Form

Southwest Health and Human Services will use the *Complaint Notification Form* to notify OHS in writing of all service delivery discrimination complaints filed against Southwest Health and Human Services and resolved on the county agency level. Southwest Health and Human Services will make sure the complaint notification form is completed and sent to OHS within 90 days of the date the complaint was filed in the county, so OHS can report the complaint to the appropriate federal office. A copy of the *Complaint Notification Form* is located in the Appendix; Attachment B.

7. Disability Compliance

a. Disability Law and Standard of Access for State and Local Government Services

Section 504 of the Rehabilitation Act of 1973 protects qualified individuals with disabilities from discrimination based on their disability in federally funded programs and services.

Title II of the Americans with Disabilities Act of 1990 (Title 11 of the ADA) protects qualified individuals with disabilities from discrimination on the basis of their disability when the discrimination occurs in state or local government services. An agency does not have to receive federal financial assistance to be required to comply with Title II of the ADA. An agency just has to be a state or local government entity.

County human services agencies must ensure that people with disabilities are able to use their programs and services. Disability laws set out an equal access standard for providing services. This means that individuals with disabilities are entitled to equal access to human services programs; the same standard of access that applies to people without disabilities.

A public agency must reasonably modify its policies, procedures and practices to avoid discrimination. A public

Agency must also take appropriate steps to ensure that its communications with individuals with disabilities are as effective as communications with others.

b. ADA Contact

Southwest Health and Human Services has designated an ADA Contact person to serve as its point person on disability matters raised by applicants, clients and members of the public. ADA Contact information is located on the cover page of this CCRP.

Nancy Walker
(507)532-1256
MN Relay Service: 711 or (800) 627-3529
Nancy.Walker@swmhhs.com

c. Disability Complaints

People filing disability complaints will use Southwest Health and Human Services' civil rights complaint procedure.

d. ADA Notice Document

Southwest Health and Human Services will use the DHS brochure: *Do you have a disability* (DHS-4133-ENG) as its ADA notice document. This notice document informs applicants, clients and members of the public that Southwest Health and Human Services does not discriminate on the basis of disability. The notice document also gives information to the public about the rights of people with disabilities under the Americans with Disabilities Act.

Southwest Health and Human Services has a copy of OHS brochure: *Do you have a disability* (DHS-4133-ENG) posted in the lobby next to the reception desk.

A copy of the DHS brochure: *Do you have a disability* (DHS-4133-ENG) is located in the Appendix; Attachment C.

e. Disability Policy Prohibiting Discrimination

The Southwest Health and Human Services Equal Opportunity Policy and Procedure includes provisions which prohibit disability discrimination in human services programs. This policy is located in the agency lobby.

8. Limited English Proficiency Plan

EFFECTIVE DATE: 04/01/11

REVISION DATE: 05/20/15;
04/18/18

AUTHORITY: Southwest Health and Human Services Board
Instructional Bulletin #00-89-04
Instructional Bulletin #04-89-01

--- LIMITED ENGLISH PROFICIENCY PLAN ---

Limited English Proficiency (LEP) Plan

Director: Beth Wilms	507-532-1248
Deputy Director: Nancy Walker	507-532-1256
Social Services Division Director: Cindy Nelson	507-532-1260
LEP Coordinator: Kathryn Herding, Supervisor	507-836-6144

Financial Services:

Jennifer Beek, Supervisor	507-532-1235
Corey Remiger, Supervisor	507-657-6099

Social Services:

Jenifer Klein, Supervisor	507-532-1228
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Child Support and Fraud:

Ann Schiller, Supervisor	507-637-1262
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Section 1 - Purpose and Legal Basis

a. The following document serves as the Southwest Health and Human Services (SWHHS) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq; and 42 CFR 435 et seq. There are four components to this document.

