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GOVERNOR



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SECRETARY

State of Louisiana
Department of Health and Hospitals
Office of the Secretary

February 22, 2011

The Honorable Juan LaFonta
State Representative, District 95
6305 Elysian Fields Avenue, Suite 207-A
New Orleans, LA 70122

Ms. Missy Graves, Liaison
Latino Commission
P.O. Box 94004
Baton Rouge, LA 70804

Re: HCR No. 110 of the 2010 Regular Session

Dear Representative LaFonta and Ms. Graves:

House Concurrent Resolution No. 110 of the 2010 R.S. requires state agencies to report information to the Latino Commission regarding delivery of services to Spanish-speaking, limited English proficiency persons. Specifically, the resolution requires that state agencies answer the following two questions:

1. The number and proportion of limited English proficiency (LEP) persons whose primary language is Spanish whom the agency encountered in the previous year in the delivery of its services and the operation of its programs.
2. If the proportion of such persons is over five percent of the total number of persons served, what steps the agency has taken to prevent discrimination based on national origin as proscribed by the Civil Rights Act of 1964.

Below are answers to the questions from each of the Department of Health and Hospitals' (DHH) program offices and from Medicaid.

Medicaid

The total number of Medicaid applications received in calendar year 2010 was 375,414. Of that, 6,011 were from Spanish-speaking households. That represents 1.6 percent of the applications received.

The Medicaid enrollment for calendar year 2010 was 1,323,513. The average number of people enrolled in Medicaid in 2010 that selected Spanish as their preferred language was 17,008. This represents 1.29 percent of the Medicaid enrollment.

At no time during 2010 did the percentage of Medicaid enrollees choosing a language other than English, including those who selected Spanish, exceed 5 percent.

Office of Aging and Adult Services (OAAS)

Medicaid provided statistics on the eligibility files for all Medicaid recipients, so OAAS did not include data for its Medicaid funded services/waiver programs, including the Elderly and Disabled Adult waiver, the Adult Day Health Care waiver, and Long-Term Personal Care Services program.

For other OAAS programs/services, 15,000 calls were received through the Long Term Care Access Line. Twelve of those were from Spanish-speaking individuals, which is less than .1percent.

The Traumatic Head Injury/Spinal Cord Injury Program received one request from a Spanish-speaking individual. There were a total of 550 requests for services; that is .2 percent of total calls received.

Staff in the office of Adult Protective Services handled 2,232 requests, 17 of which were from persons whose primary language was Spanish. The percentage of requests from that population was .08 percent.

Office for Citizens with Developmental Disabilities (OCDD)

OCDD does not collect data on the number of persons whose primary language is Spanish. However, data is collected on participants' ethnic origin. There are two separate data bases used to obtain the following information.

The database for EarlySteps participants indicates that 9,070 individuals were served during the last fiscal year, with 317 Hispanics, or 3.5 percent, receiving services. EarlySteps provides services to families with infants and toddlers from birth to three years who have a medical condition likely to result in a developmental delay, or who have developmental delays. One of the services offered through EarlySteps is the provision of a language interpreter. Most OCDD regions report that this service has been utilized over the past year. Additionally, EarlySteps plans to have materials that are given to families translated into Spanish.

The database for all other OCDD programs indicates that 38,646 individuals were served and 85, or .22 percent of active participants, were listed as Hispanic/Latino. These OCDD programs include waiver services (New Opportunities Waiver, Children's Choice Waiver, Supports Waiver, and Residential Options Waiver); the Supported Living program (services intended to assist a person in living independently); Cash Subsidy program (monthly stipends to families of eligible children with severe developmental disabilities to help meet costs); Individual and Family Support program (provides assistance to families of the developmentally disabled); and state-operated Intermediate Care Facilities/Developmentally Disabled facilities (24-hour residential settings which provide treatment services and supports).

The following are some accommodations that have been made through the office this past year on behalf of the local governing entities.

Metropolitan Human Services District in the Greater New Orleans area has accommodated families through a staff member who is bilingual. They also have ordered informational brochures in Spanish.

Jefferson Parish Human Services Authority provides informational brochures that have been translated into Spanish and contracts with two community providers for translation services. Additionally, they have contracts with two Hispanic/Latino speaking psychologists to provide psychological services/assessments and positive behavioral supports.

Representative Juan LaFonta
Missy Graves
February 22, 2011
Page 3

Other regional offices have utilized state-funded family support money to fund interpreter/ translation services.

