

**Assistant Secretary for Administration
U.S. Department of Health and Human Services**



Language Access Plan

Fiscal Year 2024

Table of Contents

ASA OVERVIEW	3
LANGUAGE ACCESS PLAN OVERVIEW	4
Policy Statement	4
Purpose and Authority	4
Scope of Policy	4
Current Language Assistance Services	5
IMPLEMENTATION PLAN	6
Element 1: Assessment: Needs and Capacity	6
Element 2. Oral Language Assistance Services	6
Element 3. Written Translations	7
Element 4. Policies and Procedures	9
Element 5. Notification of the Availability of Free Language Services	9
Element 6. Staff Training	9
Element 7. Assessing Accessibility and Quality	10
Element 8. Stakeholder Consultation	10
Element 9. Digital Information	11
Element 10. Grant Assurance and Compliance	12
CONTACT INFORMATION.....	12
APPENDIX A – RELEVANT DEFINITIONS	13

ASA OVERVIEW

The Assistant Secretary of Administration (ASA) provides leadership and support for HHS departmental management, including human resource policy, department operations, and information technology. The five offices in ASA are the Office of Acquisition Management Services (OAMS), Office of Equal Employment Opportunity, Diversity & Inclusion (EEODI), National Labor and Employee Relations Office (NLERO), the Office of the Chief Information Officer (OCIO), the Office of Human Resources (OHR), and the Program Support Center (PSC).

Office of Acquisition Management Services (OAMS): OAMS provides acquisition support services overseeing the planning, soliciting, and evaluation of offers, as well as negotiating, awarding, administering, and closing out government contracts to meet our customers' needs throughout the acquisition lifecycle — from cradle to grave.

Office of Equal Employment Opportunity, Diversity & Inclusion (EEODI): EEODI administers and ensures compliance with the laws, regulations, policies, and guidance that prohibit discrimination in the federal workplace for employees and applicants.

National Labor and Employee Relations Office (NLERO): NLERO facilitates a *One HHS*, uniform approach to management of HHS' Labor and Employee Relations functions (policy, program management, and compliance) to strengthen management and union collaboration consistent with the labor relations principles established by the Biden Administration

Office of the Chief Information Officer (OCIO): OCIO supports the HHS mission by leading the development and implementation of information technology infrastructure across the agency. OCIO provide support for e-government initiatives, IT operations management, investment analysis, security and privacy, performance measurement, and more.

Office of Human Resources (OHR): OHR is responsible for creating a dynamic workplace that assists with all aspects of employee development. It helps new employees make the transition into their positions, supports hiring managers who are building collaborative teams, and provides mentoring and leadership development. In all, OHR helps make HHS a rewarding place to work.

Program Support Center (PSC) is a shared services organization dedicated to providing support services to help its customers achieve mission-critical results. More than 40 services and products support three crucial business areas:

- Financial Management
- Occupational Health
- Real Estate, Logistics, and Operations

LANGUAGE ACCESS PLAN OVERVIEW

Policy Statement

It is the responsibility of the ASA leadership and staff to take reasonable steps to ensure that communications with individuals with Limited English Proficiency (LEP), and individuals with disabilities, are not impaired as a result of the limited English proficiency of the individual.

The ASA will take reasonable steps to provide meaningful access for individuals with LEP and individuals with disabilities by providing quality language assistance services in a timely manner and maintaining compliance with all applicable civil rights laws.

Limited English proficiency should not be a barrier to meaningful participation in administrative proceedings and accessing services, programs, and activities in which an individual's rights and interests are at stake. HHS recognizes that when language services are not readily available to individuals with LEP, or where individuals with LEP are unaware of the availability of language assistance services, they may be denied essential services.

Purpose and Authority

This Language Access Plan (Plan) establishes guidelines and standards to enable individuals with LEP and individuals with disabilities to effectively communicate with the ASA through quality language assistance services in a timely manner.

