

City of New York

OFFICE OF THE COMPTROLLER

Scott M. Stringer
COMPTROLLER



AUDITS & SPECIAL REPORTS

Marjorie Landa

Deputy Comptroller for Audit

Audit Report on the Compliance of the
New York City Department of Health
and Mental Hygiene with Local Law 30
Regarding Access to City Services for
Residents with Limited English
Proficiency

SZ20-061A

February 10, 2020

<http://comptroller.nyc.gov>



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

February 10, 2020

To the Residents of the City of New York:

My office has audited the New York City Department of Health and Mental Hygiene (DOHMH) to determine whether DOHMH is in compliance with Local Law 30, which requires that City agencies providing direct or emergency services to the public create a language access implementation plan and to ensure meaningful language access to their services. According to the New York City Department of City Planning, nearly one-half of all New Yorkers speak a language other than English at home, and almost 25 percent of City residents age five and over, or 1.8 million persons, are not proficient in English. For residents with limited English proficiency, interacting with City government can often be a challenge. We audit City agencies such as DOHMH to help ensure that they are complying with applicable laws and regulations and that they are providing residents with access to important City services.

The audit found that DOHMH generally complied with Local Law 30. Our review of DOHMH's Language Access Plans dated 2009 and 2018 found that DOHMH has made continuous progress to provide meaningful language access to the agency's services for Limited English Proficient (LEP) customers. Its Language Access Plans describe the steps that DOHMH has taken to provide its services to the LEP population. Specifically, we found that DOHMH provides direct public services in 13 languages including the top 10 New York City LEP languages as required by Local Law 30. Further, we found that through City-wide contracts with language vendors, (Language Line Services, LLC and Geneva Worldwide, Inc.) and by utilizing the City's Volunteer Language Bank and agency staff, DOHMH has the ability to provide documentation, translation and phone interpretation services in 240 languages. Through its contract with Accurate Communications, DOHMH can also provide American Sign Language interpretation.

The report recommends that DOHMH continue to adhere to Local Law 30 to ensure that it adequately meets the language needs of the communities it serves. The report also recommends that DOHMH continuously update its website to ensure that only DOHMH-serviced facilities are listed.

The results of the audit have been discussed with DOHMH officials, and their comments have been considered in preparing this report. Their complete written response is attached to this report.

If you have any questions concerning this report, please e-mail my Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,



Scott M. Stringer

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THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER AUDITS & SPECIAL REPORTS

Audit Report on the Compliance of the New York City Department of Health and Mental Hygiene with Local Law 30 Regarding Access to City Services for Residents with Limited English Proficiency

SZ20-061A

EXECUTIVE SUMMARY

In 2017, the New York City Council enacted Local Law 30, effective July 1, 2017, which requires New York City (City) agencies that provide direct public services or emergency services to have a language access plan that allows residents meaningful access to City services regardless of their proficiency in English. These translation services must be provided in the top 10 designated Citywide languages, consisting of the top 6 limited English proficiency languages spoken by the population of New York City as determined by the Department of City Planning and the Mayor's Office of Language Services Coordinator, based on U.S. census data, and the top 4 limited English proficiency languages spoken by the population served or likely to be served by the agencies of the City of New York, excluding the languages designated based on U.S. census data.

This audit focuses on whether Department of Health and Mental Hygiene (DOHMH) complied with Local Law 30. DOHMH is responsible for protecting and promoting the health and well-being of all New Yorkers. Among other things, DOHMH joins with communities to develop and implement public health programs, enforce health regulations, respond to public health emergencies and provide limited direct public services such as critical preparedness and response roles, with the primary goal of protecting the public's health. Direct public services, such as tuberculosis testing and treatment, seasonal flu shots, and childhood and adult vaccinations are provided at four tuberculosis clinics, eight sexual health clinics, one immunization clinic, and more than 1,200 public schools. In addition, DOHMH issues birth and death certificates, and inspects restaurants and child care centers. DOHMH attempts to reduce deaths and disabilities from chronic diseases, such as heart disease and cancer, by educating New Yorkers about the dangers of smoking, the consumption of unhealthy foods, and the benefits of physical activity. DOHMH also contracts with community-based organizations to deliver mental health, developmental disability, and alcohol and substance use disorder treatment services.

Audit Findings and Conclusion

We found that DOHMH generally complied with Local Law 30. Our review of DOHMH's Language Access Plans dated 2009 and 2018 found that DOHMH has made continuous progress to provide meaningful language access to the agency's services for Limited English Proficient (LEP) customers. Its Language Access Plans describe the steps that DOHMH has taken to provide its services to the LEP population.

Specifically, we found that DOHMH provides direct public services in 13 languages including the top 10 New York City LEP languages as required by Local Law 30. Further, we found that through City-wide contracts with language vendors, (Language Line Services, LLC and Geneva Worldwide, Inc.) and by utilizing the City's Volunteer Language Bank¹ and agency staff,² DOHMH has the ability to provide documentation, translation and phone interpretation services in 240 languages. Through its contract with Accurate Communications, DOHMH can provide American Sign Language interpretation. Appendices I and II contain details of the specific items we tested and the results of our tests. Appendix III illustrates DOHMH's efforts to ensure compliance with Local Law 30.

Agency Response

In its response, DOHMH agreed with the audit's findings and recommendations. DOHMH stated, "DOHMH is committed to complying with Local Law 30 to ensure that it adequately meets the language needs of the communities we serve. We will ensure that our website is continuously updated and contains only the locations that are serviced by DOHMH."

¹ The City's Volunteer Language Bank is organized through the Mayor's Office of Immigrant Affairs enrolls government workers that speak up to 70 language to assist other government agencies with translation services.

