

Language Appropriate Services

(Revised 04/24/20)

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Forms

The following forms are referenced in this file:

- 20-46 Language Needs Determination
- 20-49 Civil Rights - Interpreters Confidentiality Agreement
- 04-333 Services Authorization Form (SAF)
- 04-333A Document Translation – Service Authorization Form (SAF)

Additional Information

Refer to the following PM files for additional information:

- Civil Rights Requirements
- Interpreters for Court Hearings

Background

The Health and Human Services Agency (HHSA), Child Welfare Services (CWS) must ensure that effective language appropriate-services are provided to meet the needs of clients. All families (including those using [sign language](#)) have the right to language-appropriate contact and written material explained to them in their primary language.

For the purposes of providing Language services, the term “primary language” means the client’s preferred or self-determined language for oral and written communication. See [Manual of Policies and Procedures Section 21:201-211](#) for further explanation.

Requirements for translated forms and publications:

If a client has requested written communications in their primary language, CWS is obligated to provide the form or notice in that language if the California Department of Social Services (CDSS) has made it available to CWS in that language.

Background (cont.)

If CWS has received approval from the CDSS to use a substitute form or notice, they are to be translated into all the languages provided by the CDSS. Failure to do so obligates the County to forgo the substitute form or notice and provide the CDSS version in the client's primary language.

In addition, if a translated form contains spaces in which the county is to insert information that is unique to the client, the inserted information must be in the primary language of the client.

NOTE: If translated forms are unavailable through the County, SWs can go to the California Department of Social Services (CDSS) website at:

<http://www.cdss.ca.gov/inforesources/Translated-Forms-and-Publications>

SW, needing translation service, will email a completed 04-333A, along with the documents needing translation to CWS Fiscal Unit @ "CWSFiscal.HHSA@sdcounty.ca.gov".

Manager's or designee's approval is required in Section 2 of the completed 04-333A.

Documenting language appropriate services

The primary language of each client must be listed on the ID page of the Client Notebook in CWS/CMS.

The Contact Notebook narrative entry must show how communication was accomplished **each time** contact is undertaken with a non-English speaking client when the SW or other service provider (i.e., PHN, therapist, in-home homemaker, etc.) is not designated as bilingual in the client's primary language.

SW responsibilities

SW staff must properly document effort in providing language-appropriate services for clients:

- Hotline SW will identify and document the client's primary language on the ID page of the Client Notebook in CWS/CMS.
- ER/CI or Other (if not completed by ER staff) SW staff will:
 - Complete the HHSA 20-46 form during the first contact with the family **regardless of the family's language(s)** and document it in the Contact Notebook.
 - Ensure each parent sign and date their own HHSA 20-46 form.
 - Document the reason for the client's refusal, or complete the form on behalf of the client if the client is unable to, and document the reason.

NOTE: If a client refuses to complete the form, SW may ask the client to complete it at a later time.

**SW responsibilities
(cont.)**

- File the completed HHSA 20-46 in the hard file, under the Services Tab [L6].
- Provide language-appropriate services at each contact with the client.
- Document in a narrative:
 - indicate that the 20-46 was completed for each client and identify each client's identified primary language; this includes English speaking clients.
 - how interpretive services or accommodations were provided.
 - whether a bilingual staff or [contracted interpreter](#) was used as an interpreter, it must be documented in the narrative for each occurrence when a different interpreter is used, e.g.:
 - ✓ Bilingual PSW Smith conducted interview in Spanish with client xx....
 - ✓ HHSA Bilingual Staff Lee interpreted the 04-24 form in Korean to client xx.....
 - ✓ Hanna staff John Adams provided interpretative services in French to client xx....
 - ✓ PSW Jones read the PUB 13 to client xx...
 - that the client was informed that CWS can provide free interpretative services, and about informing clients regarding potential interpretation errors that could be caused by using their own interpreter.
- Provide forms in the client's primary language when available, or document that the form has been translated or read to the client in his/her primary language.

NOTE: Once the client has requested oral and written communications in a non-English language, the request will also apply to subsequent communications.

- Require the client and **all** non-HHSA bilingual staff to sign the Civil Rights - Interpreters Confidentiality Agreement (HHSA 20-49 form) to document the client's consent for release of information.
 - Each time, put one copy in hard file under the Services Tab [L6], and the second copy goes to the client.

NOTE: Contracted vendors are excluded from this requirement.
Law enforcement personnel may also be excluded.

Refer to Policy Manual for Interpreters for Court Hearings for SW responsibilities for court hearings and how to obtain an interpreter for court.

Obtaining oral, in-person interpreter interpreters

Persons under the age of 18 and/or family members are **NOT** to be used as interpreters, except in emergency situations when there is threat to health and safety.

SW will not ask the client to provide their own interpretative services.

Oral, in-person interpretative service is available through Hanna Interpreting Services' (Hanna) online portal.

- SW must complete the [Hanna Interpreting Services: Online Scheduling Portal Registration](#) to create an online portal account.

Once the registration is SUBMITTED, Hanna will send an email with log in information to access ONLINE SCHEDULING PORTAL to the requestor.

Once an individual account is created, staff will create a new booking for service by logging onto: <http://hannais.interpreterintelligence.com>.

- Staff will ensure that the "BOOKING # - REQUESTOR INFORMATION" is up-to-date.
- Ensure that the "CUSTOMER" box is listing the staff's current ORG #.
- Click the "X" button next to the item to make corrections/changes.

Obtaining oral, in-person interpreter interpreters (cont.)