The legal basis for this Language Access Plan is set forth in the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
- Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-12134)
- Section 504 and 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794, 29 U.S.C. § 794(d))
- Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency"
- Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"
- Executive Order 14031, "Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders"
- Executive Order 14091, "Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"
- The U.S. Department of Health and Human Services Language Access Plan (2023)

Scope of Policy

This Plan covers all services, programs, and activities under the Office of the Assistant Secretary for Administration.

Current Language Assistance Services

The Office of Equal Employment Opportunity, Diversity and Inclusion (EEODI), Equal Employment Opportunity Service Center (EEOSC) Accessibility and Disability Services Branch facilitates effective communication of information for persons with disability by advising and assisting in the provision of accommodation solutions.

Primary services offered include:

- American Sign Language Interpreting – A manual communication commonly used by people who are deaf or hard of hearing.
- Communication Access Real-Time Transcription (CART) – A form of captioning which provides a word-for-word transcription of what is being said. It may be read on a laptop computer or projected onto a television screen or, for a large audience, onto a full-size screen.
- Closed Captioning – The process of converting the audio portion of a video production or live event into text which is displayed on a television or film screen or computer monitor. The captions are typically white upper-case against a black background and, when pre-recorded, displayed live as the show is broadcast. They may also be permanently visible (open-caption) or viewable only through a decoder (closed-caption) attached to or built into the television. Captioning is required under the provisions of Section 508 of the Rehabilitation Act, as amended.
- Advisement on the provision of meeting Transcripts and Alternate Print Formats, such as Braille and large print

IMPLEMENTATION PLAN

Element 1: Assessment: Needs and Capacity

The Office of the Assistant Secretary for Administration (ASA) will, on an ongoing basis, assess the language assistance needs of current and potential customers to inform policy, processes, and budgeting necessary to increase awareness of and implement language assistance services that increase access to respective programs, activities, and services for persons with LEP.

This assessment will include:

- Consulting demographic information to identify top non-English languages spoken by the population with LEP including American Sign Language (ASL) or other sign languages, spoken by the population likely to be accessing or otherwise in need of and eligible for ASA services
- The barriers that hinder provision of effective interpretation and written communication with individuals with LEP.

Actions:

- Annually, ASA through the will assess the extent that language assistance or in-language material was requested and/or accessed or otherwise needed by our customers and develop a budget request to meet anticipated language assistance needs for the coming year. This assessment shall include identification of barriers, including resources, that hinder provision of effective interpretation and written communication with individuals with LEP.
- Annually, ASA will participate in a minimum of one listening session, hosted by a particular agency or HHS as a whole, to learn about challenges and opportunities for improvement in the agency's language access efforts, and consult subject matter experts to determine whether the agency's current language access program is effective and complies with Section 1557, as well as with HHS's Language Access Plan.
- ASA will take concrete steps to develop or amend policies or practices that ensure the agency's language assistance services are adequate to meet customer needs and advise agency officials on updating the agency language access plan as needed.
- ASA staff are encouraged to review the mapping resources on LEP.gov and consult with community organizations and stakeholders to ensure its programs adequately reach all communities, regardless of language spoke

Element 2. Oral Language Assistance Services

Interpretation language assistance services are essential to ensuring meaningful access to and an equal opportunity to participate fully in the programs, services, and activities provided by the ASA.

Staff, at the initial point of contact, will make reasonable efforts to conduct an assessment for the need for language assistance, notify the individual of the right to an interpreter at no cost, and

make reasonable efforts to obtain such services if they are needed to effectively communicate with the individual. Assumptions about an individual's primary language should never be made.

Staff who have subsequent contact will continue to assess the need for language assistance. Information about an individual's language needs and preferences should be highlighted in the file so consistent service can be delivered throughout every contact with the ASA.

Interpreters serve a critical role in delivering accurate and quality language assistance services. The ASA will take reasonable steps to ensure that interpreters demonstrate proficiency in and ability to communicate information accurately in both English and the interpreted language including:

- Meeting the standards and qualification to deliver interpretative services for the types of communication provided.
- Possessing relevant subject matter competency and knowledge in both languages of any specialized terms or concepts.