² Agency staff who pass the fluency assessment are certified in a specific language are in enrolled in DOHMH's Employee Data Bank, EDB.

AUDIT REPORT

Background

New York City, with a population of more than 8.5 million people, is home to one of the most diverse populations in the world, with more than 3.2 million foreign-born residents from more than 200 countries. According to the New York City Department of City Planning, nearly one-half of all New Yorkers speak a language other than English at home, and almost 25 percent of City residents age five and over, or 1.8 million persons, are not proficient in English. For residents with limited English proficiency, interacting with City government can often be a challenge.³

Local Law 73 was enacted in 2003 to enhance the ability of City LEP residents to interact with City government and, more specifically, to obtain needed social services. The law applies to four social service agencies: the Human Resources Administration; the Department of Homeless Services; the Administration for Children's Services; and the Department of Health and Mental Hygiene. It requires that free language assistance services be provided for clients when they seek to obtain services at any of these agencies, as well as job centers and food stamp offices. In July 2008, Mayor Michael Bloomberg signed Executive Order 120 (EO 120), which requires all City agencies to provide opportunities for limited English speakers to communicate with City agencies and receive public services.

In 2017, the New York City Council enacted Local Law 30, effective July 1, 2017, which requires City agencies that provide direct public services or emergency services to have a language access plan that allows residents meaningful access to City services regardless of their proficiency in English. These translation services must be provided in the top 10 designated City-wide languages, consisting of (1) the top six LEP languages spoken by the population of New York City as determined by the Department of City Planning and the Mayor's Office of the Language Services Coordinator, based on U.S. census data; and (2) the top four LEP languages spoken by the population served or likely to be served by the agencies of the City of New York as determined by the Mayor's Office of the Language Services Coordinator, based on language access data collected by the City Department of Education, excluding the languages designated based on U.S. census data.

Specifically, Local Law 30 requires each agency to:

- Designate a Language Access Coordinator to oversee the creation and execution of an agency-specific internal language access policy and implementation plan.
- Develop such a plan using a four-factor analysis based on guidance issued by the U.S. Department of Justice including: the number or proportion of LEP persons in the eligible service population; the frequency with which LEP individuals come into contact with the agency; the importance of the benefit, service, information, or encounter to the LEP person; and the resources available to the agency and the costs of providing various types of language services.

³ Mayor's Office of Immigrant Affairs, "State of Our Immigrant City" annual report, March 2018; New York City Department of City Planning <https://www1.nyc.gov/site/planning/about/language-access.page>

- Provide services in languages based on the top 10 LEP languages spoken by the population of New York City. These languages are determined by the Department of City Planning and the Mayor's Office of the Language Services Coordinator, based on (1) United States Census data, as to six languages, and (2) data collected by the Department of Education, as to four languages, as those languages are relevant to the services offered by each agency. The designated top 10 LEP languages spoken by the population in New York City are Spanish, Chinese (Mandarin, Cantonese, Taiwanese and Formosan), Russian, Haitian/French Creole, Bengali, Korean, Arabic, Urdu, French, and Polish.⁴
- Ensure that the language access policy and implementation plan includes: identification and translation of the most commonly distributed public documents; interpretive services, including telephone interpretation for the top six languages and others as appropriate; training of frontline workers on language access policies; posting of signage in conspicuous locations about the availability of free interpretation services; and the establishment of an appropriate monitoring and measurement system regarding the provision of agency language services.
- Incorporate consideration of language access in agency communications such as emergency notifications, public hearings and events; and incorporate plain language principles for documents most commonly distributed to the public that contain important or necessary information.
- Update the Language Access Plan based on changes in the agency's service population or services at least every three years and publish the plan on the agency website.

Local Law 30 references the New York City Charter's requirement that the Mayor's Office of Operations (Operations) coordinate the provision of language services to the public and provide technical assistance to City agencies providing such services. In addition, the Mayor's Office of Immigrant Affairs is responsible for promoting immigrants' access to City services, by developing appropriate policies and outreach programs to educate immigrants and foreign language speakers about such services.

We are conducting a series of audits of City agencies' compliance with Local Law 30. We have created a compliance checklist and designed audit tests to be performed to facilitate uniformity in our reporting to the extent reasonably possible. The checklist and testing criteria, with results for this audit, are presented in Appendices I, II, and III.

This audit focuses on whether DOHMH complied with Local Law 30. DOHMH's mission is to protect and promote the health and well-being of all New Yorkers. Among other things, DOHMH joins with communities to develop and implement public health programs, enforce health regulations, respond to public health emergencies and provide limited direct public services such as, critical preparedness and response roles, with the primary goal of protecting the public's health. Direct public services such as tuberculosis testing and treatment, seasonal flu shots, and childhood and adult vaccinations are provided at four tuberculosis clinics, eight sexual health clinics, one immunization clinic, and more than 1,200 public schools. In

⁴ The New York City Department of City Planning designated these as the top 10 languages, https://www1.nyc.gov/assets/planning/download/pdf/about/language-access/lap_dcp.pdf?r=0818. As defined by the Mayor's Office of Immigrant Affairs, MOIA Annual Report-March 2018 page 25, Guidance on City Legislation.

addition, DOHMH issues birth and death certificates, and inspects restaurants and child care centers. DOHMH attempts to reduce deaths and disabilities from chronic diseases, such as heart disease and cancer, by educating New Yorkers about the dangers of smoking, the consumption of unhealthy foods, and the benefits of physical activity. DOHMH also contracts with community based organizations to deliver mental health, developmental disability, and alcohol and substance use disorder treatment services.

