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Hawaii Ensures Limited English Proficient Persons Have Equal Access to Human Services
HHS' Office for Civil Rights and Hawaii Department of Human Services Sign
Title VI Voluntary Agreement

The U.S. Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) and the Hawaii Department of Human Services (DHS) have signed a voluntary agreement to improve language assistance services for limited English proficient (LEP) persons in Hawaii.

Hawaii DHS administers a \$1.7 billion annual budget to coordinate and provide specific benefits and services throughout the state, such as Temporary Assistance for Needy Families, child care, child and adult protective services, vocational rehabilitation services for people with disabilities and Medicaid health insurance.

Hawaii DHS receives federal funds from HHS and is required by Title VI of the Civil Rights Act of 1964 and implementing regulations to, among other things, take reasonable steps to provide meaningful access to its programs by LEP persons who are eligible to receive Hawaii DHS services and benefits. Hawaii DHS has four divisions with 88 local offices located on five islands that employ more than 2,300 permanent staff members.

"This agreement is a model for states in meeting their Title VI obligations to eliminate unlawful discrimination and provide equal access to HHS-funded entities," said OCR Director Winston Wilkinson. "To combat ongoing discrimination based on race, color or national origin, the HHS Office for Civil Rights will continue its enforcement efforts, along with promoting voluntary compliance and technical assistance, to ensure states comply with Title VI."

This agreement will help improve access for LEP persons to Hawaii DHS services. By enhancing its ability to provide human services to eligible LEP persons, Hawaii also improves its ability, consistent with HHS objectives, to prepare for emergencies and respond to disasters.

Hawaii Gov. Linda Lingle said the voluntary agreement is in keeping with her administration's commitment to improving services for people with limited English proficiency. In 2006, Gov. Lingle signed Act 290, which requires the state and state-funded programs to develop plans for providing interpretation services and translated documents. The law also established the Office of Language Access within the state Department of Labor and Industrial Relations.

“This new agreement with the federal government furthers the state’s efforts to ensure that no Hawaii residents are denied their right to critical services because they have difficulty speaking or reading English,” Gov. Lingle said. “Those who use state services are often the most vulnerable and require the most assistance. Language should not be a barrier to obtaining food, housing, job training, medical coverage or other necessities.”

Hawaii DHS director Lillian Koller said the state welcomes the technical expertise of OCR in improving services for LEP clients, and that the voluntary agreement helps DHS build on progress it has already made in this area.

In 2004, Hawaii DHS released a simplified Medicaid application form, with information in 15 commonly spoken languages, which explains how clients can obtain translation interpretation services. Known as the “pinkie” form, the application expedites enrollment of pregnant women and children into the state’s free health insurance programs.

Another way Hawaii DHS helps people with limited English proficiency is by providing online information on translation services since 2007 through the Civil Rights Corner on the department’s Web site (<http://hawaii.gov/dhs/main/civil-rights-corner>). The Web site also includes resources that help DHS staff determine the needs of LEP clients.

Under the voluntary agreement, Hawaii DHS will conduct an annual assessment of frequently encountered languages and of the number of LEP individuals needing language assistance statewide. In addition, the department will develop a process for determining which documents require translation and then translate these materials as appropriate. Hawaii DHS will also enhance staff training on policies and procedures for communicating with and serving LEP persons, and will share this progress with OCR. To accomplish these objectives, the Hawaii DHS Civil Rights Compliance Office will coordinate language assistance services throughout the Department.

“We are glad to see DHS’ renewed commitment to language access,” stated Patricia McManaman, chief executive officer of Na Loio - Immigrant Rights and Public Interest Legal Center, which filed the civil rights complaint to which the agreement pertains. “In a state where 26 percent of the residents speak a language other than English at home, all state public services need to examine how they provide equal access to limited English proficient persons. Immigrants constitute 17 percent of Hawaii’s population, and, as a group, they contribute significantly to Hawaii’s economic and social fabric.”

A copy of the voluntary agreement, along with more information about OCR’s Title VI and other civil rights enforcement activities, can be found at www.hhs.gov/ocr.

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