- 200 - Assessment
- 300 - Policy
- 400 - Training

500 - Monitoring

Section 2 - 200 - Assessment

a. 201 - Needs Assessment - SWHHS will on at least an annual basis make a needs assessment of the unique language needs within Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties. Consultation will be done with the school districts in the six counties along with the Legal Aid offices located in Willmar and Worthington to determine the types of non-English languages that are most dominant to the populations of Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties. The common agency will also incorporate county specific data from the Department of Human Services to assist in this form of needs assessment. The following non-English languages *have* been identified as being the most likely to be encountered in Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties: Spanish, Somali, and Hmong.

b. 202 - Case Finding - Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the Health Care Application (HCAPP) and the Combined Application Form (CAF). Language preferences will be entered into the applicant's primary language field in the **MAXIS** system. If an interpreter is needed, it will be recorded in **MAXIS** case notes. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will provide the LEP person with a list of possible languages to determine which language is spoken. The list includes; "I Speak" cards, "I Speak" posters, "Language Identification Card" from Language Line Services. It is expected that reasonable efforts will be made by SWHHS to provide same-day interpreter services.

c. 203 - Points of Contact - The greatest likelihood of need for interpreter services will be at the point of intake - at the time of an emergency or application for financial assistance. The principal point of contact will most likely be in the office setting in Ivanhoe, Marshall, Slayton, Pipestone, Luverne, and/or Redwood Falls. The most appropriate form of interpreter services will likely be language assistance in completion of an application for financial assistance or

health care. The other point of contact may involve field-based contact when conducting child protection assessments. These contacts will typically take place in the home of the child's caretaker or parent.

d. 204 - Resources Needed - SWHHS will utilize its contract with private interpreters and those interpreters employed by contracted agencies located in Marshall, Minnesota for Spanish, Somali, Hmong, and Laotian interpreter services. Additionally, SWHHS will contract with Language Line Services (1-800-367-9559) for the languages involved with Language Lines Services "tier" system. When feasible, on-site interpreter services will be made available and will be the first preference. (Note: The closest available Spanish interpreter for Lincoln, Murray, and Pipestone Counties is 30 miles from each office.) Use of reciprocal faxing processes will be used when necessary, this is to facilitate completion of applications and processing of interviews.

e. 205 - Timely Access - Interpretive services are available during customary business hours, Monday through Friday, 8:00 a.m. to 4:30 p.m. They also provide emergency service outside of regular business hours when needed. Language Line Services are available 24x7. Contact with any entity will be made by phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times for the client and the interpreter.

Section 3 - 300 - Policies and Procedures

a. 301 - Agency Commitment - SWHHS is committed to the spirit of the Civil Rights Act of 1964. We recognize the importance of providing meaningful access to all persons, including persons with LEP, to the various programs provided by SWHHS. SWHHS has, by prior action, adopted a policy statement entitled Civil Rights Compliance Requirements effective 1-1-95 and affirmed again on 1-1-01, this in conformity with OHS Bulletin #94-84A dated 12-27-94.

b. 302 - Range of Oral Language Assistance - Due to the current absence of bi-lingual employees at SWHHS, use will be made of the formal linkage with our contracted agencies and other privately contracted interpreters. With Spanish, Somali, and Hmong seen as the primary non-English language in Lincoln, Lyon, Murray, Pipestone,

Redwood, and Rock Counties, use of our contracted agencies and privately contracted interpretive services are seen as encompassing close to 100% of the LEP needs of SWHHS. Use of Language Line Services for all other non-English language will take place as necessary. SWHHS will take advantage of the 10 brief "notice of rights to language services" documents for persons with LEP as they are made available by the Department of Human Services.

c. 303 - Uncommon Languages - There may be circumstances when customers come to the office for services that use a language other than those most commonly used in Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties. There may be languages such as Russian, Vietnamese Chinese, Laotian, Oromo, Khmer/Cambodian, etc. After identifying the language need, the receptionist staff or intake worker will consult with their Supervisor or Director to determine the most appropriate and expedient interpreter service.

d. 304 - Affirmative Action - The SWHHS employee handling the case will inform either the customer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the customer incur any costs associated with LEP-directed interpreter services. E.

e. 305 - Use of Family and Friends - Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or director. Alternative methods of customer service will need to be discussed. If the worker has determined that a family member, friend or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that family member or friend be used. Under no circumstances may a minor child be used for interpreter services.

e. 306 - Competency Standards for Interpreters - Any interpreter used for LEP services must be bi-lingual: fluent in English and fluent in the language of the customer needing the service. When using interpreter services provided from a recognized agency, contracted interpreters and Language Line Services, competency is presumed. When using family, friends or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. "Certification" as an interpreter is not a pre-requisite.