Objective

The objective of the audit was to determine whether DOHMH is in compliance with Local Law 30, which requires that City agencies providing direct or emergency services to the public create a language access implementation plan and to ensure meaningful language access to their services.

Scope and Methodology Statement

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

To achieve our audit objective, we reviewed DOHMH's Language Access Plans dated 2009 and 2018 and other pertinent documents, interviewed key DOHMH personnel, and conducted site visits at DOHMH offices throughout the five boroughs of New York City, where direct public services are located. Our scope period was from June 10, 2019 through November 25, 2019. Please refer to the detailed scope and methodology at the end of this report for the specific procedures and tests that were conducted.

Discussion of Audit Results

The matters covered in this report were discussed with DOHMH officials during and at the conclusion of this audit. DOHMH officials were notified of our findings during the course of the audit and agreed that an exit conference was not necessary. On January 7, 2020, we submitted a draft report to DOHMH officials with a request for comments. We received a written response from DOHMH officials on January 22, 2020. In their response, DOHMH generally agreed with the audit's findings and recommendations, stating that "DOHMH is committed to complying with Local Law 30 to ensure that it adequately meets the language needs of the communities we serve. We will ensure that our website is continuously updated and contains only the locations that are serviced by DOHMH."

The full text of DOHMH's response is included as an addendum to this report.

FINDING AND RECOMMENDATION

We found that DOHMH generally complied with Local Law 30. Our review of DOHMH's Language Access Plans dated 2009 and 2018 found that DOHMH has made continuous progress to provide meaningful language access to the agency's services for LEP customers. Its Language Access Plan describes the steps that DOHMH has taken to provide its services to the LEP population.

Specifically, we found that DOHMH offered free interpretation services online, by mail, by telephone, or in person for birth or death certificate requests, restaurant inspections, child care center inspections, information on public health programs, and health regulations. We found that essential documents that are posted on DOHMH's website and those posted in locations with high consumer traffic have been translated to the top 10 languages other than English. These essential documents that have been translated into the top 10 LEP languages relate to several of DOHMH's responsibilities, including: permits and licenses for restaurants, New York City Health Clinics, vaccinations, food establishment inspections, child care services, birth and death certificates, certificate corrections, and restaurant inspection grades. DOHMH also enforces health laws and uses the top 10 LEP languages when needed to investigate complaints against businesses. In addition, DOHMH provides LEP individuals the ability to apply for a license and/or renewing licenses (e.g., marriage and dog licenses) by providing instructions in the top 10 LEP languages.

DOHMH provides direct services to the public in many locations including its Office of Vital Records located at 125 Worth Street in Manhattan where the public can request birth and death certificates. The Office of Vital Records operates Monday through Friday from 9:00 a.m. to 3:30 p.m. DOHMH also provides direct services at four tuberculosis clinics (1309 Fulton Avenue, 1st floor in the Bronx; 295 Flatbush Avenue Extension, 4th floor in Brooklyn; 600 West 168th Street, 3rd floor in Manhattan; and 34-33 Junction Boulevard, 2nd floor in Queens); eight sexual health clinics (1309 Fulton Avenue, 2nd floor in the Bronx; 1218 Prospect Place, 2nd floor and 295 Flatbush Ave Extension, 2nd floor in Brooklyn; 303 9th Avenue, 2238 5th Avenue, 1st floor and 160 West 100th St in Manhattan; 90-37 Parsons Boulevard, 1st floor and 34-33 Junction Boulevard in Queens); and one immunization clinic located at 295 Flatbush Avenue Extension, 5th floor in Brooklyn. Generally, the hours of operation are Monday through Friday from 8:30 a.m. to 5:00 p.m. for tuberculosis clinics; Monday through Friday from 8:30 a.m. to 3:30 p.m. for sexual health clinics; and Monday through Friday from 8:30 a.m. to 2:30 p.m. for the immunization clinic.⁵ Overall, we found that DOHMH staff that work in waiting rooms and other high traffic areas were trained on the use of the telephonic services through Language Line Services, LLC, and were able to communicate in languages other than English with the LEP clients who called and visited the offices and clinics. In addition, DOHMH staff were able to use Geneva Worldwide, Inc. to prepare translations of written documentation.

When we visited the Gotham Health Vanderbilt Clinic at 165 Vanderbilt Avenue in Staten Island, which had been listed on DOHMH's website as a tuberculosis clinic, we learned that it was not a DOHMH clinic. We contacted DOHMH and after several emails between the Comptroller's Office, DOHMH and HHC they advised us that this clinic was incorrectly listed on their website and the clinic is currently the responsibility of HHC. Subsequently, the clinic was removed from DOHMH's website.⁶

⁵ According to DOHMH's website, the tuberculosis clinic in the Bronx operates Wednesday through Friday. The tuberculosis clinic in Manhattan operates Monday and Tuesday.

⁶ HHC Satellite clinics will be the focus of a separate audit.

Overall, we found that DOHMH provides direct public services in 13 languages,⁷ including the top 10 New York City LEP languages as required by Local Law 30. Further, we found that through City-wide contracts with language vendors (Language Line Services, LLC and Geneva Worldwide, Inc.), DOHMH has the ability to provide documentation, translation, and phone interpretation services in 240 languages. Through its contract with Accurate Communications, DOHMH can provide American Sign Language interpretation. Appendices I and II contain details of the specific items we tested and the results of our tests. Appendix III illustrates DOHMH's efforts to ensure Local Law 30 compliance.

Recommendations

1. DOHMH should continue to adhere to Local Law 30 to ensure that it adequately meets the language needs of the communities it serves.

DOHMH Response: "DOHMH is committed to complying with Local Law 30 to ensure that it adequately meets the language needs of the communities we serve."

2. DOHMH should continuously update its website to ensure that it contains only the locations that are serviced by DOHMH.

DOHMH Response: "We will ensure that our website is continuously updated and contains only the locations that are serviced by DOHMH."

⁷ DOHMH provides agency-wide documentation in the following languages: Spanish, Russian, Cantonese, Haitian Creole, Korean, Bengali, Mandarin, Italian, Polish, Yiddish, Arabic, French, and Urdu. Some programs depending upon the population in which they serve have other languages such as Kru (from Niger-Congo), Vietnamese, Portuguese, Tibetan, Greek, and Albanian.

DETAILED SCOPE AND METHODOLOGY

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, § 93, of the New York City Charter.

We are conducting a series of audits of City agencies' compliance with Local Law 30. To ensure uniformity in reporting on these audits, we have created a format that lists the specific tests conducted as it relates to the methodology. Please see Appendices I and II for details.

We reviewed the DOHMH Language Access Policy and Implementation Plans issued in 2009 and 2018, reviewed other pertinent documents, and interviewed key DOHMH personnel.

To achieve our objectives, we performed the following:

- Reviewed Local Law 73, EO 120 and Local Law 30;
- Created compliance checklists to assess DOHMH's compliance with Local Law 30;⁸
- Conducted interviews with DOHMH's designated Language Access Coordinator and other staff members;
- Reviewed and assessed whether DOHMH's language assistance plan was developed in accordance with Local Law 30, using the required four-factor analysis;
- Tested whether DOHMH provided direct public services in at least the top 10 LEP languages spoken by the New York City population;⁹
- Obtained and reviewed documentation and assessed whether DOHMH identified and translated most commonly distributed public documents provided to or completed by the public;
- Tested whether interpretation services, including the use of telephonic interpretation services, are available. We made anonymous phone calls to DOHMH's main public access line to determine whether it could provide telephonic interpreter services in the top 10 LEP languages;
- Obtained and reviewed the employee manual for language access training and/or written policies and procedures;
- Observed DOHMH signage kits to determine whether they contained multilingual posters;
- Assessed whether DOHMH established an appropriate monitoring and measurement system regarding the provision of agency language services;
- Assessed whether DOHMH created appropriate public awareness strategies for the agency's serviced LEP population;

⁸ See Appendix I for the completed checklist created in connection with this audit.

⁹ See Appendix II for further descriptions of the tests we conducted.

- Reviewed whether DOHMH's Language Access Plan is posted to its website; and
- Accessed DOHMH's website and translated the information into the top 10 languages spoken in New York City.

LEP COMPLIANCE CHECKLIST

Question	Auditor's Assessment	Auditor's Comments
1. Does DOHMH provide direct public services or emergency services?	Yes	DOHMH provides direct public services Citywide.
2. Does DOHMH have a Language Access Policy and Implementation Plan, and when was it instituted?	Yes	DOHMH's original Language Access Plan (2009) was based upon EO 120, the predecessor to Local Law 30. DOHMH's current Language Access Plan 2018 was developed by DOHMH and approved by the Mayor's Office of Immigrant Affairs in June 2018. This plan is currently posted on DOHMH's website.
3. Does DOHMH have a Language Access Coordinator?	Yes	DOHMH's Language Access Manager is the designated Language Access Coordinator.
4. Did the Language Access Coordinator oversee the creation of the Language Access Policy and Implementation Plan?	Yes	The Language Access Plan was revised and updated by the current coordinator. Local Law 30 of 2018 requires that each agency update its Language Access Plan, based upon the changes in the agency's service population or services at least every three years. The Language Access Coordinator stated that DOHMH will revise and update the plan when necessary. The Language Access Plan is current as of September 2018.
5. Did the Language Access Coordinator oversee the execution of the Language Access Policy and Implementation Plan?	Yes	DOHMH's language coordinator oversees the execution of the Language Access Plan.
6. Does the Language Access Coordinator monitor the Language Access Policy and Implementation Plan?	Yes	DOHMH's language coordinator monitors the progress of the Language Access Plan.
7. Did DOHMH develop the plan using the four-factor analysis?	Yes	DOHMH's 2018 Language Access Plan was developed using the four-factor analysis and the language most often used by affected population. DOHMH utilizes historical data, for Factors 1 through 3. Historic data indicated customer demand for translation and interpretation in Spanish, Russian, Cantonese, Haitian Creole, Korean, Bengali, Mandarin, Italian, Polish, Yiddish, Arabic, French, and Urdu for a total of 13 languages. For the fourth factor, DOHMH contracted for language access services. DOHMH provides telephonic interpretation in more than 240 languages and in-person interpretation including American Sign Language to its clients. Furthermore, as part of its effort to improve the

		quality of language access services to LEP populations in the City, DOHMH developed a clinical fluency assessment for staff that is tailored to the specific needs of each bureau that provides direct clinical services. In addition, DOHMH uses data from the New York City Department of City Planning and the Mayor’s Office of Immigrant Affairs to ensure that the four-factor analysis is properly utilized.
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8. Does DOHMH provide services in languages based on at least the top 10 NYC LEP languages?	Yes	Pursuant to DOHMH’s Language Access Plan, DOHMH provides essential documented services in 13 LEP languages, which includes the top 10 NYC languages, as required by Local Law 30. DOHMH maintains contracts with several language-service vendors (including Language Line Services, LLC and Geneva Worldwide, Inc.) and has the ability to provide document translation and phone interpretation services in at least 100 languages as required by Local Law 30. DOHMH uses Accurate Communication for American Sign Language. DOHMH through its other contracted services and the City’s Volunteer Language Bank and its agency staff has the capability of providing services in 240 languages. Moreover, DOHMH also uses the services of 311, which has telephonic capability for 175 languages. ¹⁰
9. Does DOHMH identify and translate their “most commonly distributed public documents?”	Yes	DOHMH’s Language Access Plan identifies its most commonly distributed documents for translation into the 13 LEP languages including the top NYC 10 languages. The following are examples of documents that are translated: <i>Health Bulletins, Birth Certificate Applications, Death Certificate Applications and HIPAA Notice of Privacy Practice/Acknowledgement of Receipt Form.</i>
10. Does DOHMH provide interpretation services (including telephonic interpretation) for the top 10 LEP languages and others as appropriate?	Yes	Through the Citywide contract with the Language Line Services, LLC, DOHMH is able to provide interpretation services in over 240 languages either through written documentation or through oral language interpreters, including the top 10 LEP Languages. DOHMH also contracts with Geneva Worldwide, Inc. to provide written transcription services. DOHMH certified staff also provide interpretation services. In addition, DOHMH uses translators from 311 which enables the agency to provide translation into 175 languages.

