

DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF INSPECTOR GENERAL (HHS OIG) LANGUAGE ACCESS PLAN

I. Overview

HHS OIG is one of the largest Inspector General's offices in the Federal Government, dedicated to combating fraud, waste and abuse and to improving the efficiency and effectiveness of the more than 100 HHS programs. A majority of OIG's resources goes toward the oversight of Medicare and Medicaid — programs that represent a significant part of the Federal budget and that affect this country's most vulnerable citizens. OIG's oversight extends to programs under other HHS institutions, including the Centers for Disease Control and Prevention, National Institutes of Health, and the Food and Drug Administration.

The HHS OIG Language Access Plan has been prepared in accordance with the instructions in Appendix A of the updated HHS Language Access Plan, issued on November 15, 2023, to ensure meaningful access for individuals with LEP to programs and activities administered and funded by HHS OIG in accordance with Title VI of the Civil Rights Act of 1964 and Section 1557 of the Patient Protection and Affordable Care Act, Executive Orders 13166, 13985, 13995, 14031, and 14091, and the HHS Equity Action Plan issued in April 2022. [Health Insurance Portability and Accountability Act of 1996 \(HIPAA\)](#), establishing the Health Care Fraud and Abuse Control Program, (sections 1128C and 1817(k) of the Social Security Act), American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5), Patient Protection & Affordable Care Act (Pub. L. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111-152

II. Mission

HHS OIG's mission is to provide objective oversight to promote the economy, efficiency, effectiveness, and integrity of HHS programs, as well as the health and welfare of the people they serve. As established by the Inspector General Act of 1978, OIG is an independent and objective organization that fights fraud, waste, and abuse and promotes efficiency, economy, and effectiveness in HHS programs and operations. We work to ensure that Federal dollars are used appropriately and that HHS programs well serve the people who use them.

III. Language Access Goal

To the maximum extent practical, limited English proficiency (LEP) shall not act as a barrier or otherwise limit access to vital information, i.e., information publicly available in English as to when, where, or how to access OIG services.

IV. Assessment: Needs and Capacity

A. Office of Investigations

HHS OIG's most frequent interactions with individuals with LEP occur when receiving complaints through the OIG Hotline Operations regarding fraud, waste, abuse, or

mismanagement involving HHS programs and operations. Complaints are received via telephone, mail, email, fax, and Internet. Other OIG employees, particularly investigators, may also receive complaints or other information from individuals with LEP.

All HHS OIG Hotline Operations material is available in both English and Spanish. HHS OIG Hotline Operations monitors the need for oral language assistive services for all languages and makes provisions within one year of an identified need.

B. Office of Audit Services and Office of Evaluation and Inspections

Accommodations are made for individuals with LEP as needed to conduct business and complete work as related to products from OIG's Office of Audit Services and Office of Evaluation and Inspections.

V. Oral Language Assistance Services

HHS OIG Office of Investigations (OI) is the primary source for oral language assistance. In addition to Hotline Operations, OI also has multi-lingual Special Agents who conduct field investigations. While OIG uses reasonable efforts to ensure the accuracy of its language interpretation there may be slight variations in meaning due to inherent differences between languages and the nuances of intent. In the event of any discrepancies or confusion arising from the translation, the original language version of the artifact shall be considered the definitive source. 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.

VI. Written Translations

HHS OIG will identify, translate, and make accessible in various formats, including print and electronic media, vital documents in languages other than English as appropriate.

For example, the HHS OIG Medical Identity Theft brochure is currently available in Spanish. The brochure is available for download from the HHS OIG website at <https://oig.hhs.gov/fraud/medical-id-theft/index.asp>

HHS OIG Contingency plans for additional translation services include a Memorandum of Agreement (MOA) with the Translating Division, Office of Language Services at the U.S. Department of State within one year of publication of this plan or an identified need for services.