Language assistance may be provided through a variety of means, including qualified bilingual and multilingual staff, and qualified interpreters providing in-person, telephonic, remote voice, and video or any other type of interpreting. However, staff should not enlist minor children of the individual for language assistance. Family or community members may be used but only in exceptional circumstances or when the person with LEP requests their language assistance.

Additionally, individuals with disabilities are entitled to appropriate auxiliary aids and services where necessary to afford them an equal opportunity to be heard. Auxiliary aids and services may include qualified sign language interpreters on-site or through video remote interpreting (VRI) services. Staff should not require a person with a disability to bring another person to interpret for them.

ASA conducts some convenings and webinars that may include participants and audience members who are not federal or local government staff. These are often conducted in partnership with a contractor who is providing logistical support. ASA will ensure that new contracts that have provisions for presentation of ASA material to a public audience assess for oral translation needs and work with ASA to provide such a service.

Element 3. Written Translations

As part of its efforts to ensure equal access to services and information, the Office of the Assistant Secretary for Administration (ASA) will continue to identify and translate vital documents and notices into languages other than English, including American Sign Language and indigenous languages, of LEP populations who access ASA services. A list of these translated materials should be maintained and prominently posted on the ASA's website and available to ASA staff. Notice of rights to nondiscrimination will be made available in multiple languages, in accordance with the needs assessment conducted by the ASA.

Translated documents should be easy to understand by intended audiences. Matters of plain language, cultural communication, and health literacy will be considered for all documents, including when originally composing in English.

To improve cultural appropriateness and accuracy of translations, qualified translators and reviewers should be used. Translators should demonstrate professional subject matter expertise in the topic(s) that will be translated by demonstrating relevant educational background or professional experience in those topics.

During procurement of translation services, qualification standards and safeguards will be put in place to ensure quality control of translations.

Individuals with LEP and individuals with disabilities who want to access ASA services may not be literate in their country of origin's prevalent written language, or their languages might not have a written form such that translated material will not be an effective way of communicating with them. For such individuals, the ASA will take reasonable steps to provide sight translation, interpretation, or audio/video communication, as appropriate.

Element 4. Policies and Procedures

The ASA will formalize practices by developing written guidelines and procedures to ensure consistent delivery of LEP services. Training materials, Standard Operating Procedures, and other guidance documents will be stored in a shared location, easily accessible to all staff.

Actions:

- ASA, through the Office of Equal Employment Opportunity, Diversity & Inclusion (EEODI) will coordinate the monitoring of public interactions as referred to in Element 2, as well as any other issues related to LEP policies or procedures.
- The ASA representative will participate in the Language Access Steering Committee and applicable meetings or trainings.

Element 5. Notification of the Availability of Free Language Services

The Office of the Assistant Secretary for Administration (ASA) will provide notice of the following:

- An individual's right to language assistance services.
- The availability of language assistance services at no cost.
- Information on how to request language assistance services.

Actions:

- Within 180 days, ASA will post a notice on its website that language assistance is available at no cost to the customer and provide instruction on how to access that assistance, including under Section 508 of the Rehabilitation Act.

Element 6. Staff Training

ASA will commit resources and provide employees training as necessary to ensure management and staff understand and can implement the policies and procedures of this plan and the HHS Language Access Plan. HHS and agency-designed training should also ensure all HHS employees have access to performative information and training opportunities that support their capacity and capability to provide meaningful communication to individuals with LEP.

Staff training is a vital step in the ASA's efforts to provide effective language assistance services. Online training should be available to all employees on a regular basis. Additionally, staff training should include the following components:

- HHS and ASA's legal obligations to provide language assistance services.
- The importance of providing language assistance services at no cost to the customer
- Policies and procedures relating to the ASA's language access services.
- The types of translated information available and where it can be found.
- The techniques and assistive technologies offered.
- Ways to help staff identify the language needs of an LEP individual.

- Ways to effectively and respectfully communicate and interact with individuals with LEP and individuals with disabilities in person and on the telephone.
- How to request translation and interpretation services
- Interpreter ethics
- How the public can request services or file a complaint
- The importance of tracking and maintaining data on the type of interpretation requested, the languages requested, and the response time in which interpretation was provided.