¹⁰ Source: NYC 311 Language Access Plan 2018.

<p>11. Does DOHMH train its frontline workers and managers on language access policies and procedures?</p>	<p>Yes</p>	<p>DOHMH updated its training manual and procedures June 2018 and employees received the training as required by Local Law 30. The training manual and procedures are available via the Agency’s intranet. This training material describes DOHMH’s language access policies and procedures and the Citywide Interagency Language Access Protocol. We reviewed a copy of the employee-training material and training sign in sheet. We verified that the employees were employed by DOHMH as of that time.</p>
<p>12. Are there any signs or postings in DOHMH regarding free available language assistance?</p>	<p>Yes</p>	<p>DOHMH has wall posters and desktop signage indicating free interpretation assistance is available in the designated areas deemed to be high traffic areas where DOHMH services the public. During site testing, we observed “Free Interpretation Services Available” signs posted in the agency’s public/common areas and office areas.</p>
<p>13. Did DOHMH establish an appropriate monitoring and measurement system regarding the provision of agency language services?</p>	<p>Yes</p>	<p>DOHMH maintains a record-keeping system that tracks essential documents that have been translated and identifies requests for additional information and or resources that are needed to address new needs resulting from changing and additional LEP communities. This enables DOHMH to create a translation schedule and budget necessary funds to address new demands. Further, DOHMH sends translated legal and medical and vital documents or otherwise sensitive items to a third party review vendor after translation by Language Line to ensure the quality of the translated services.</p>
<p>14. Did DOHMH create public awareness strategies for language services?</p>	<p>Yes</p>	<p>DOHMH provides direct language assistance services. DOHMH advertises the availability of language access services on public communications (health bulletins, emergency preparedness protocols), via its website, social media, translated press releases and local organizations that represent LEP residents within target populations. DOHMH also has the capability for some of the health clinics to access video-remote interpretation for American Sign Language. Geneva provides in-person translations for public community events</p>