Office of Behavioral Health (OBH)

The Office of Behavioral Health provides mental health and substance abuse services.

In FY 2010, 60,483 persons received mental health treatment services from OBH . Of those individuals, 1,005 persons, or 2 percent, were of Latin heritage (including Mexican American, Puerto Rican, Cuban and Central and South American).

In that same year 28,848 persons received substance abuse treatment services. Of those individuals, 142 persons, or .5 percent, were of Latin heritage.

A breakdown of OBH Prevention Services provided to the Hispanic population is as follows:

- Direct Prevention Services: 72,095 total served; 2,036 were Hispanic, which is 2.82 percent
- Indirect Prevention Services: 194,798 individuals served, 5,613 of whom were Hispanic; the percentage of total number served is 2.88

Office of Public Health (OPH)

For calendar year 2010, OPH provided preventive health services to 306,710 clients, for a total of 719,292 visits. Of this total, 13,788 individuals, or 4.5 percent, were of Hispanic ethnicity.

The agency contracts with Language Line services for individuals who present with limited English proficiency to ensure competence of interpretation and access to services. Language Line reported that 2,231 calls were made from public health clinics for clients with limited English proficiency. Of those calls, 2,016 90 percent were related to Spanish-speaking individuals. There were a total of 23 languages used for this service in calendar year 2010. They included Spanish, Mandarin, French, Vietnamese, Arabic, Portuguese, Swahili, Cantonese, Korean, Hindi, Malayalam, Italian, Turkish, Japanese, Burmese, Russian, Haitian Creole, Indonesian, Fuzhou, Mien, Croatian, Urdu, and Tigrinya. Additionally, many publications distributed by OPH are printed in Spanish and can be obtained upon request.

Thank you for allowing us to present specific data and information to the Latino Commission regarding delivery of services to Spanish-speaking, limited English proficiency persons.

Sincerely,



Bruce D. Greenstein
Secretary

BDG:blg

Regular Session, 2010

HOUSE CONCURRENT RESOLUTION NO. 110

BY REPRESENTATIVE LAFONTA AND SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the executive head and chief administrative officer of each state department to annually compile and report information regarding the delivery of services to Spanish-speaking persons with limited English proficiency to the Latino Commission.

WHEREAS, the Civil Rights Act of 1964 prohibits discrimination against persons based on their national origin; and

WHEREAS, one form of discrimination based on national origin is a failure to treat persons with limited English proficiency (LEP) equally in the delivery of governmental services; and

WHEREAS, pursuant to the Civil Rights Act of 1964, on August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", which requires federal agencies and state agencies that receive federal funds to develop and implement systems to provide services so that LEP persons can have meaningful access to them; and

WHEREAS, though it is clear that every agency cannot be expected to provide every service in every possible language, the executive order requires agencies to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons, and it establishes a flexible and fact-dependent standard for assessing the need to provide language assistance in any particular case; and

WHEREAS, the factors which an agency must consider in assessing this need include the number or proportion of LEP persons eligible to be served or likely to be encountered by the program and the frequency with which LEP individuals come in contact with the program; and

WHEREAS, the number of Latinos in Louisiana has increased dramatically, particularly since Hurricane Katrina, and in 2009, the Legislature of Louisiana created an

entity which is charged with identifying obstacles to the effective delivery of governmental services to the Latino community; and

WHEREAS, it is appropriate that the Latino Commission should monitor the delivery of governmental services to LEP persons whose primary language is Spanish, and in order to do that the commission needs accurate information on the numbers of Spanish-speaking LEP persons the agencies are encountering.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the executive head and chief administrative officer of each state department to annually compile and report the following information regarding all agencies in his department, as provided in the Executive Reorganization Act, to the Latino Commission: the number and proportion of LEP persons whose primary language is Spanish whom the agency encountered in the previous year in the delivery of its services and the operation of its programs, and if the proportion of such persons is over five percent of the total number of persons served, what steps the agency has taken to prevent discrimination based on national origin as proscribed by the Civil Rights Act of 1964.

BE IT FURTHER RESOLVED that each such report shall cover a calendar year and the report on a calendar year shall be delivered to the commission by March first of the following year and that the first reports shall be delivered by March 1, 2011.

BE IT FURTHER RESOLVED that all state agencies, regardless of the transfer type by which they are placed in a department by the Executive Reorganization Act, shall cooperate in providing information to the executive head and chief administrative officer in the form and manner he determines.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the executive head and chief administrative officer of each department in the executive branch of Louisiana government and to the chairman of the Latino Commission.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE