

*Accessibility,
Cultural
Diversity and
Auxiliary Aid
Plan*



This plan delineates how Central Florida Cares Health System, Inc. (CFCHS) meets the accessibility needs of persons served, employees, and other stakeholders, promotes cultural diversity, provides auxiliary aid services, and monitors CFCHS' Subcontractors.

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I. INTRODUCTION

Central Florida Cares Health System, Inc. (CFCHS) commits to embracing, implementing, and promoting principles of cultural diversity to ensure inclusion and equality by providing equal employment opportunities and access to services. It is the policy of CFCHS that persons who are deaf or hard-of-hearing are afforded equal opportunity in employment and in receiving services as stipulated by Section 504 of the Rehabilitation Act of 1973 (hereinafter referred to as 'Section 504') and the Americans with Disabilities Act (ADA), as well as Department of Children and Families Operating Policy (DCF CFOP) 60-10, Chapters 1, 3 & 4.

II. PURPOSE

The purpose of this plan is to ensure cultural diversity, accessibility, effective communication with all stakeholders, as well as proper monitoring of Subcontractor provision of auxiliary aids, and compliance with:

1. Title II of the Americans with Disabilities Act (ADA)
2. Section 504 of the Rehabilitation Act of 1993
3. Section M of the Settlement Agreement between the Department of Children and Families (DCF) and the United States Department of Health and Human Services (HHS) on January 26, 2010
4. DCF Operating Procedures



A. GOALS AND OBJECTIVES

The goals and objectives reflected herein are designed to identify methods within CFCHS' System of Care and Subcontractor network programs, policies, and procedures that ensure adequate service accessibility, inclusion of cultural diversity, and provision of auxiliary aids and services to persons and companions who have communication barriers.

B. AREAS OF RESPONSIBILITY

EQUAL EMPLOYMENT OPPORTUNITY

CFCHS is an equal opportunity employer. CFCHS does not discriminate against employees or applicants in the terms and conditions of employment on the basis of race, color, sex, age, national origin, religion, disability, marital status, or any other factor protected by state or federal law. CFCHS strives to treat all employees fairly.

REASONABLE ACCOMMODATIONS AND ACCESSIBILITY (ADA)

CFCHS is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of CFCHS to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Americans with Disabilities Act (ADA), accommodations will be provided to qualified individuals with disabilities when

such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. An employee requiring reasonable accommodation in order to participate in work-related activities and perform their essential job functions should make a request for accommodations through the Supervisor and HR Generalist. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

In addition, the physical infrastructure of CFCHS' office building offers handicap parking lots, ramps to access the building, elevators, and bathrooms that are ADA compliant. Also, CFCHS' website, brochures, and meeting announcements notify stakeholders that special accommodations will be made upon request.

CULTURAL DIVERSITY

CFCHS values and respects the presence diversity within the organization, the Subcontractor Network, and the community at large by acknowledging socio-cultural differences, individual service needs, working to reduce stigma, educating the community, meeting the needs of different cultural subgroups, and training employees to understand diversity in the workplace.

CFCHS' policies and procedures and Employee Handbook promote a culture of non-discrimination for employees, stakeholders, and persons served based on respecting and embracing differences in culture, age, gender, sexual orientation, spiritual beliefs, language, socioeconomic, and veteran status.

CFCHS' Guiding Principles strive to always put the individuals first in all aspects of the agency's operations, including instilling values that promote the worth of every person served respecting and acknowledging differences. Focusing on each person's strengths and competencies, and the need of each person for respect and dignity. CFCHS' Code of Ethics calls equality and inclusion through the representation of all those whom CFCHS serves and not a particular geographic area or interest group.

SUPPORT TO INDIVIDUALS WITH COMMUNICATION BARRIERS

All employees, interns, and volunteers of CFCHS must comply with Section 504 of the Rehabilitation Act of 1973, 29 USC 794, as implemented by 45 CFR part 84. Additionally, all employees, interns, and volunteers must comply with the Americans with Disabilities Act of 1990, 42 USC 12131, as implemented by 28 CFR part 35.