f. 307 - Dissemination of LEP Plan - Copies of the LEP Plan will be provided to the following: all SWHHS employees who have direct customer contact, area Legal Aid offices, Private Industry Council, and Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Government Agencies. A copy of the main public announcement, "I Speak" poster, will be prominently displayed in the SWHHS central reception areas. LEP requirements will also be included in all contracts maintained by SWHHS.

g. 308 - Services to Illiterate - When confronted with a situation in which the customer is illiterate - cannot read or write in his or her native language - it is required that SWHHS find a suitable interpreter; one who can assist the person in completion of necessary forms, documents and the like. The SWHHS intake worker needs to make the determination, in conjunction with the interpreter, about the customers' literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Use of faxing of forms and over-the-phone services may be required on a case-by-case basis.

h. 309 - Emergency Situations - When programs require access to services within short time frames, SWHHS will take whatever steps necessary to ensure that all clients, including clients with LEP, have access to services within the appropriate time frames. For example, when a client needs an interpreter or other language assistance services to obtain expedited program services, SWHHS's goal is to

make the services accessible within the required time frame, whether that means using an interpreter or any other appropriate type of language assistance.

i. 310 - Access to and Costs of interpreters - Under no circumstances will SWHHS indicate - either verbally or in writing - that any applicant or client in need of LEP services will be charged for an interpreter or translation service. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours and, when necessary, during non-business hours when an emergency has been determined to exist.

j. 311 - Notice of Service Availability - LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the "I Speak" poster document in the central reception areas of the six county offices. Distribution of the LEP Plan to various parties cited above will help by putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Material that has been translated into Spanish, Somali, and Hmong will be used immediately when it has been determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, SWHHS will access these forms as necessary through the Department's website at <http://edocs.dhs.state.mn.us/forms>. Additionally, translated income maintenance forms located in TEMP Manual 12.01.13 will be accessed as needed.

l. 312 - County-Produced Materials - At this time it is not anticipated that SWHHS will develop any SWHHS produced material. Rather, SWHHS will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the OHS web-page will also be used as necessary. SWHHS will follow OHS' translation numerical guidelines as required.

m. 313 - Complaint Resolution Protocol - Any action taken by SWHHS with which an applicant or recipient disagrees is subject to

Complaint. SWHHS has a formal complaint process that can be utilized to try to resolve any dispute. In the absence of a call for resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow in making a complaint to DHS or the Office of Civil rights. The complaint process will follow SWHHS's procedures included in Civil Rights Compliance Requirements. Appropriate use of interpreter services with contracted agencies, contracted interpreters, or Language Line Services to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of this LEP Plan.

n. 314 - Posting - A copy of the SWHHS LEP Plan will be posted on the main bulletin board in the central lobby of each agency office.

Section 4 - 400 - Training

a. 401 - Distribution of LEP Plan - All SWHHS employees who have direct contact with customers will be provided a copy of the LEP Plan upon its adoption. If any changes are made in the document, a revised copy will also be provided to the same entities listed in #307. At this time, all employees of SWHHS will be recipients of the document.

b. 402 - Training of Staff - Initial - With approval of the LEP Plan, there will be initial training on the document. This training will take place for current staff in their individual unit meetings. For any new employee affected by the LEP Plan, this document will be incorporated into that person's "generic orientation" protocol at the time of hire.

c. 403 - Training of Staff - Ongoing - On an annual basis the LEP Plan will be reviewed and updates clarified.

Section 5 - 500 - Monitoring

a. 501 - Evaluation of the LEP - On at least an annual basis, the LEP Plan will be reviewed for effectiveness. This review will normally take place in December. It will be coordinated by the SWHHS LEP Coordinator. The evaluation will involve consultation with Representatives of the Financial Services Unit and Social Services Unit.

To determine compliance with the LEP Plan, identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include the following:

- Number of persons with LEP in Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties.
- Assessment of current language needs of SWHHS applicants and clients to determine if the client needs an interpreter and/or translated materials; updating case files which lack information about a client's language preference; determining if clients need to be asked their language preference at the time of certification.
- Determining whether existing assistance is meeting the needs of applicants and clients with LEP.
- Assessing whether staff members understand SWHHS LEP policies and procedures and how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.
- Seeking and obtaining feedback from non-English or limited-English speaking communities in Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock Counties including applicants and clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

b. 502 - LEP Contact Person - For purposes of the LEP Plan, Southwest Health and Human Services designated contact person is the Financial Assistance Supervisor/LEP Coordinator with appropriate delegation made to the Agency Director, Deputy Director and the Social Services Supervisors of the agency.

