



## Jewish Family & Children's Service of the Suncoast, Inc.

<b>SUBJECT:</b> Provision of services to the deaf and hard-of-hearing clients		<b>REFERENCE:</b> Client Rights & Access
<b>EFFECTIVE DATE:</b> December 19, 2013	<b>ISSUED BY:</b> President/CEO	<b>APPROVED BY:</b> BOARD December 19, 2013
<b>SUPERCEDES:</b> n/a	<b>REVISED:</b> n/a	<b>PAGE(S):</b> 4

## **POLICY**

The purpose of this policy is to establish guidelines for ensuring the provision of services to the deaf and hard-of-hearing clients. It is the policy of Jewish Family & Children's Service of the Suncoast, Inc. (JFCS) to comply with the deaf and hard-of-hearing requirements as defined in the master contract and meet requirements pursuant to Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and CFOP 60-10, Ch. 4, "Auxiliary Aids and Services for the Deaf or Hard-of-Hearing."

## **PROCEDURE**

- 1). When dealing with a client or companion who is Deaf or Hard-of-Hearing, JFCS shall comply with guidelines set forth in Section 504, ADA, and CFOP 60-10 Ch. 4 in regards to making support available to those in need of Auxiliary Aid/Service.
- 2). **Responsibilities of JFCS**  
All Deaf or Hard-of-Hearing clients/companions in need of Auxiliary Aids will be offered these Services at no additional cost as per Federal Law and contractual agreement. JFCS has assigned a Single-Point-of Contact (SPOC), who is essentially responsible for maintaining files that document the required information for the Deaf and Hard-of-Hearing. This person also maintains a list of the information that is reported on the Monthly Report that providers send to DCF.

### 3). **Duties of the Single Point of Contact for JFCS:**

Single Point-of-Contact duties will include but not be limited to:

- Ensuring that information regarding no-cost auxiliary aids available to clients/companions that are Deaf and Hard-of-Hearing is posted so that it is easily visible when entering the building. This includes the Interpreter services for the hearing-impaired poster, the DCF Non-discrimination poster, and the Limited English proficient poster.
- Conducting an assessment prior to services to determine the client or companion's preferred method of communication. SPOC (or designee) shall accomplish this by first completing the Customer Companion Communication Assessment Form and the Request for or Waiver of Free Communication Assistance Form. These items (when fully completed) will be kept on file in the SPOC's office. The client/companion will be provided with the preferred method of communication and auxiliary aid services needed.
- Provision of services in a timely manner. If the client/companion has a scheduled appointment, the preferred method of communication shall be available at the time of the appointment. If for any reason the preferred method of communication is unavailable, a reasonable substitute will be available as soon as possible, but no later than two hours after the scheduled appointment. SPOC (or designee) will ensure that the preferred method of communication is available within two hours (or no later than twenty-four (24) hours) of a non-scheduled appointment when client/companion is hearing impaired. If an auxiliary aid or service is found to be ineffective, SPOC (or designee) shall re-assess to determine an alternative form of communication that will be used in order to ensure the client/companion fully understands the information that is being provided. In no event will an auxiliary aid or service to a client or companion who is deaf or hard-of-hearing be denied. Denial determinations can only be made by the Regional Managing Director or Hospital Administrator (or designee) or the Contracted Client Services Provider Administrator (or designee).
- Ensuring certified interpreters (when requested) are available at time of scheduled appointments for Deaf and Hard-of-Hearing clients/companions. SPOC (or designee) shall obtain verification of the interpreter's certification, and shall keep it on file for future reference. A list of certified interpreters is maintained in the office of the SPOC.
- Ensuring qualified foreign language interpreters (when requested) are available at time of scheduled appointments for Deaf and Hard-of-Hearing clients/companions. SPOC (or designee) shall obtain verification of the interpreter's certification, and shall keep it on file for future reference. A list of foreign language interpreters is maintained in the office of the SPOC.
- Maintain information on Pocket Talkers and Personal Listening Devices in the office of the SPOC.