The CFCHS' Single Point of Contact (SPOC) is responsible for the development, implementation, revision and oversight of CFCHS' auxiliary aids plan, as well as monitoring the Subcontractor plans and processes.

C. DEFINITIONS

Aid Essential Communication Situation – Any circumstance in which the importance, length, and complexity of the information being conveyed is such that the exchange of information between parties should be considered as an aid essential

communication situation. This means that the requested auxiliary aid or service is always provided.

Auxiliary Aids and Services – Includes qualified interpreters or other effective methods of making aurally delivered materials available to individuals who are deaf or hard-of-hearing; qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual limitations; acquisition or modification of equipment or devices; and other similar services and actions.

Captioning (Real Time) – This is the simultaneous conversion of spoken words to text through computer assisted transcription or court reporting and/or displaying the text on a video screen. This communication service is beneficial to individuals who are deaf or hard-of-hearing that do not use sign language or for whom assistive listening devices and systems are ineffective.

Certified Interpreter – Is a person who is certified by the National Registry of Interpreters for the Deaf (RID) or other national or state interpreter assessment and certification program.

Certified Deaf Interpreter – Is an individual who is deaf or hard of hearing and has been certified by the RID as an interpreter.

Deaf Person – A term used to describe a person whose hearing is totally impaired or whose hearing, with or without amplifications, is so seriously impaired that the primary means of receiving spoken language is through visual or other sensory input including, but not limited to, lip reading, sign language, finger spelling or reading, gestures or tactile signs.

Dual Sensory – A term used to describe a person having both a visual disability and a hearing disability. The term includes all ranges of loss, which would necessitate the use of auxiliary aids and services for communication.

Florida Relay Service (FRS) – A service offered to all persons in the state that enables a hearing person to communicate with a person who has a hearing or speech disability and must use a TDD/TTY through a specially trained operator called a communications assistant.

Hard-of-Hearing – A term used to describe a person having permanent hearing limitations that are severe enough to necessitate the use of auxiliary aids or services to discern speech sounds in verbal communication.

Intermediary Interpreter – Is a Certified Deaf Interpreter or Deaf Interpreter also known as a relay or intermediary interpreter, can be used in tandem with a qualified sign language interpreter.

Interpretation – Is an oral language assistance service.

Limited English Proficiency (LEP) – Is a limited ability to speak, read, write, or understand the English language at a level that permits a person to interact effectively with health and social service agencies and Subcontractors. Persons with LEP are referred to as persons who are Limited English Proficient.

Non-Aid Essential Communication Situation – Is a situation in which DCF, CFCHS, and Subcontractors have flexibility in the choice of appropriate auxiliary aids or services for customers or companions to ensure effective communication.

Oral Transliterations/Oral Interpreters – Are individuals who have knowledge and abilities in the process of speech reading, speech production, and the communication needs of speech readers.

Qualified Interpreter – Is an individual who is able to interpret competently, accurately, impartially, and effectively, both receptively and expressively, using any specialized terminology necessary for effective communication with a customer or companion who is deaf or hard-of-hearing.

Qualified Interpreter in Mental Health – Is a qualified foreign language interpreter/translator who is also familiar with behavioral health terminology and practices.

Sign Language Interpreter – Is a person who engages in the practice of interpreting using sign language.

Single Point of Contact (SPOC) – (Risk Manager at CFCHS) Is an individual charged with coordinating auxiliary aids and communication assistance services to customers and companions with disabilities or Limited English Proficiency.

Tactile or Close Vision Interpreter (for individuals who are deaf-blind) – Is an individual who accurately facilitates communication between individuals who are deaf and blind.

Translation – Is a written communication service. Translators convert written materials from one language into another. They must have excellent writing and analytical ability, and because the translations that they produce must be accurate, they also need good editing skills.

