

**AGNESIAN HEALTHCARE POLICY AND PROCEDURE**  
(AHE<sup>10/04</sup>, CLW<sup>10/04</sup>, FDLRC<sup>10/04</sup>, RMC<sup>01/12</sup>, SAH<sup>10/04</sup>, SFH<sup>10/04</sup>, WMH<sup>10/04</sup>)

**SUBJECT: LIMITED ENGLISH PROFICIENCY**

**Policy No: HR2451**

**Department: Human Resources**

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DEVELOPED DATE: 10/04  
RMC added 1/2012.

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**POLICY STATEMENT:**

Agnesian HealthCare is committed to:

Providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act, which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for persons with Limited English Proficiency (LEP). Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504.

It is the policy of this agency to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or encountered by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.

**DEFINITIONS:**

The following definitions and other provisions are applicable to this policy:

- **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d.et seq. And its implementing regulation at 45 CFR part 80** – The law that protects individuals from discrimination based on their race, color, or national origin under any program or activity that receives Federal financial assistance.
- **Limited English Proficiency – (LEP)** Those customers who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with program service providers.
- **Vital documents** – A document, paper or electronic, that contains information that is critical for accessing the provider/agency services and/or benefits; letters or notices that require a response from the customer; and documents that inform customers of free language assistance.
- **Safe Harbor** – The threshold that permits programs to decide when a written translation is required in order to comply with Title VI of the Civil Rights Act of 1964. The following are the thresholds:
  - Written translation of agency vital documents will be provided for each eligible language group that 5% or 1,000 individuals, whichever is less, for the populations of persons eligible to be served or encountered by our programs.
  - If there are fewer than 50 persons in a language group, the recipient does not translate vital written materials, but provides written notice in the primary language of the LEP group of their right to oral interpretation of those written materials, free of cost.
- **Major LEP Language Groups** – The populations of persons with Limited English Proficiency (LEP) in Wisconsin that represent 5% or 1,000 individuals in the area. For Wisconsin, the **Statewide Major LEP Language Groups** are Spanish and Hmong.
- **Qualified Interpreters** – Qualified interpreters have: demonstrated proficiency in English and the second language; demonstrated knowledge in both languages of relevant specialized terms or concepts; and documentation of completion of training on the skills and ethics of interpretation, and awareness of relevant cultural issues.
- **Interactive Voice Response** – (IVR System) an automated system that enables callers to obtain and provide information over the telephone in English and other languages.

**LIMITED ENGLISH PROFICIENCY COORDINATOR:**

A Limited English Proficiency Coordinator (LEPC) will be appointed at the management level to oversee the LEP requirements and procedures, including as required by funding recipients. LEP planning and services are provided in coordination with provisions of equal opportunity in services and employment.

The agency management level Limited English Proficiency Coordinator is:

Name Jill Wenzel	Phone Number (920) 926-5723
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**ASSESSMENT AND PLANNING**

LEP populations to be served will be assessed on an annual basis and the major language groups identified. Following the assessment, a plan and related procedures and requirements will be developed to meet the needs of eligible or encountered populations and assure compliance with the agency's LEP policy.

**MONITORING**

Regular monitoring of the plan will be conducted in accordance with the agency's monitoring procedures.

**WRITTEN NOTICE OF LANGUAGE ACCESS RIGHTS**

Language access statements shall inform LEP clients of their rights as follows:

- Their right to qualified interpreter services at no cost to them.
- Their right not to be required to rely on their minor children, other relatives, or friends as interpreters.
- Their right to file a grievance about the language access services provided them.

Written language access rights will be distributed in the major LEP languages through the following methods:

- Posting of signs in lobbies and waiting areas
- Customer orientations
- Statements in appeal notices
- Statements in brochures, booklets, outreach, recruitment information and other materials that are routinely disseminated to the public.

**EQUAL OPPORTUNITY POLICY AND DISCRIMINATION COMPLAINT POSTINGS**

The Equal Opportunity Policy and Discrimination Complaint Process will be posted in plain view in the major languages in every service area or point of customer contact, i.e., reception or customer waiting areas.

**INTERPRETATION AND TRANSLATION**

• **Written Translation**

Written translation of agency vital documents will be provided for each eligible language group that constitutes 5% or 1,000 individuals, whichever is less, for the populations of persons eligible to be served encountered by our programs.

If there are fewer than 50 persons in a language group, the recipient does not translate vital written materials, but provides written notice in the primary language of the LEP group of their right to oral interpretation of those written materials, free of cost.

The provision of written translation of agency documents, including vital documents, will be in accordance with an annual agency plan that addresses costs and priorities.

• **Oral Interpretation**

Oral interpreters will be offered to customers in a timely manner free of charge. Services offered to LEP customers will be documented in appropriate records.