HHS OIG Contingency plans for the development of a roadmap for LAP implementation for OIGs public facing website and internal resources to support any public facing needs within one year of publication of this plan.

VII. Policies and Procedures

It is HHS OIG policy to take reasonable steps to provide individuals with LEP with access to its services, programs, and activities. Individuals with LEP are individuals whose primary language is not English and who have limited ability to write, read, speak, or understand English. Individuals with LEP may be competent in certain types of communication in English (e.g., speaking or understanding), but still have limited English proficiency for other purposes (e.g., reading or writing).

Consistent with Title VI of the Civil Rights Act of 1964, Title VI implementing regulations and guidance, and Executive Order 131661 and Section 1557. OIG's Language Access Plan provides the steps HHS OIG will take to provide language assistance to individuals with LEP.

HHS OIG will ensure within 180 days of issuance of this plan its budget planning process considers its LEP needs and, to the extent possible, plans for the availability of adequate funds to accomplish requirements outlined in this plan.

VIII. Notification of the availability of free language services

HHS OIG informs individuals with LEP that language assistance is available via its Hotline Operations and public website.

Federal financial assistance (FFA), recipients of FFA will understand and comply with civil rights statutes and regulations enforced by HHS that require them to provide language assistance services.

Nationally prominent languages: OIG uses the U.S. Census Bureau American Community Survey (ACS) to identify nationally prominent languages. According to 2014-2019 ACS data, the top six languages spoken by individuals with LEP are Spanish, Chinese, Vietnamese, Korean, Tagalog, and Arabic.

IX. Staff Training

HHS OIG will ensure that all staff members with contact with individuals with LEP are aware of the OIG's LAP plan and trained annually. Managers will ensure that staff members comply with the LAP plan.

X. Stakeholder Consultations

OIG will consult with stakeholder communities through listening sessions in accordance with this and other Federal policies to identify language assistance needs of individuals with LEP, implement appropriate language access strategies to ensure individuals with LEP have meaningful access in accordance with assessments of customer need and agency capacity, and evaluate progress on an ongoing basis.

XI. Assessing accessibility and quality

OIG will designate, in writing within 180 days of publication of this plan, an employee to serve as the OIG LAP Coordinator responsible for participating in the HHS Language Access Steering Committee, inter-agency language working groups and coordinating, monitoring, and annually tracking OIG’s LAP operations and the effectiveness of language assistance services.

XII. Digital Information

All HHS OIG material identified as needed by communities in need of language services will be available via the public website.

OIG has a goal to align with the HHS digital policies and U.S. Web Design Standards inclusive of guidance on multilingual display guidance and options.

XIII. Point of Contact

The OIG Human Resources Director is the Language Access Coordinator for the HHS OIG LAP.

Appendix:

A. Include copies of relevant language access policies and procedures

B. Definitions

Note: Any related definitions that may be issued under Section 1557 will complement or supersede the broad working definitions set forth below.

Applicant	Any person who inquiries 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.
Digital Information	Information, as defined in OMB Circular A-130, which the government produces and provides digitally to help

	individuals access HHS conducted programs and activities for which they are individually eligible to participate. OMB Circular A-130 defines digital information as any communication or representation of knowledge such as facts, data, or opinions in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual forms.
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.
Interested Party	Beneficiaries, including recipients of federal financial assistance, vendors, advocacy groups, non-governmental organizations, and representatives from a broad cross-section of the language access community, individuals with disabilities, etc.
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.

<p>Limited English Proficiency (LEP)</p>	<p>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 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>
<p>Meaningful Access</p>	<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>
<p>Participant</p>	<p>Any person who has applied for and is receiving public assistance benefits or services under any HHS program or service.</p>
<p>Plain Language</p>	<p>Plain language as defined in the Plain Writing Act of 2010 is</p>
<p>Preferred/Primary Language</p>	<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>
<p>Qualified Interpreter or Translator</p>	<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</p>

	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.
Translation	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.