TTY/TDD – TTY (Teletypewriter) or TDD (Telecommunications Device for Deaf) are devices that are used with a telephone to communicate with persons who are deaf or hard of hearing or who have speech limitations by typing and reading communications.

Visual Disability – Is a generic term used to describe any loss of vision.

III. PROCEDURE:

1. CFCHS and its Subcontractors will train all employees in the provision of auxiliary aids services as required by the DCF-HHS Settlement Agreement, upon hired, and annually thereafter. Agencies that have 15 or more employees and/or volunteers during orientation period, all employees must complete the DCF mandated online training “Serving Our Customers who are Deaf or Hard-of-Hearing”. In addition, agencies with 15 or more employees and/or volunteers or more will provide monthly compliance summaries directly to HHS Compliance Report Database and will forward the confirmation e-mail from the “Regional Civil Rights Officer” to CFCHS SPOC and their respective Contract Manager.
2. All employees shall review and sign the CFCHS Support to the Deaf or Hard-of-Hearing Attestation Form that acknowledges understanding of auxiliary aid services and procedures to properly serve customers who are deaf or hard-of-hearing. In addition, the CFCHS Support to the Deaf or Hard-of-Hearing Attestation Form will be part of the New Hire Information Packet and included in the employee’s personnel files.
3. CFCHS and its Subcontractors with more than 15 employees, shall designate a Single Point of Contact (SPOC) to ensure that the agency is equipped with the resources necessary to ensure effective communication with clients or companions who are deaf or hard-of-hearing training and to ensure that auxiliary aid services are properly documented.
4. The SPOCs will ensure that auxiliary aids are available for use by customers and companions and persons with limited English proficiency, at no cost to the client/customer or companion during all phases of the service delivery process (e.g., telephone inquiries, special accommodations requests, intake interviews, service delivery, complaints, training, access to services, meetings open to the public, etc.) SPOCs will also periodically monitor Subcontractors’ auxiliary aid services and will work ensure compliance with the applicable requirements of Section 504, ADA and DCF CFOP 60-10.
5. SPOCs shall ensure that the notices which include the availability of appropriate auxiliary aids and services at no cost to the deaf or hard-of-hearing customers or companions and persons with Limited English Proficiency are posted in a conspicuous place accessible to visitors at all points of client entry.
6. CFCHS and Subcontractors will determine with the customer his/her preferred communication method to accommodate their needs. CFCHS employees shall ensure that the following forms provided by DCF are utilized to meet the actions outlined in numbers 1-6 above:
 - a. Customer or Companion Communication Assessment and Auxiliary Aid and Service Record Form (DCF Form CF 761)
 - b. Communication Plan for Ongoing Services (to be documented as part of DCF Form CF 761)
 - c. Customer or Companion Request for Free Communication Assistance or Waiver of Free Communication Assistance (DCF Form CF 763)