9. Annual Civil Rights Training for the Supplemental Nutrition Assistance Program (SNAP)

Southwest Health and Human Services will use OHS' PowerPoint presentation to train staff, document the date of the training each year and document who attends the training.

10. Civil Rights Assurance of Compliance

The Southwest Health and Human Services director and agency attorney representative have signed the *2016 Civil Rights Assurance of Compliance*. A copy is located in the Appendix; Attachment D.

11. CCRP Administration

Southwest Health and Human Services will:

- Post a copy of its CCRP in the agency lobby where members of the public can review it and in the employee break room where staff can review it
- Post the CCRP on the agency's public website
- Review the CCRP annually with ALL staff
- For the benefit of applicants, clients and members of the public, prominently post in the lobby a copy of the equal opportunity policy and procedure that includes provisions prohibiting disability discrimination and a copy of its civil rights complaint procedure
- Post a copy of the OHS brochure: *Do you have a disability* (DHS-4133-ENG) in the lobby next to the reception desk
- Conduct annual SNAP civil rights training for all staff who administer the SNAP program and all staff who have direct contact with the public, including support staff, supervisors and managers. Southwest Health and Human Services will document the date of the training each year and document who attends the training.

12. **Appendix**

a. Attachment A - Full List of Legal Authorities Federal

1. Title VI of the Civil Rights Act of 1964 (race, color, national origin)
2. Section 504 of the Rehabilitation Act of 1973 (disability)
3. Section 508 of the Rehabilitation Act of 1973 (disability)
4. Title 11 of the Americans with Disabilities Act of 1990; State and local government services (disability)
5. Age Discrimination Act of 1975 (age)
6. Community Service Assurance Provisions of the Hill-Burton Act (health facilities receiving Hill-Burton Funds)
7. Section 1557 of the Patient Protection and Affordable Care Act (added sex discrimination in health care programs)
8. Nondiscrimination Provisions of the Omnibus Budget Reconciliation Act of 1981 (Federal Block Grants): Community Service Block Grant (race, color, national origin, age, sex) **Remaining block grants (race, color, national origin, age, disability, sex, religion)**
 - Social Services Block Grant
 - Maternal and Child Health Services Block Grant
 - Projects for Assistance in Transition from Homelessness Block Grant
 - Preventative Health and Health Services Block Grant
 - Community Mental Health Services Block Grant
 - Substance Abuse Prevention and Treatment Block Grant
9. Title IX of the Education Amendments of 1972 (sex). Family Violence prevention and Services Act (race, color, national origin, age, disability, sex, religion)
10. Food Stamp Act of 1977
11. Nondiscrimination compliance Requirements in the Food Stamp Program, food and Nutrition Services, USA Department of Agriculture.
12. Bilingual Requirements in the food Stamp Program, Food and Nutrition Services, US Department of Agriculture
13. FNS instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition programs and Activities, Food and Nutrition Service, US Department of Agriculture (2005)
14. Equal Opportunity for Religious Organizations Regulation

State

Minnesota Human Rights Act, Chapter 363A

Attachment B - Complaint Notification COUNTY HUMAN SERVICE AGENCY COMPLAINT NOTIFICATION FORM COMPLAINTS ALLEGING DISCRIMINATION IN SERVICE DELIVERY AUTHORITY: U.S. Department of Agriculture, Food and Nutrition Service Instruction 113-1. REQUIREMENT: County human service agencies must notify the OHS Civil Rights Coordinator within 90 days of all service delivery discrimination complaints (i.e., civil rights complaints) filed against them (see bottom of Page 2 for contact information).

ACTION REQUIRED:

Complete this form and send it to the OHS Civil Rights Coordinator within 90 days of the date the complaint was filed.

1. Name, address, telephone number of complainant:

2. Name and address of county agency delivering the benefits, including names of any employees accused of wrongdoing:

3. Type of discrimination alleged.

4. Describe the alleged discrimination, including the dates it happened. Give names and contact information of any witnesses:

5. Give a summary of the investigation findings, including any corrective action ordered:

CONTACT INFORMATION: OHS Civil Rights Coordinator
Minnesota Department of Human Services
Equal Opportunity and Access Division
P.O. Box 64997
St. Paul, MN 55164-0997
651-431-3034 (voice) or use your preferred relay service
651-431-7444 (fax)
joann.daSilva@state.mn.us

**Attachment C - OHS Brochure: *Do you have a disability*; DHS-4133-
Do you have a disability?**

If you have a disability, you have the same rights as others.