Even if staff may not interact regularly with LEP persons, they should be fully aware of, and understand this Plan so they can reinforce its importance and ensure its compliance.

Actions:

- ASA will permit the use of training budgets to be used for staff training requested that support the capacity and capability to provide meaningful communication to individuals with LEP and encourage staff to participate in this type of training. This could include training on tracking the use of language assistance services or providing meaningful assistance to individuals with LEP, among others.
- ASA will highlight this language access plan in all staff and division meetings on a yearly basis at a minimum to maintain awareness of the plan.

Element 7. Assessing Accessibility and Quality

As referenced under Elements 2 and 4 above, ASA will monitor encounters with the public in order to determine the frequency of any contacts with LEP persons and develop policies to ensure effective communication with such persons. ASA will maintain an accurate record of language assistance services provided, document financial and staff resources dedicated to providing language assistance, and annually report progress made on implementation of this plan to the Language Access Steering Committee.

Element 8. Stakeholder Consultation

As referenced under Elements 2 and 4 above, ASA will monitor encounters with the public in order to determine the frequency of any contacts with LEP persons and develop policies to ensure effective communication with such persons. As applicable, ASA will engage in a dialogue with all health care and human services partners¹, beneficiaries, and customers to identify language assistance needs of individuals with LEP as it relates to ASA's public facing work and communications, implement appropriate language access strategies as applicable, and assess needs on an ongoing basis.

¹ According to HHS's LAP, "[t]he term "health care and human services partners" should always include **beneficiaries**, but it should also be viewed more broadly to include not only recipients of federal financial assistance, but also contractors, advocacy groups, religious institutions, non-governmental organizations, hospital administrators, health insurers, translators, interpreters, community health clinics, and representatives from a broad cross-section of the language access community, individuals with disabilities, etc." (accessible here: https://www.hhs.gov/sites/default/files/Language-Access-Plan-2023_0.pdf)

Element 9. Digital Information

To help ensure individuals with LEP have digital/online access to in-language program information and services, and to help ensure they are aware of and can obtain language assistance needed to access important program information and services, The ASA will designate an office or official responsible for and capable of establishing and maintaining an infrastructure that effectively distributes in-language information online in a manner that promotes meaningful access for individuals with LEP.

In addition, the designated office or official will regularly monitor the efficacy, quality, readability, and accessibility of translated materials provided online to promote ease of use and access. ASA will work with Office of the Chief Information Officer (OCIO) to ensure compliance with periodically assess and monitor translated digital content to improve meaningful access for persons with LEP, including ensuring compliance with the 21st Century Integrated Digital Experience Act (IDEA) which requires any public federal agency website created after December 2018 to follow the U.S. Web Design System.

The ASA will also comply with Section 508 of the Rehabilitation Act of 1973 (Section 508), which requires federal agencies to ensure that their information and communication technology, including websites, electronic documents, and software applications, are accessible to individuals with disabilities. The ASA will work with OCIO and its own Section 508 Program Managers to ensure that translated digital content meets Section 508 requirements to improve access for people with disabilities.

In addition to the requirements of Section 508, Section 504 requires that HHS take appropriate steps to ensure effective communication with people with disabilities, including through the provision of appropriate auxiliary aids, application of plain language principles, and services such as sign language interpreters.

Action Steps:

- ASA will work with OCIO to ensure that translated digital content meets Section 508 requirements to improve access for people with disabilities.
- For ASA-hosted public meetings such as advisory committees or webinars, ASA components will work with HHS to provide a sign language interpreter and ensure that the virtual meeting platform used should be able to accommodate a screen for a sign language interpreter that can be seen by the person with a disability who requires the interpreter.
- ASA will promote the resources on www.lep.gov by providing links to the LEP.gov website on its website.
- Develop procedures for creating, posting, and updating accessible web content, digital materials, and social media posts that are accessible to all audiences.

Element 10. Grant Assurance and Compliance

ASA does not manage any programs or grants that provide direct benefits or assistance to any persons, or that are required to determine eligibility and ensure access to such benefits, and therefore has no "award recipients" as understood and referenced in this element.

