**Auxiliary Aids and Services for the Deaf or Hard of Hearing**

**Requirement:**
- Contract
- CFOP 60-10

**Frequency:**
- Annual Monitoring

**Due Date:**
- N/A

The Department of Children and Families has entered into a settlement agreement with the U.S. Department of Health and Human Services which is designed to bring DCF into compliance with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act in its provision of healthcare and social services to persons who are deaf or hard of hearing. This Incorporated Document applies to all Network Service Providers under contract with the Managing Entity who employ fifteen (15) or more employees and who provide direct client services.

The CFOP 60-10 describes the process for ensuring that individuals who are deaf or hard of hearing are afforded the same opportunity in employment, and afforded the same opportunity to receive services, as other persons. This operating procedure also sets the terms and conditions for sign language interpreter services as required by federal law and regulations; and provides guidance and assistance regarding the scope and nature of sign language interpreter services. Persons who are deaf or hard or hearing shall receive reasonable accommodations in accessing services through the use of auxiliary aids and/or qualified interpreters at no cost to themselves.

As a recipient of Federal financial assistance, the DCF is subject to Section 504 of the Rehabilitation Act of 1973, 29 USC 794, as implemented by 45 CFR Part 84 (referred to as Section 504) and Title II of the Americans with Disabilities Act of 1990, 42 USC 12131 as implemented by 28 CFR Part 35 (referred to as ADA or Title II). DCF has experienced three discrimination complaints related to the DCF’s failure to adequately accommodate, as required by Section 504 and the ADA, the deaf or hear-of-hearing clients and, where necessary, their companions. In order to resolve these matters expeditiously and without further burden or expense of government investigation or litigation, DCF has agreed to the terms of Settlement Agreement with OCR. DCF has affirmed its assurance of its intention to comply with all provision of Section 504, Title II, and any regulations promulgated under those authorities. The Settlement Agreement requires DCF to take measures designed to ensure that it will provide auxiliary aids and services when necessary to ensure effective communication with deaf or hard of hearing customers to companions.

**The Network Service Provider and its applicable subcontractors shall:**

(2) Within thirty (30) days of the effective date of this requirement, contractually require that its subcontractors comply with section 504 and the ADA. A Single-Point-of-Contact shall be required for each subcontractor that employs fifteen (15) or more employees. This Single-point-of-Contact will ensure effective communication with deaf or hard of hearing customers or companions in accordance with Section 54 and the ADA and coordinate activities and reports with the Network Service Provider’s Single-Point-of-Contact. The name and contact information for the Network Service Provider’s Single-Point-of-Contact shall be furnished to the Managing Entity within 14 calendar days of the effective date of this requirement.

(3) The Single-Point-of-Contact shall ensure that employees are aware of the requirements, roles & responsibilities, and contact points associated compliance with Section 504 and the ADA. Further, employees of Network Service Providers and its subcontractors with fifteen (15) or more employees shall attest in writing that they are familiar with the requirements of Section 504 and the ADA. This attestation shall be maintained in the employee’s personnel file.

(4) The Network Service Provider’s Single-Point-of-Contact will ensure that conspicuous Notices which provide information about the availability of appropriate auxiliary aids and services at no-cost to the deaf or hard-of-hearing customers or companions are posted near where people enter or are admitted within the agent locations. The Department’s Non-discrimination Policy, Limited English Proficient and Interpreter Services for the deaf or hard of hearing posters will be displayed in buildings’ main entrances, lobby areas, waiting areas, and on bulletin boards and Network Service Provider websites, if applicable. The name, telephone number, and TDD number for the 504/ADA Coordinator or Civil Rights Officer will be listed on the poster for the deaf or hard of hearing to ensure accessible services to customers and companions.

(5) Descriptive information on the availability of auxiliary aids and services to persons requiring assistive listening devices or aids will be included in announcements related to meetings, employment or job opportunities, seminars, workshops, and conferences, as well as to services offered by the Department and its Contracted Client Services Providers. The approved Notice can be downloaded through the Internet at:

http://www.dcf.state.fl.us/admin/jg/civilrights.shtml

(6) Document the customer’s or companion’s preferred method of communication and any requested auxiliary aids/services provided in the customer’s record. Documentation, with supporting justification, must also be made if any request was not honored. The Network Service Provider shall submit Compliance Reports monthly, not later than the 5th day of each month to the Department’s ADA coordinator and no later than the 10th day of each month to the Managing Entity, in the manner provided by the Managing Entity. The Network Service Provider shall distribute Customer Feedback forms to customers or companions, and provide assistance in completing the forms as requested by the customer or companion.
(7) If customers or companions are referred to other agencies, the Network Service Provider must ensure that the receiving agency is notified of the customer’s or companion’s preferred method of communication and any auxiliary aids/service needs. The ADA coordinators are as follows:

<table>
<thead>
<tr>
<th>Region</th>
<th>ADA Coordinator</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Headquarters</td>
<td>Pamela Thornton</td>
<td>(850) 487-1904</td>
</tr>
<tr>
<td>Northwest</td>
<td>Juan Cox</td>
<td>(850) 717-4565</td>
</tr>
<tr>
<td>Northeast</td>
<td>Richard Valentine</td>
<td>(904) 723-2097</td>
</tr>
<tr>
<td>Central</td>
<td>Richard Dicks</td>
<td>(407) 317-7552</td>
</tr>
<tr>
<td>SunCoast</td>
<td>Sharon Pimley Fong</td>
<td>(813) 558-5656</td>
</tr>
<tr>
<td>Southeast</td>
<td>Caroline Johnson</td>
<td>(561) 837-5538</td>
</tr>
<tr>
<td>Southern</td>
<td>Aldrin Sanders, Acting</td>
<td>(850) 717-4566</td>
</tr>
</tbody>
</table>

(8) Ensure that all direct service employees and SPOCs complete the on-line course, “Serving our Customers who are Deaf or Hard of Hearing” annually. This four module training includes three courses for direct service staff and one for SPOCs. Documentation of completing of the online training must be maintained in the employee’s file. The online training may be accessed here:


Compliance Monitoring

Monitoring will be conducted to assess the Network Service Providers and their subcontractors’ compliance with providing services to persons with disabilities and who are limited English Proficient. Monitoring may be conducted onsite or through desk reviews.

References:

CFOP-60-10  http://www.dcf.state.fl.us/admin/publications/policies/060-10c4.pdf

http://www.dcf.state.fl.us/admin/servicedelivery/docs/DCFStatewideAuxiliaryAidsandServicesPlan.pdf