Please tell us if you have a disability so we can help you access human services programs and benefits.

What medical conditions may be disabilities?

A disability is a physical, sensory, or mental impairment that materially limits a major life activity.

Types of disabilities may include:

Diseases like diabetes, epilepsy or cancer

Learning disorders like dyslexia

Developmental delays

Clinical depression

Hearing loss or low vision

Movement restrictions like trouble with walking, reaching or grasping

History of alcohol or drug addiction, although current illegal drug use is not a disability.

If you are asking for or are getting benefits through either a county human services agency or the Minnesota Department of Human Services, that office will let you know if you have a disability using information from you and your doctor.

What help is available?

If you have a disability, your county or the state human services agency can help you by:

Calling you or meeting with you in another place if you are not able to come into the office

Using a sign language interpreter

Giving you letters and forms in other formats i.e. computer files, audio recordings, large print or Braille

Telling you the meaning of the information we provide

Helping you fill out forms

Helping you make a plan so you can work even with your disability

Sending you to other services that may help you.

Helping you to appeal agency decisions about you if you disagree with them.

You will not have to pay extra for help. If you want help, ask your agency as soon as possible. An agency may not be able to accommodate requests made within 48 hours of need.

How does the law protect people with disabilities?

The Americans with Disabilities Act (ADA) and the ADA Amendments Act are federal laws, and the Minnesota Human Rights Act is a state law. Each gives individuals with disabilities the same legal rights and protections as people without disabilities, including access to public assistance benefits. You will not be denied benefits because you have a disability. Your benefits will not be stopped because of your disability.

If your disability makes getting benefits hard for you, your county human services agency will help you access all of the programs that are available to you.

Discrimination is against the law

You have the "right to file a complaint if you believe you were treated in a discriminatory way by a human services agency. You can contact any of the following agencies directly to file a civil rights complaint.

The Minnesota Department of Human Services, Equal Opportunity and Access Division, prohibits discrimination in its programs because of race, color, national origin, creed, religion, sexual orientation, public assistance status, age, disability or sex (including sex stereotypes and gender identity under any health program or activity receiving federal financial assistance).

Contact the Equal Opportunity and Access Division directly:

Minnesota Department of Human
Services Equal Opportunity and
Access Division
P.O. Box 64997
St. Paul, MN 55164-0997
65 1-431-3040 (voice) or use your preferred relay service

The Minnesota Department of Human Rights prohibits
discrimination in public services programs because of race, color,
creed, religion, national origin, disability, sex, sexual orientation, or
public assistance status. Contact the Minnesota Department
Of Human Rights directly:
Minnesota Department of Human Rights
Freeman Building, 625 North Robert Street
St. Paul, MN 55155
651-539-1100 (voice)
800-657-3704 (toll free)
711 or 800-627-3529 (MN Relay)

The U.S. Department of Health and Human Services' Office for
Civil Rights prohibits discrimination in its programs because of
race, color, national origin, age and disability; block grant
complaints, religion and sex are included; and in medical program
complaints, sex includes sex stereotypes and gender identity under
any health program or activity receiving federal financial
assistance, such as Medicaid and CHIP programs, hospitals,
clinics, employers, insurance companies and state health
insurance exchanges created under Title I of the Affordable Care
Act. Contact the federal agency directly:
U.S. Department of Health and Human Services
Office for Civil Rights, Region V
233 North Michigan Avenue, Suite 240
Chicago, IL 60601
312-886-2359 (voice)
800-368-1019 (toll free)
800-537-7697Y)

The U.S. Department of Agriculture prohibits discrimination against
its customers, employees, and applicants for employment on the
bases of race, color, national origin, age, disability, sex, gender
identity, religion, reprisal, and where applicable political and marital
status.

familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department.
(Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at:

http://www.ascr.usda.gov/complaint_filing_cust.htm

Or at any USDA office, or call (866) 632-9992 to request the form.

