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802.01 Civil Rights

802.02 Race/Nationality

802.02.01 Access to the Application

(Rev. 07/01/16)

Each application intake site is required to provide appropriate auxiliary aids and services to individuals with limited English proficiency to give an equal opportunity to apply for and receive services in compliance with non-discrimination mandates under the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990.

Individuals who have a limited ability to read, write, speak, or understand English are considered to be Limited English Proficient (LEP) individuals. Discrimination against an individual because of the limited ability to use the English language is a form of national origin discrimination, which is prohibited by Title VI of the Civil Rights Act of 1964.

It is important that all individuals have meaningful access to programs that may be offered by SCDHHS. The agency offers language services and access to other auxiliary aids and services at no cost to applicants and beneficiaries. These include but are not limited to:

* Sign language interpreters
* Language Interpreters and translations

802.02.02 Interpreters

(Rev. 07/01/16)

Applicants/beneficiaries who are limited English proficient must be provided with an interpreter to eliminate barriers to applying for services offered under the Medicaid program.

The Eligibility Worker must arrange for auxiliary services such as an interpreter of a person’s native language or sign language. Additional resources may be available through the South Carolina School for the Deaf and Blind.

If the Eligibility Worker determines that a language interpreter is needed, he/she must access Telelanguage, Inc. (Refer to Appendix B in this chapter.) With supervisory approval, the Eligibility Worker should contact an interpreter and arrange for the service.

802.03 Disability

(Eff. 10/01/15)

SCDHHS may not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability. Title II of the Americans with Disabilities Act of 1990 (ADA) provides comprehensive civil rights protections for qualified individuals with disabilities. An “individual with a disability” is a person who has a physical or mental impairment that substantially limits a major life activity, has a record of such an impairment, or is regarded as having such an impairment. Examples of physical or mental impairments include, but are not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV, tuberculosis, drug addiction, and alcoholism.

802.03.01 Access to the Application

(Rev. 07/01/16)

Each application intake site is required to provide services to the, deaf, blind, or disabled applicant to comply with non-discrimination mandates under the Rehabilitation Act of 1975 and the Americans with Disabilities Act of 1990.

SCDHHS must ensure effective communication with individuals with disabilities. In order to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, SCDHHS must provide appropriate auxiliary aids. Auxiliary aids and services must be provided in accessible formats, in a timely manner, and in a way that protects the privacy and independence of the individual with a disability. Auxiliary aids include but are not limited to:

* Sign language interpreters
* Braille materials
* Large print
* Exchange of written notes
* Email
* Text messaging

802.03.02 Large Print

(Eff. 05/01/16)

If an applicant/beneficiary requests an application or document in large print, the Eligibility Worker can either print the document on a BizHub printer (Refer to Appendix C in this chapter.) or send the document to Central Mail via a SharePoint tool and the mailroom will print and mail the document to the applicant/beneficiary.

802.03.03 Braille

(Eff. 07/01/16)

The agency has the Healthy Connections application and various other forms available in Braille. If an applicant makes a request for a Braille application, they can contact the Healthy Connections Member Services Center at 1-888-549-0820. This request will be forwarded to the appropriate local eligibility office to send the requested form(s). The date of application will be the date the individual makes the request for the application from the Member Services Center. If additional forms or documents need to be translated into Braille, please contact the Civil Rights Division using the contact information shown in MPPM 801.02.01.

802.03.04 Relay Services

(Eff. 05/01/16)

If an Eligibility Worker needs to call an applicant/beneficiary who is deaf or hearing impaired, the Eligibility Worker may dial 711 to access Relay Services**.** Provide the Relay Operator with the applicant/beneficiary’s phone number and the Relay Operator will place the call.

802.03.05 TTY/TDD

(Eff. 05/01/16)

If an applicant/beneficiary who is deaf or hearing impaired wishes to use TTY/TTD to call the agency, the TTY/TDD line is 888-842-3620.

802.03.06 Barriers

(Eff. 10/01/15)

SCDHHS must ensure that individuals with disabilities are not excluded from services, programs, and activities because buildings are inaccessible. Each SCDHHS office, including off-site facilities where eligibility workers work, should have access for individuals with disabilities. Elimination of barriers may be accomplished by

* Relocating a service to an accessible facility,
* Providing a worker to enable an individual with a disability to obtain the service, and
* Providing benefits or services at an individual’s home or at an alternative accessible site.

802.03.07 Service Animals

(Eff. 10/01/15)

A service animal is a dog or miniature horse that is individually trained to work and perform tasks for an individual with a disability. Examples include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, performing specific actions to calm a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

Under the Americans with Disabilities Act (ADA) SCDHHS offices must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go. A person with a disability cannot be asked to remove the service animal from the premises unless the animal is out of control and the individual takes no action to control it, or the animal is not housebroken.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask:

1. Is the animal a service animal required because of a disability?
2. What work or task has the animal has been trained to perform?

Staff cannot ask for or require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. If there is any doubt, always allow for the presence of an animal if it is not unduly disruptive and is not an endangerment.

The fact that the animal is trained to respond to the individual's needs distinguishes it as a service animal. A pet or support animal may be able to recognize that the individual is in distress, but it is what the animal is trained to do in response to this awareness that distinguishes a service animal from an observant pet or support animal. For example, if a service animal senses that a person is about to have a psychiatric episode and it is trained to respond in a specific way, such as by nudging, barking, or removing the individual to a safe location until the episode subsides, then the animal has performed a task or done work on behalf of the individual with the disability, as opposed to merely sensing an event.