- Ensuring that individuals are aware of and know how to use the Federal Video Remote Interpreting (VRI) and Video Relay Interpreting (also known as the Federal Video Relay service, or VRS) services. The Video Remote Interpreting software can be downloaded at [https://www.fedvrs.us/supports/what\\_is\\_vri](https://www.fedvrs.us/supports/what_is_vri), the phone number is (877) 689-7775, the service is available Monday through Friday from 7:00 am to 11:00pm EST, and English-to-Spanish Translation is available with 24 hours notice. The Video Relay Interpreting software can be downloaded at [www.fedvrs.us](http://www.fedvrs.us) and the service is also available in Spanish. JFCS does not currently have access to the equipment needed for Video Remote/Relay Interpreting, but can accept phone calls from those individuals who use these items to communicate.
  - Ensuring that individuals are aware of and know how to use the Captioning in Real Time (CART) Services. CART providers can be found online at <http://ps1.ncra.org/index.asp>. A list of CART providers in Florida is maintained in the office of the SPOC.
  - Maintain the monthly report log of providers submissions to the DCF website by the 5th of each month.
  - Ensuring that individuals are aware of and know how to use the Florida Relay Service. To call the Florida Relay, dial 7-1-1, or use the following toll free numbers:  
 1-800-955-8771 (TTY)  
 1-800-955-8770 (Voice)  
 1-800-955-3771 (ASCII)  
 1-877-955-8260 (VCO-Direct)  
 1-800-955-5334 (STS)  
 1-877-955-8773 (Spanish)  
 1-877-955-8707 (French Creole) JFCS does not have access to TDD/TTY equipment, but can accept phone calls from individuals who use these items to communicate.
- 4). Employees of JFCS are initially trained on the requirements for the deaf and hard-of-hearing in their Orientation when they are hired, but no later than 60 days from the commencement of employment. Refresher training on how to provide assistance to persons who are deaf or hard-of-hearing, persons with disabilities, and those who are limited English proficient is conducted on an annual basis for all employees.
  - 5). If an employee of JFCS is assisting a deaf or hard-of-hearing client/companion and is unfamiliar with an auxiliary aid or service requested, the employee may contact the SPOC (or designee), or if the SPOC (or designee) is unavailable, the employee can go to the website or phone number referenced above.
  - 6). JFCS's office hours are from 8:00am to 5:00pm EST Monday, Tuesday and Friday, and 8:00am to 8:00pm EST Wednesday and Thursday; there is no 24-hour site available. If a client or companion needs assistance after-hours, the person assigned to answer the phone at that time will follow the policy and procedure listed above in order to assist the individual.

- 7). If JFCS holds a public meeting, conference, or seminar, an addendum to the documents advertising the events will be added, stating: "Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least 48 hours before the meeting by contacting the SPOC at (941) 366-2224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (800) 955-8770 (Voice)."
- 8). A copy of this Policy and Procedure will be posted on JFCS's website to be made available to the public for informational purposes for both individuals and organizations. Printed documents (including this Policy and Procedure) may be made available in alternate formats upon request to assist in ensuring effective communication, and will depend upon the client or companion's preferred method. Staff may be required to translate written documents in Braille, taped recordings, or large print.
- 9). **Grievance Procedure** - The Rights of clients of Jewish Family and Children's Service are delineated in the brochure "Know Your Rights – Client Rights and Responsibilities" booklet which is given to every client upon admission to a program at initiation of services (see attached).

If a client who is deaf or hard of hearing feels that a Right has been violated as per agency procedures, the client may file a grievance (i.e. a formal statement of complaint) using the steps in accordance with what is stated in the above mentioned booklet. **The right to file a grievance is protected under the OSHA Statutes pertaining to the Whistleblowers Protection Program at 800-321-OSHA (6742).**

- The booklet entitled "Know your Rights" is made available to each client at initiation of services and the assigned staff will review the entire booklet with the client at the first session to be sure that the client understands his/her rights and responsibilities as a client of Jewish Family & Children's Service.
- Each client signs for the booklet (see attached admission form), agreeing that they have received it and understand the entire contents including informed consent and the client grievance procedure.
- If a client has a complaint, he/she may file a grievance with the CEO or one of the other Executive staff
- The Executive staff person will initiate a written record of the grievance.
- The Agency has one week to review and make a determination as to the validity of the grievance and if necessary, what action will be taken.
- The determination of the finding will be communicated in writing to the client within one week from the filing of the complaint (see attached Complaint Form)..

- The grievance record will be kept separate from the clinical record and will be logged and tracked within the Grievance System for review at a later date along with other such grievances.
- If the client is not satisfied with the grievance resolution provided by the Executive staff member, an appeal may be made within 30 days to the President/CEO.
- The President/CEO will respond in writing within two weeks of receipt of the appeal.
- The client/family is protected from any type of retaliation by the OSHA Statutes pertaining to the Whistleblowers Protection Program at 800-321-OSHA (6742).
- The Executive Committee will review all grievances filed on an annual basis in order to analyze trends, identify opportunities for improvement and take corrective action if necessary.
- The Board of Directors will receive a summary file of formal grievances on an annual basis from the Executive Committee with corrective actions taken as appropriate. The Board may then convene a committee to review any unresolved issues, address potential liability and take further action as necessary.