You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at:

U.S. Department of Agriculture, Director, Office of Adjudication,
1400 Independence Avenue, S.W., Washington, D.C. 20250-9410,
by fax (202) 690-7442 or email at program.intae@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

For any other information dealing with Supplemental Nutrition Assistance Program (**SNAP**) issues, persons should either contact the USDA SNAP Hotline Number at 800-221-5689, which is also in Spanish or call the State Information/Hotline Numbers (click the link for a listing of hotline numbers by State); found online at http://www.fns.usda.gov/snap/contact_info/hotlines.htm.

USDA is an equal opportunity provider and employer.

CB4 (1-15)

This information is available in accessible formats for individuals with disabilities by contacting your county worker. For other information on disability rights and protections to access human services programs, contact the agency's ADA coordinator ADAS (12-12)

**Attachment D - Signed Copy of the 2016 Civil Rights Assurance
Of Compliance**

MINNESOTA DEPARTMENT OF HUMAN SERVICES
CIVIL RIGHTS ASSURANCE OF COMPLIANCE
NONDISCRIMINATION IN STATE AND
FEDERALLY FINANCED PROGRAMS

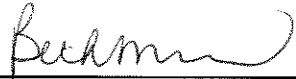
Southwest Health and Human Services
(HEREAFTER CALLED THE "AGENCY") THE AGENCY
provides this civil rights Assurance of Compliance (hereafter
called the "Assurance") in consideration of and for the purpose of
obtaining any and all federal financial assistance from the United
States Departments of Health and Human Services and
Agriculture. The County Agency agrees that compliance with this
Assurance is a condition of continued receipt of federal financial
assistance and that it is binding upon the county agency directly
or through contract, license, or other provider of services, as long
as it receives federal or state financial assistance; and shall be
submitted with the required Comprehensive Civil Rights Plan
update.

THE AGENCY ASSURES that it will comply with:
Title VI of the Civil Rights Act of 1964, as amended; Department
of Health and Human Services, Guidance to federal Financial
Assistance Recipients Regarding Title VI Prohibition Against
National Origin Discrimination Affecting Limited English Proficient
Persons; Age Discrimination Act of 1975, 42 U.S.C. 6101, as
amended; Section 504 of the Rehabilitation Act of 1973, as
amended; Section 508 of the Rehabilitation Act of 1973, as
amended; Title II of the Americans with Disabilities Act of 1990;
Section 1557 of the Patient Protection and Affordable Care Act of
2010; Federal Block Grant Programs of the Omnibus Budget
Reconciliation Act of 1981; as amended; Title IX of the Education
Amendments of 1972, as amended; Family Violence Prevention
and Services Act; Food Stamp Act of 1977, as amended,
including the Nondiscrimination Compliance Requirements in the
Food Stamp Program and the Bilingual Requirements in the
Food Stamp Program; FNS Instruction 113-11, Civil Rights
Compliance and Enforcement - Nutrition Programs and

Activities, Food and Nutrition Service, U.S. Department of Agriculture (2005); and interethnic Adoption Provisions of the Small Business Job Protection Act of 1996 (formerly Multiethnic Placement Act of 1994).

PURSUANT TO THE CIVIL RIGHTS PLAN for the Minnesota Department of Human Services, by accepting this Assurance, the County Agency agrees to allow access, by authorized personnel of the Minnesota Department of Human Services and the United States Departments of Health and Human Services and Agriculture, during normal working hours, to private and/or confidential data maintained by the County Agency (or other sub-recipient of federal financial assistance) to the extent necessary to conduct a full and complete investigation in to any complaint of discrimination, including to compile data, maintain records and submit reports as required to determine compliance with the above mentioned laws, rules and regulations. The Minnesota Department of Human Services agrees to comply with all requirements of the Minnesota Government Data Practices Act (Minnesota Statutes, section 13.01 et seq.). No private and/or confidential data collected, maintained or used in the course of an investigation shall be disseminated except as authorized by statute, either during the period of the investigation or after it has been concluded. If there are any violations of this assurance, OHS shall have the right to invoke fiscal sanctions or other legal remedies in accordance with Minnesota Statutes, section 256.017.

THE PERSON WHOSE SIGNATURE APPEARS BELOW is authorized in this Assurance and commits the County Agency to terms.



Director's Signature

10-25-19

Date

I CERTIFY that the signatory for the Agency as lawful authority to bind the Agency to the terms of this civil rights Assurance.



Agency's Attorney Signature

10-22-19

Date