- d. Customer/Companion Feedback Form (Appendix D of DCF Auxiliary Aids Plan)
- 1) For scheduled appointments, the interpreter shall be available at the time of the appointment or within two (2) hours the latest. For non-scheduled appointments, arrangements shall be made immediately and CFCHS and Subcontractors shall try to get an interpreter within two (2) hours, or as soon as possible, taking in consideration the client's schedule.
 - 2) Subcontractor's employees shall be aware of the difference between "Aid-Essential Communication" vs. "Non-Essential Communication," as stipulated in the 'definitions' section of this plan. For all Aid-Essential Communication, employees shall ensure there is always an interpreter available due to the nature of the communication being exchanged. If the client refuses the services of an interpreter, the employee should explain that they have the right to do so. The agency needs to make use of an interpreter due to the importance and nature of the communication being exchanged.
 - 3) If after service provision, the employee realizes that the auxiliary aid provided was ineffective, the employee should reassess the situation by consulting with the client to find out what went wrong. Based on the information obtained additional auxiliary aid services will need to be scheduled.
 - 4) Subcontractor's employees shall notify any referral agency (i.e., when arranging referrals to outside agencies) the communication preferences of the client and companions and any auxiliary aids and/or LEP services that are needed.
 - 5) Records relating to auxiliary aids and services provided shall be retained for a minimum of ten (10) years.
 - 6) SPOCs shall ensure that all public event/meeting notices and materials designed for clients include information about provision of auxiliary aids, and special accommodations should be made for individuals with disabilities.
 - 7) CFCHS and its Subcontractors shall keep an Auxiliary Aids Plan and/or policies and procedures to guide employees on the steps to follow when serving clients who require auxiliary aid services. Such plan should also include information about how monitoring is implemented to ensure compliance with the stipulations of the DCF-HHS Settlement Agreement.
 - 8) Only certified interpreters should be used. Employees shall request proof of qualifications and applicable certifications upon request of each service or by checking the Florida Registry of Interpreters for the Deaf (FRID) at <http://www.fridcentral.com>
 - 9) Subcontractors should also make use of the Florida Relay Service, which is the communications link for people who are Deaf, Hard-of-Hearing, Deaf/Blind, or Speech Disabled. Through the Florida Relay Service, people who use specialized telephone equipment can communicate with people who use standard telephone equipment. To call Florida Relay, dial **7-1-1**, or use the appropriate toll-free numbers

- 1-800-955-8771 (TTY)
- 1-800-955-8770 (Voice)
- 1-800-955-1339 (ASCII)
- 1-877-955-8260 (VCO-Direct)
- 1-877-955-5334 (STS)
- 1-877-955-8773 (Spanish)

10) CFCHS and all its Subcontractors should have processes in place to address complaints and grievances regarding auxiliary aid service provision. In addition, clients/companions shall be informed of their right to file a written or oral complaint or grievance of discrimination within 180 days of the alleged discriminatory act with:

<p>Assistant Staff Director Department of Children and Families (DCF) Human Resources – Office of Civil Rights 1317 Winewood Boulevard Building 1, Room 110 Tallahassee, Florida 32399-0700 (850) 487-1901; or TDD (850)922-9220; or Fax (850) 921-8470</p>	
<p>United States Department of Health and Human Services (HHS) Attention: Office for Civil Rights Atlanta Federal Center, Suite 3B70 61 Forsyth Street, SW Atlanta, Georgia 30303-8909 (404) 562-7888; TDD/TTY (404) 331-2867; or Fax (404) 562-7881, or Fax (404) 527-4517</p>	<p>United States Department of Agriculture (USDA) Attention: Office of Civil Rights Atlanta Federal Center, Suite 8T36 61 Forsyth Street, SW Atlanta, Georgia 30303-3427 (404) 562-0532; TDD/TTY (202) 720-5964 Fax (404) 527-4517</p>
<p>United States Department of Justice (USDOJ) Office for Civil Rights – Office of Justice Programs 810 7th Street, NW Washington, DC 20531 (202) 307-0690; or TDD/TTY (202) 307-2027; or Fax (202) 616-9865</p>	<p>United States Department of Justice (USDOJ) Civil Rights Division– Disability Rights Section 1425 New York Avenue Washington, DC 20530 (800) 514-0301; or TDD/TTY (800) 514-0383</p>

11) CFCHS shall always provide auxiliary aids at no cost to clients and companions in situations that involve Aid-Essential Communication. However, if after conducting the assessment, CFCHS determines that the communication at time of issue is not Aid-Essential and does not warrant provision of the auxiliary aid requested by the client or companion, CFCHS shall provide written notification of the denial to the client and companion. The denial notification shall document the date and time of the denial, the name, and title of the employee who made the determination, the specific time of auxiliary aid that was denied,

and the basis for the denial. All denials of auxiliary aids should be approved in writing by CEO or COO.