Appendix A Disability Terminology Chart

(Eff. 10/01/15)

The following chart displays appropriate terminology to use with applicants and beneficiaries who have specific disabilities. Workers should use the terms in the left column, and avoid the terms in the right column.

|  |  |
| --- | --- |
| **Use These Terms:** | **Avoid These Terms:** |
| Accessible parking | Handicapped parking |
| Children with disabilities | Special needs kids |
| Individual without an arm/leg/etc. | Amputee  |
| Individual with a physical disability | Handicapped, crippled, or deformed |
| Individual with a spinal cord injury | Quadriplegic, paraplegic |
| Individual with Multiple Sclerosis | Person who suffers from Multiple Sclerosis |
| Individual who uses a wheelchair | Person who is wheelchair-bound, or confined to a wheelchair |
| Individual who is blind | The blind |
| Individual who is deaf, or hard or hearing | The deaf, dumb, mute, hearing impaired |
| Individual with burns | Burn victim, disfigured |
| Individual who had a stroke | Stroke victim, suffered from a stroke |
| Individual with a congenital disability | Person with a birth defect, deformed |
| Individual with a cleft palate | Hare lip |
| Individual with epilepsy | Epileptic, spastic |
| Individual living with HIV or AIDS | HIV or AIDS victim |
| Individual with a learning disability | Retarded, slow learning, stupid |
| Individual with dyslexia | Dyslexic |
| Individual with a psychiatric disability | Crazy, lunatic, demented, schizo, psycho |
| Individual with a speech disability | Speech impairment, speech impediment |

Appendix B Telelanguage, Inc.

(Eff. 02/01/16)

Ways you can use Telelanguage with Limited English Speakers (LES):

YOU NEED AN ON-SITE INTERPRETER FOR A HEARING OR DEPARTMENT EVENT

All requests for on-site interpreters for hearings or other Department events are currently being handled internally. To make a request, you will need to:

* Complete the Request for Special Accommodations/Auxiliary Aid form found at [Civil Rights Division](https://team.scdhhs.gov/OPS/COMP/OCR/SitePages/Home.aspx#&panel1-2) and email the completed form to special accommodations@scdhhs.gov.

YOU RECEIVE A CALL FROM SOMEONE WITH LIMITED ENGLISH PROFICIENCY

* Place the LES on conference hold.
* Dial: 503-416-5614 and your call will be answered by the Telelanguage call center.
* Provide the representative with the following:

Language Required

Employee ID and Access Code

* When the interpreter is connected, explain what you need to accomplish during the call.
	+ - * + Conference in the LES.
				+ Say “End of Call” to the interpreter when the call is completed.

YOU NEED TO MAKE A CALL TO SOMEONE WITH LIMITED ENGLISH PROFICIENCY

* Dial: 503-416-5614 and your call will be answered by the Telelanguage call center.
* Provide the representative with the following:

Language Required

Employee ID and Access Code

* When the interpreter is connected, explain what you need to accomplish during the call.
* Call the LES or the interpreter can place the call for you.
	+ - * + Say “End of Call” to the interpreter when the call is completed.

YOU ARE FACE-TO-FACE WITH A PERSON WHO HAS LIMITED ENGLISH PROFICIENCY

* Press the pre-programmed button on the dual handset phone and your call will be answered by the Telelanguage call center.
* Provide the representative with the following:

Language Required

Employee ID or Access Code

* When the interpreter is connected, explain what you need to accomplish during the call.
* You and the LES will each use a handset of the dual handset phone.
	+ - * + Say “End of Call” to the interpreter when the call is completed.

*UNKNOWN LANGUAGE*

*If you do not know which language to request, a representative will help you.*

*WORKING WITH AN INTERPRETER*

*Give the Interpreter specific questions to relay. Group your thoughts and questions to help the conversation flow quickly.*

*LENGTH OF CALL*

*Expect interpreted comments to run a bit longer than English phrases. Interpreters convey meaning-for-meaning, not word-for-word. Concepts familiar to English speakers often require explanation or elaboration in other languages and cultures.*

*PROBLEMS*

*If you have problems connecting to an Interpreter, please contact your* ***ACCOUNT TEAM*** *at the information provided below.*

*Joe Whittington*

*Sales and Marketing Manager*

*503-459-5847 or* *jwhittington@telelanguage.com*

*Tim Bernal*

*Project Manager*

*503-535-2178 or* *tbernal@telelanguage.com*

*Customer Support*

*services@telelanguage.com*

STARTER KITS

Dual Telephone



Language List

Language Poster

Package of helpful documents, language posters, and a dual handset phone will be mailed to each county office and CLTC office.

*QUESTIONS/COMMENTS/CONCERNS*

*If you have any questions, comments, or concerns, please contact the Civil Rights Division at the information provided below.*

***Telephone number:****888-808-4238****Email:****civilrights@scdhhs.gov*

***Special Projects Coordinator:*** *Amber Brown*

***Telephone number:****803.898.2495****Email:****Amber.Brown@scdhhs.gov*

# Appendix C Instructions for Printing Large Print Documents

(Eff. 05/01/16)

**(Please follow steps 1-7)**

1. Load **11 x 17 inch** paper onto a BizHub Paper tray
2. Access the form [FM\_3400](http://medsweb.scdhhs.gov/EligibilityForms/FM3400.pdf) or forms you need then click **Print**



1. Make sure a BizHub printer is selected then click **Properties**
2. Select the **Finish** tab

3. Change the **Output Tray** to the tray you placed the 11 x 17 paper in then click OK

4. Now, click **Page Setup** and change the **Paper Size to 11 x 17** then click OK


5. Lastly, change **Custom Scale to 129%** then Print