When an **interpreting service has been completed**, Hanna will automatically close the job with the 'Actual Start Time' and the 'Actual End Time' reported by the interpreter.

Staff will have 48 hours to verify and/or correct the reported times before the invoice is submitted for payment. To verify a job's reported times, simply:

- Click on the job on the Dashboard calendar or select the Action Icon for the job to be closed, and click on Close Job.
- If needed, modify the Actual Start Time or Actual End Time for the interpreting assignment.
- After staff have verified all the required information, click on the blue Close Job button.

Staff are to inform Hanna of changes/cancellation as soon as possible, as Hanna may bill the County for a minimum charge in accordance with the rates in the current contract.

**Telephonic
interpretive service**

When in-person interpretive service is not available, such as during stand-by hours or client’s primary language is not available through the contracted vendor, SWs may utilize United Language Group (ULG), telephonic interpretive service. ULG is available 24/7, and offers services in over 200 languages. Click [here](#) for a complete list of available languages. 04-333 form is not required to access services through ULG.

When a non-English speaking client is on the phone, SW will:

| Step | Action |
|------|---|
| 1 | Use the phone’s conference feature to place client on hold. |
| 2 | Dial 1-888-362-0614. |
| 3 | Identify the language with the ULG representative. |
| 4 | Provide: <ul style="list-style-type: none">• Access Code to identify that the staff is with Child Welfare Services.• Your Last Name and First Name.• The content of the call (i.e., General, Medical). |
| 5 | <ul style="list-style-type: none">• Be sure to obtain the interpreter’s ID number.• Brief the interpreter.• Summarize what you wish to accomplish and provide any special instructions. |
| 6 | Add client onto the call. |
| 7 | Say “End of Call” to the interpreter when the call is completed. |

**Telephonic
interpretive service
(cont.)**

During an in-person contact with a client, staff will begin at **Step 2**. Once the interpreter joins the line, brief him/her and place the phone on “Speaker” mode or pass the handset back and forth.

As previously mentioned, SWs must document in the narrative, whether an HHS bilingual staff or contracted interpreter was used as an interpreter. This includes ULG interpreters.

When a ULG interpreter gets on the phone, (s)he will provide their ID # to the SW. SWs must document ULG staff’s info in the narrative. ULG staff information may be needed during trial or when reasonable service becomes an issue.

**American Sign
Language (ASL)
interpretation**

Federal and State regulations require HHS to provide a sign language interpreter for hearing- or speech-impaired clients, if the client does not have an **unpaid, certified and unrelated third-party** interpreter. SWs must fill out and fax an 04-333 form to Interpreters Unlimited (IU) at (800) 726-9822.

Only individuals who are certified/credentialed by the National Association for the Deaf (NAD) or Registry of Interpreters for Deaf (RID) are considered appropriate interpreters.

HHS can pay for ASL interpretation services only when the client's interpreter is a certified ASL interpreter **and** there is no contracted interpreter available.

SWs must:

- advise clients in advance, in writing, that CWS cannot pay for client's own interpreter when a contracted provider is available.
- check with a deaf client to determine their primary language.

It is not appropriate to:

- write back and forth with a deaf client as many of the deaf client’s primary language is American Sign Language, not English.
- have a deaf client rely on lip-reading. (This can become a reasonable services issue.)

Deaf individuals will have a video relay service, such as [Sorenson Video Relay Service® \(SVRS\)®](#), which place SVRS calls to hearing people, who receive the calls on a standard phone. SW staff do not need to use a special number to call to connect with deaf individuals. Through SVRS, all calls are routed through an interpreting center, where an interpreter, fluent in ASL and spoken English or Spanish, appears on the device. A deaf individual signs the message to the interpreter, and the interpreter relays the conversation between the two parties.

E-mail communication with clients who are deaf

SW may offer e-mail communication to a deaf client as another option for communication with the SW. However, this option is limited **only** to communication that relates to case management issues (e.g., visits, counseling appointments, school, etc.). SWs **must not** send any court reports, case plans, counseling reports or any document or information that reveals case information. Refer to Email Policy for additional information.

When communicating with a deaf client via e-mail, the SW **must ensure confidentiality** is maintained at all times. If a client chooses to communicate via e-mail, the SW **must**:

- keep the content of the e-mail simple, to-the-point and easily-comprehensible (3rd grade level).
- document in a CWS/CMS contact that the client has chosen to communicate via e-mail regarding case management issues.
- confirm that only the deaf client has access to the e-mail account.
- document all e-mail communication in a CWS/CMS contact.

If a deaf client chooses not to communicate via e-mail, the SW must respect the deaf client's wishes.

Scheduling ASL service

Follow this procedure to schedule an ASL interpretation.

| Step | Action |
|------|--|
| 1 | Fax the 04-333 to IU @ (800) 726-9822 and then call IU @ (800) 726-9891. |
| 2 | Make requests at least 24 hours in advance except in valid emergencies. At times, IU can assist in less than 24 hours. |
| 3 | State that you are with CWS and provide IU with the following: <ul style="list-style-type: none">• Your name, title, regional office, and telephone number• Client's name and case number• Date, time and location of interview• Approximate length of interview. |

Staff are to notify IU of changes/cancellation as soon as possible, as IU may bill the County for a minimum charge in accordance with the rates in the current contract.

Alignment with SET

This policy aligns with SET [Value 4: Shared Responsibility with Community Partners](#) which is characterized by cultural responsiveness/community resources/shared vision for safety-permanency-wellbeing/incorporating family voice in identifying formal-informal resources.