IV. MONITORING PROTOCOL

A. SUBCONTRACTORS SUBJECT TO MONITORING

All CFCHS' Subcontractors that have direct contact with clients/consumers and companions who are deaf or hard-of-hearing will be subject to monitoring as set forth in this plan.

B. APPLICABILITY, FREQUENCY, METHOD

Monitoring of Subcontractors that have more than 15 employees and/or volunteers will take place periodically unless a frequent review need is identified by the CFCHS SPOC. Monitoring method may include:

1. Desk reviews of the provider's Auxiliary Aids Policies and Procedures and Auxiliary Aids Services and Monitoring Plans. Desk reviews are employed with the goal of causing the least disruption possible in the provider's direct care service operations.
2. Onsite visits that include File Reviews (Clients, and Human Resources files for employees), Facility Inspection, and Client and Employee Interviews.

C. NON-DIRECT CARE SERVICE SUBCONTRACTORS

Subcontractors that do not provide direct care treatment are exempt from this annual monitoring. However, when special circumstances require it, they are still expected to provide auxiliary aids to persons who are deaf or hard-of-hearing, or who have limited English proficiency.

D. SUBCONTRACTORS WITH LESS THAN 15 EMPLOYEES

CFCHS Subcontractors with less than 15 employees and/or volunteers may be subject to desk reviews of their auxiliary aid policies and procedures but are not required to have an auxiliary aids services and monitoring plans. These Subcontractors are still expected to provide auxiliary aids and assist persons who are deaf or hard-of-hearing access services provided by their organization.

E. DEFICIENCIES

If deficiencies are found in any area, CFCHS will follow the guidelines delineated by CFCHS 'Subcontractor Monitoring' and 'Corrective Action Plan Request' policies and procedures available upon request from CFCHS' Contract Manager.

F. MONITORING PLAN REVIEW

This Monitoring Plan is reviewed annually and may be revised frequently based on previous monitoring outcomes or as need arises.

V. GUIDELINES FOR MONITORING

A. NOTICE

Auxiliary Aids monitoring will take place along with the Onsite Contract Compliance Monitoring scheduled by CFCHS' Contract Managers or independently as needed. The monitoring tools, along with CFCHS Auxiliary Aids and Monitoring Plan, are available for review at www.centralfloridacares.org. The selection of Human Resources (HR) files and employees to be interviewed will take place randomly the day of the on-site visit.

B. AUXILIARY EQUIPMENT

The Subcontractor's auxiliary aid equipment shall be tested to ensure proper function, use, and accessible by employees.

C. DOCUMENT REVIEW

CFCHS' SPOC (or designee) will request and review the following documents:

1. Auxiliary Aids and Services Plan
 - a. CFCHS will review the agency's Auxiliary Aids and Services Plan (The Plan) prior to the onsite monitoring to ensure that it is current and compliant with the current DCF CFOP 60-10 and DCF-HHS Settlement Agreement.
 - b. Where necessary, policies and procedures will be revised to reflect current DCF policy relative to providing auxiliary aids and services to persons or companions who are deaf or hard-of-hearing.
 - c. The Plan should reference current auxiliary aids and services used by the deaf or hard-of-hearing community as well as the agency's process for providing these services in a timely manner.
 - d. CFCHS will provide technical assistance if the Subcontractor relies upon outdated auxiliary aids or services, or if the agency does not utilize auxiliary aids commonly used by the deaf or hard-of-hearing community.
2. Policies and Procedures Addressing Accommodations, Auxiliary Aids, Accessibility, and Service Provision to Individuals with Disabilities
CFCHS will review the Subcontractor's policies and procedures that address accommodations, auxiliary aids provision, accessibility, and service provision to individuals with disabilities. The focus of this review is to determine compliance of the Subcontractor's policies and procedures with