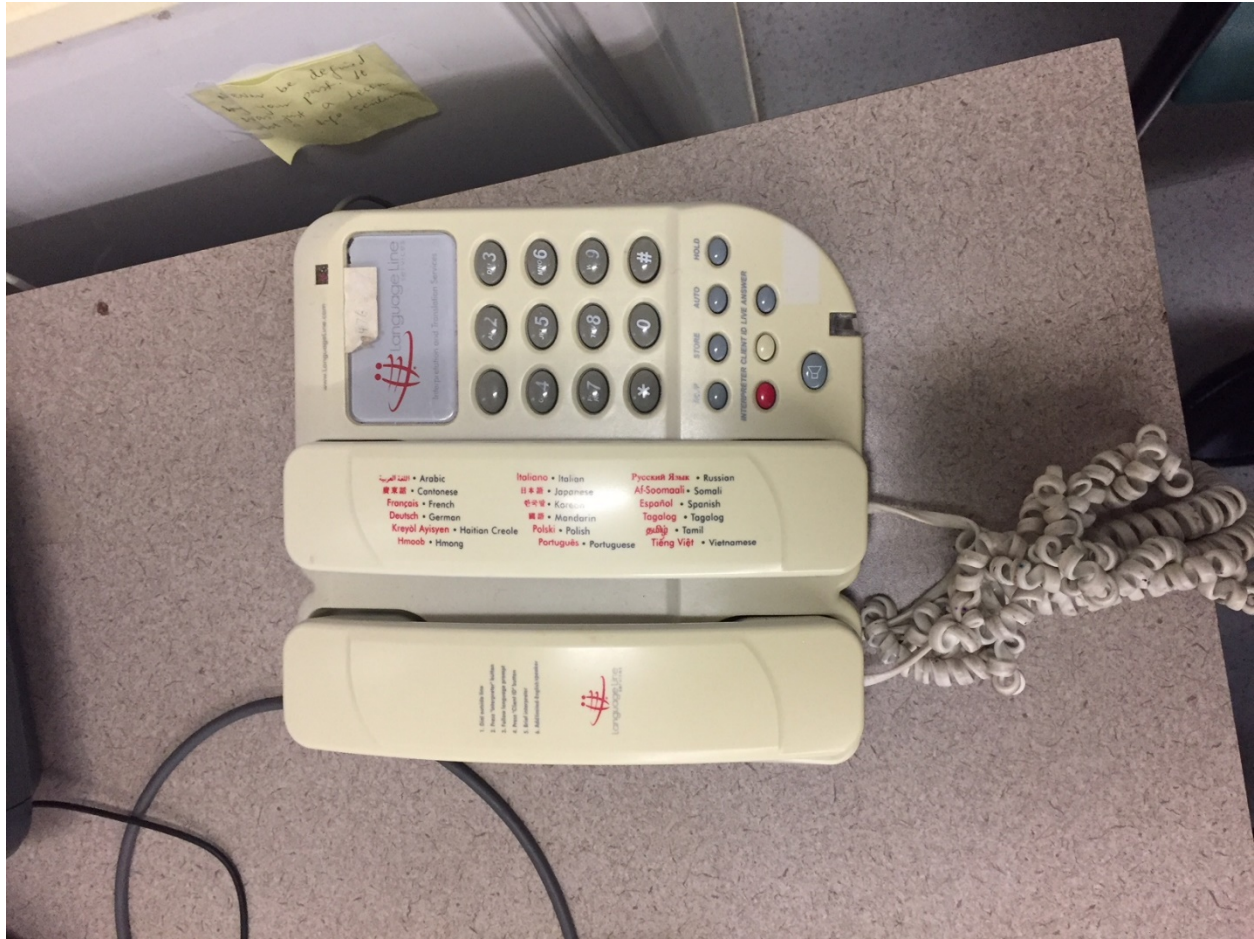
LEP TESTS CONDUCTED

Test	Criteria for Evaluation	Auditors' Assessment
<p>1. Anonymous phone to 311 to determine whether the 311 operator can inform the public where the DOHMH offices are located through-out the City in the 10 LEP required language</p>	<ul style="list-style-type: none"> Was a staff person able to respond to the call in the language of need, or transfer the call to another staff person or a telephonic Interpreter service? 	<p>DOHMH's main public access line, which is 311, is able to provide telephonic interpreter services in the top 10 LEP languages and provide the locations of the DOHMH offices. When our call to 311 was answered, the main menu recording prompted us to choose the language to be used. For the top six LEP languages, the appropriate LEP operator responded to us. For additional languages, the call was transferred to an English speaking operator to determine the language of choice and then transferred the call to an additional translating service.</p>
<p>2. Anonymous email to DOHMH "Chat-on-Line" to determine whether the "Chat-on-Line" operator can inform the public where they can get a birth certificate (in person) or how to fill out the application on-line in the 10 LEP required language</p>	<ul style="list-style-type: none"> Was a staff person able to respond to the email in the language of need? 	<p>DOHMH's customer service center for ordering a birth certificate online provides an option for the caller to "Chat on line" live with an operator Monday to Friday from 8:30 a.m. to 6 p.m. We accessed the chat on line menu by sending an email to the system requesting assistance with filling out the application for a birth certificate in the top 10 LEP languages. The "live chat email operator answered basic and general questions regarding how to fill out the application in the top 10 languages. Detailed questions could not be asked based having to give private or confidential information.</p>

LOCAL LAW 30 COMPLIANCE-- OBSERVATION

3. Is the website accessible in languages other than English?	<ul style="list-style-type: none">• Was public information available in languages other than English?	Of the 103 languages listed on DOHMH's website, we sampled and successfully translated the top 10 languages spoken in New York City.
4. Translate "You Have a Right to Free Interpretation" posters.	<ul style="list-style-type: none">• Did the poster state that free translation and interpretation services were available?	DOHMH's signage kit contain multilingual poster informing residents with LEP that they can request free interpretation.