CONTACT INFORMATION

To request language assistance, or share comments, feedback, or questions, regarding this Language Access Plan, you may contact us:

Office of Equal Employment Opportunity, Diversity & Inclusion (EEODI)
EEODI@HHS.gov
(202) 619-1564

APPENDIX A – RELEVANT DEFINITIONS

Applicant	Any person who inquires about or submits an application for public assistance benefits under any program or service.
Beneficiary	Anyone who has applied for and is receiving Medicare, Medicaid, or other health benefit.
Customer	Individuals, businesses, and organizations that interact with an HHS agency or program. The term customer is inclusive of beneficiaries and interested parties.
Effective Communication	For communication disabilities, it refers to aids and services to ensure that communication with people with disabilities, such as people who are deaf or hard of hearing, is as effective as communication for people without disabilities.
Interpretation	The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken or signed target language while retaining the same meaning.
Language Access	Is achieved when individuals with LEP have meaningful access to and can communicate effectively with HHS employees and contractors and participate in HHS programs and activities.
Language Assistance	All oral, written, and signed language services needed to assist individuals with LEP and people with disabilities to communicate effectively with HHS staff and contractors and gain meaningful access and an equal opportunity to participate in the services, activities, programs, or other benefits administered by HHS.
Limited English Proficiency (LEP)	An individual who does not speak English as his or her preferred language and who has a limited ability to read, write, speak or understand English in a manner that permits him or her to communicate effectively with HHS and have

	<p>meaningful access to and participate in the services, activities, programs, or other benefits administered by HHS. Individuals with LEP may be competent in English for certain types of communication (e.g., speaking or understanding), but have limited proficiency in English in other areas (e.g., reading or writing). LEP designations are also context-specific; an individual may possess sufficient English language skills to function in one setting (e.g., conversing in English with coworkers), but these skills may be insufficient in other settings (e.g., addressing court proceedings). An individual who is D/HOH may also have limited proficiency in spoken or written English and may not be proficient in ASL or any other recognized sign language.</p>
Meaningful Access	<p>Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance. Meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient individuals.</p>
Plain Language	<p>Plain language as defined in the Plain Writing Act of 2010 is writing that is “clear, concise and well organized.”</p>
Preferred/Primary Language	<p>The language that LEP individuals identify as the preferred language that they use to communicate effectively. The language that LEP individuals identify as the preferred language that they use to communicate effectively.</p>
Qualified Interpreter or Translator	<p>A bilingual/multilingual person who has the appropriate training and experience or demonstrated ability to fully understand, analyze, and process and then faithfully render a spoken, written, or signed message in one language into a second language and who abides by a code of professional practice and ethics. A child shall not be considered a qualified translator or interpreter, nor shall a family member or employee who does not meet the minimum qualifications specified above.</p>
Sight Translation	<p>The oral or signed rendering of written text into spoken or signed language by an interpreter without change in meaning based on a visual review of the original text or document.</p>
Sign Language	<p>Method of communication for people who are deaf or hard of hearing in which hand movements, gestures, and facial expressions convey grammatical structure and meaning. There</p>

	<p>is no universal sign language. Different sign languages are used in different countries or regions. For example, British Sign Language (BSL) is a different language from ASL, and Americans who know ASL may not understand BSL.</p>
Translation	<p>The process of converting written text from a source language into an equivalent written text in a target language as fully and accurately as possible while maintaining the style, tone, and intent of the text, while considering differences of culture and dialect.</p>
Vital Document	<p>Paper or electronic written material that contains information that is critical for accessing a component's programs or activities or is required by law. Vital documents include, but are not limited to: critical records and notices as part of emergency preparedness and risk communications; online and paper applications; consent forms; complaint forms; letters or notices pertaining to eligibility for benefits; letters or notices pertaining to the reduction, denial, or termination of services or benefits that require a response from an individual with LEP; written tests that evaluate competency for a particular license, job, or skill for which knowing English is not required; documents that must be provided by law; and notices regarding the availability of language assistance services for individuals with LEP at no cost to them.</p>