- auxiliary aids service requirements, implementation, and scope.
3. **Auxiliary Aid Monitoring Plan**
CFCHS will review the Subcontractor's monitoring plan and ensure there are provisions for the SPOC, or designee, to evaluate the appropriate provision of auxiliary aids.
 4. **Auxiliary Aid Record Monthly Summary Reports**
Each Subcontractor who provides direct care services and has more than 15 employees shall report monthly to the HHS Form site Data Base at: https://fs16.formsite.com/dfuser/monthly-summary-report/form_login.html Subcontractors shall forward receipt of e-mail confirming completion to their CFCHS SPOC and Contract Manager. Copies of the monthly reports shall be kept on file by the Subcontractor.
 5. **Completed Self-Assessment**
Every three (3) years DCF will conduct Statewide Self-Assessments to evaluate the Subcontractors' ability and preparedness to provide auxiliary aids and services. The DCF 504/ADA Coordinator will distribute the self-assessment tool and provide a time frame for when the assessment needs to be returned to DCF.
CFCHS' SPOC will ensure that the assessment is completed by each Subcontractors' SPOC. Copies of self-assessments and proof of submission shall be kept on file by the Subcontractors' SPOC.
 6. **Case file review**
Client/consumer service records will be reviewed to ensure that the following documents have been properly completed and that the progress notes reflect actions taken to ensure proper provision of auxiliary aids:
 - a. Customer/Companion Communication Assessment and Auxiliary Aid Record
 - b. Customer/Companion Request for Free Communication Assistance or Waiver of Free Communication Assistance
 - c. Communication Plan for Ongoing Services
 - d. Customer/Companion Feedback Form (which customer/companion should mail to Tallahassee, NOT kept in client record)
 - e. Interpreter/auxiliary aid service provider billing documentationThe number of case files to be reviewed will depend on the amount of auxiliary aid services provided at the facility for the given period of the monitoring.
 7. **Personnel Files Review**
The HR file review will include:
 - a. Proof of auxiliary aid training within 60 days of hire
 - b. Annual refresher training
 - c. Employee Support for the Deaf and Hard-of-Hearing Attestation Form
 8. **Client/Consumer Complaints or Grievances**
CFCHS will review the Subcontractors' process to address all discrimination complaints and grievances filed by employees and customers. The complaint and grievance process should contain a provision allowing clients/consumers

or companions to file discrimination complaints with an external agency. The procedure must provide addresses and contact information for the external agencies.

9. SPOC Position Description

CFCHS will review the Subcontractors' position description for its SPOC to ensure that the individual has the expertise necessary to serve in this role and also that the position fulfills the requirements of the Settlement Agreement.

D. TOUR OF AGENCY

- a. Verify that the three required notices (Interpreter Services for the Hearing-Impaired Poster, DCF Non-discrimination Poster, and Limited English Proficiency Poster) are posted in appropriate locations and are of appropriate size (11x17)
- b. Ensure that the fire alarms have lights along with sound.
- c. Confirm that the Subcontractors' Auxiliary Aid Plan is posted in Subcontractors' website; and/or the Subcontractor has included information about auxiliary aid and special accommodations access at no cost to the clients.
- d. Review Subcontractors' public notifications, handbooks, and brochures to ensure they provide information for individuals with disabilities regarding auxiliary aids, and how to request special accommodations.

E. INTERVIEWS

CFCHS may interview the Subcontractors' SPOC as well as other employees who have direct contact with clients/companions. Employees to be interviewed may be selected randomly.

VI. OUTCOMES

- A.** Any indicators of non-compliance shall be reviewed by CFCHS to determine if further investigation is warranted. Corrective measures shall be developed in accordance with the findings. Corrective measures may include, but are not limited to, retraining of employees, programmatic system review, or other actions as appropriate.
- B.** The report must detail all areas where a Subcontractor has not implemented the terms of the Settlement Agreement and specify any area where corrective action and technical assistance may be needed. The Subcontractor will be required to submit the corrective action plan to CFCHS within (30) calendar days of receipt of the report.
- C.** For those Subcontractors subject to corrective measures, CFCHS will periodically request follow-up information to ensure that the provider is complying with the remedial measures put in place.