- **Acquiring Translation and Interpretation Services**

Resources and procedures for obtaining oral interpretation and written translation will be made available to program associates.

The Wisconsin Department of workforce secured services as follow. Information necessary for piggybacking on those services is attached.

**Oral Communication**

Contract Information for Telephone Conference-Call Foreign-Language Oral Interpretation Services  
<http://vendornet.state.wi.us/vendornet/aspbin/bulshownigp.asp?BulletinID=1354>

**Written Communication**

Contract Information for Written Translations; Translation Services for written documents.  
<http://vendornet.state.wi.us/vendornet/aspbin/bulshownigp.asp?BulletinID=1476>

- **Competency of Interpreters and Translators**

Qualified interpreters and translators will be utilized to provide services. Interpreters and translators will be screened for appropriate training and cultural sensitivity, and will be required to comply with agency confidentiality policies and Code of Ethics when interpreting or translating.

- **Other Communication Methods**

Interactive Voice Response Systems, voicemail, web pages, posters, videos, and media used will be made accessible to LEP populations in accordance with the agency's plan to translate vital documents and other materials.

Electronic systems and computer-generated notices will be made accessible to LEP populations in accordance with the agency's plan to translate vital documents and other materials.

**TRAINING**

Training, including refresher training, will be made available to agency associates and funding recipients.

**COMMUNITY OUTREACH**

Community outreach to the major LEP groups served by the agency's programs will be conducted to ensure LEP customers have equal access to services.

**AUTHORITY**

Executive Order 13166  
Title VI of the Civil Rights Acts

Previous Reviewed/Revised Dates (as documented in previous policy portal): 12/2004, 3/2006, 3/2007, 3/2008 KD, 3/2009 TP, 5/2010 *revised*, 4/2011 TP, 01/2012, 1/2013 TP, 1/2014 TP

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**SUBJECT:                    EQUAL OPPORTUNITY**

**Department:               Human Resources**

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DEVELOPED DATE: 10/04  
This policy replaces RMC policy, EEO, 1/2012  
Previously identified with Policy No. HR2450, 7/2015

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**POLICY STATEMENT:**

Agnesian HealthCare is in compliance with the equal opportunity policy and standards of the Department of Workforce Development, Department of Health and Family Services and all applicable state and federal statutes and regulations relating to nondiscrimination in employment and service delivery. In addition, Agnesian HealthCare is committed to treating its employees respectfully and justly as outlined in the Ethical and Religious Directives for Catholic HealthCare Services.

No otherwise qualified person shall be excluded from employment, be denied the benefits of employment or otherwise be subject to discrimination in employment in any manner on the basis of age, race, religion, color, sex, national origin or ancestry, disability<sup>1</sup> or association with a person with a disability, arrest or conviction record (unless directly related to position), results of genetic testing, sexual orientation, gender identity, marital status or pregnancy, political belief, or affiliation, military participation, or use or non use of lawful products off the employers premises during working hours. All associates are expected to support goals and programmatic activities relating to nondiscrimination in employment.

No otherwise qualified applicant for service or service participant shall be excluded from participation, be denied benefits, or otherwise be subject to discrimination in any manner on the basis of race, color, national origin or ancestry, sex, religion, age, political belief or affiliation, disability or association with a person with a disability. This policy covers eligibility for the access to service delivery, and treatment in all of the programs and activities.

To assist us in complying with all applicable equal opportunity rules, regulations and guidelines the Human Resources Director is the Equal Opportunity Coordinator. The Equal Opportunity Coordinator can be contacted to discuss any perceived discrimination problems in employment or service delivery with an associate.

Information about discrimination complaint resolution process is available to you upon request.

Previous Reviewed/Revised Dates (from previous portal): 3/2006, 3/2007, 3/2008, 3/2009 TP, 3/2010, 2/2011 revised, 1/2012, 1/2013 TP, 1/2014 TP

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<sup>1</sup> Definition of Disability:

State and federal laws contain different definitions of “disability”.

Federal law defines “disability” as having a physical or mental impairment, such as HIV-positive status, that substantially limits one or more “major life activities”; or having a record of such an impairment; or being regarded as having such an impairment. “Major life activities” include “major bodily functions”, such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, circulatory, respiratory, endocrine, hemic, lymphatic, musculoskeletal, special sense organs and skin, genitourinary, and cardiovascular systems, and reproductive functions. “Major life activities” also include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working. Federal law also contains some exclusions from the definition of “disability”. More information can be obtained from Human Resources.

In Wisconsin, an “Individual with a disability” means an individual who: (a) has a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; (b) has a record of such an impairment; or (c) is perceived as having such an impairment.