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



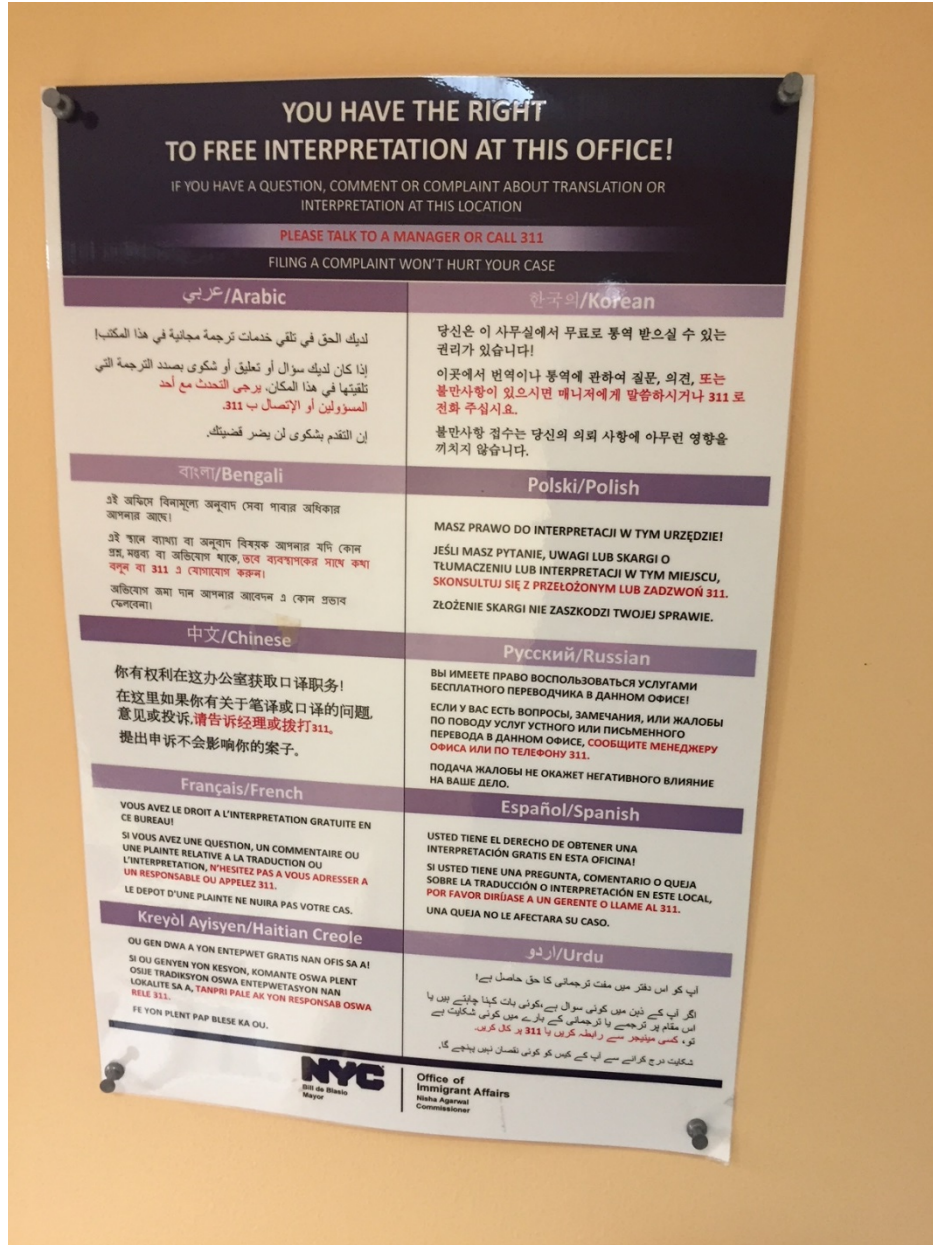
LANGUAGE LINE TELEPHONE HANDSET ILLUSTRATED 20 FREE INTERPRETATION

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



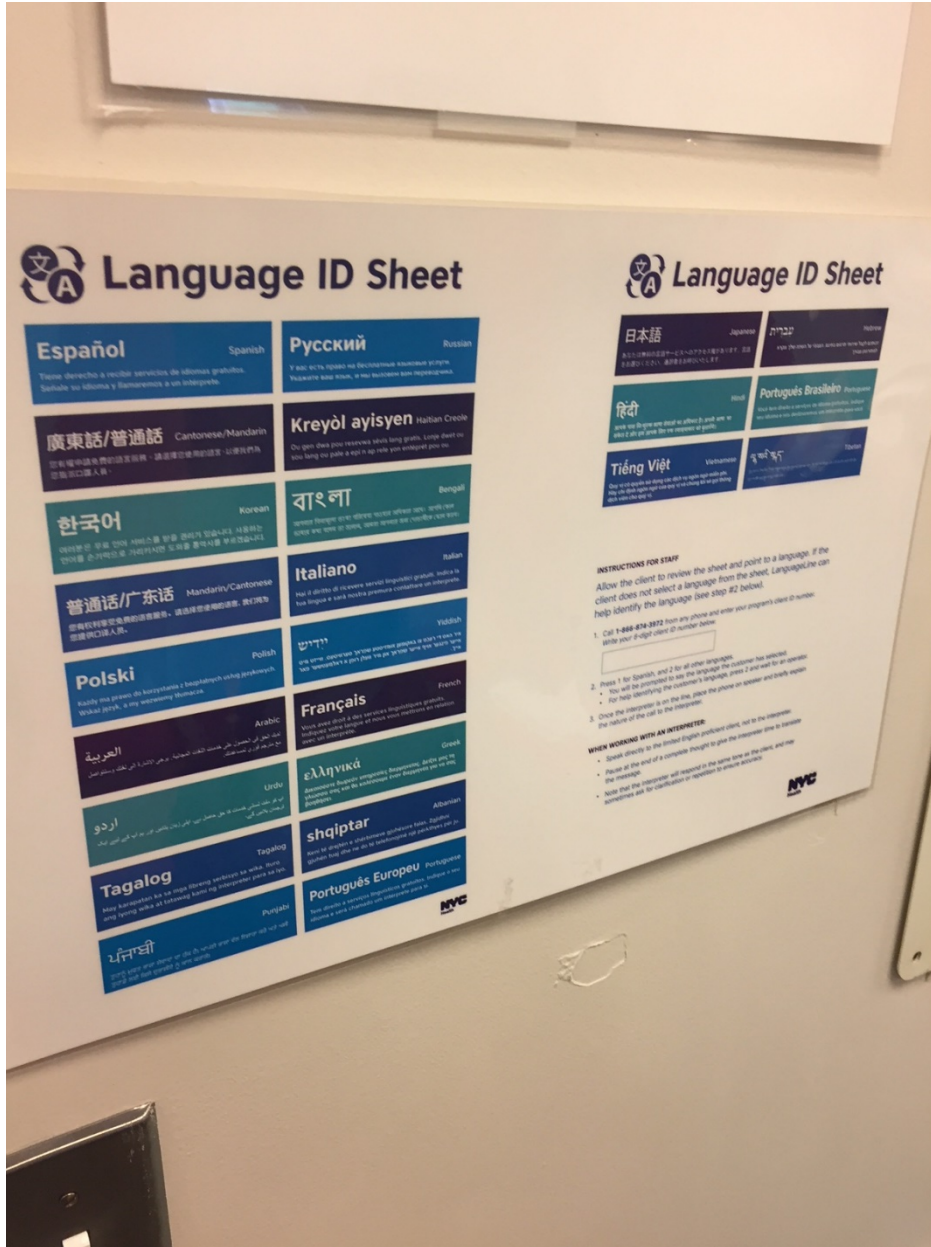
DOHMH PUBLICATIONS IN TOP 10 LEP LANGUAGES AND IN ENGLISH

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



SIGN TELLING CONSUMERS THAT THEY CAN RECEIVE FREE INTERPRETATION

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



LANGUAGE ID SHEET DISPLAYING LANGUAGES OFFERED TO BE TRANSLATED

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



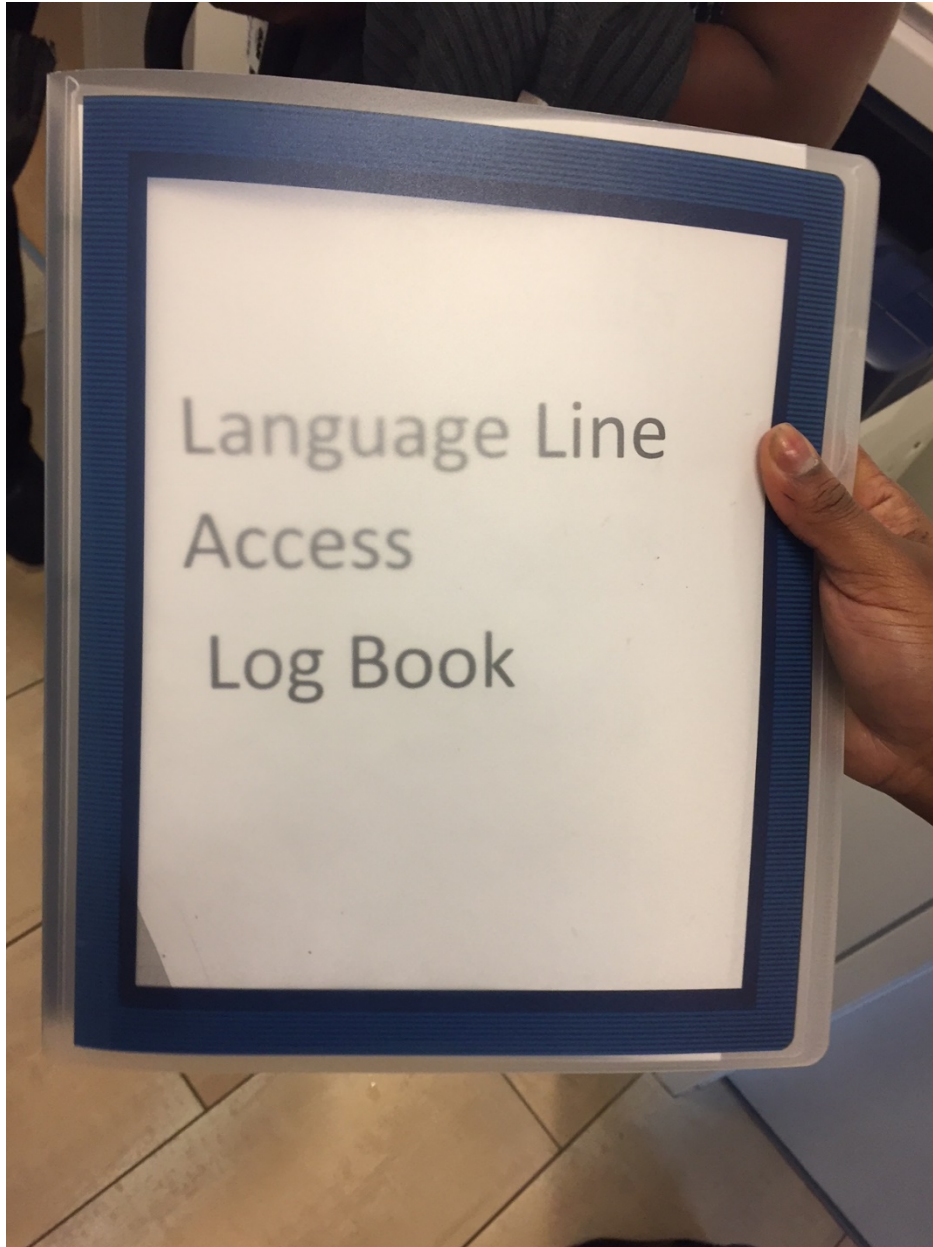
DOHMH “I-SPEAK” CARDS USED BY PATIENTS TO DESIGNATE WHICH LANGUAGE THEY SPEAK

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



SCREEN CAPABLE OF SHOWING THE OFFER OF FREE INTERPRETATION SERVICES

LOCAL LAW 30 COMPLIANCE --- OBSERVATION



LOG BOOK WHERE RECORDS OF ACCESS TO LANGUAGE LINE ARE KEPT

LOCAL LAW 30 COMPLIANCE-- OBSERVATION



NOTIFICATION OF THE AVAILABILITY OF FREE INTERPRETATION SERVICES



NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE
Oxiris Barbot, MD
Commissioner

Emiko Otsubo
Chief Operating
Officer/
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Commissioner
Gotham Center
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January 22, 2020

Marjorie Landa
Deputy Comptroller for Audit
Office of the New York City Comptroller
1 Centre Street, Room 1100
New York, NY 10007-2341

Re: Draft Report on the Compliance of the New York City Department of Health and Mental Hygiene with Local Law 30 Regarding Access to City Services for Residents with Limited English Proficiency SZ20-061A

Dear Deputy Comptroller Landa:

We have received and reviewed your draft report SZ20-061A.

Thank you for informing us that DOHMH generally complies with Local Law 30. DOHMH is committed to complying with Local Law 30 to ensure that it adequately meets the language needs of the communities we serve. We will ensure that our website is continuously updated and contains only the locations that are serviced by DOHMH.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emiko Otsubo', with a long horizontal flourish extending to the right.

Emiko Otsubo,
Chief Operating Officer

Cc:
Oxiris Barbot, MD
Maura Kennelly
Sara Packman
Commissioner of Health, Department of Health and Mental Hygiene
Associate Commissioner, Public Affairs, Office of External Affairs
Assistant Commissioner, Bureau of Audit Services