

WEBINAR PRESENTATION JUNE 21ST, 22ND, 23RD, 24TH

QUESTIONS AND ANSWERS

1. **If you cannot get an Interpreter in 2 hours, can you use the written form of communication, note such in the chart and assure that there is an interpreter for the next scheduled appointment.**

Answer: Yes. However, you must ensure effective communication is taking place.

2. **What constitutes an emergency?**

Answer: An emergency is going to be determined by program protocol.

3. **Will you please elaborate on what a Non-Aid Essential Communication Situation is? Is this box checked when an individual waives free interpreter services?**

Answer: A non-aid essential communication situation is one in which the requested auxiliary aid can be an alternate means of communicating effectively. This box is checked only when it is a non-aid essential communication situation, not just when an individual waives free interpreter services.

4. **So you can have an employee who signs? Yes**

This person has to be certified also? No, this person has to be qualified by FRIED

5. **When a client brings a relative to interpret, does that individual have to be certified?**

Answer: The relative does not have to be certified. Staff is to inform the customer of their right to have a certified interpreter present.

6. **Will you provide an example of when an individual would be denied Aux. Aids?**

Answer: If the customer brings an interpreter that is charging an amount much higher than an interpreter contracted by DCF or Contracted Client Services Providers. Example \$150.00 an hour vs. \$60.00 an hour.

7. **The denial of auxiliary aids has nothing to do with the customer declining free auxiliary aids?**

Answer: That is correct, it does not.

8. **In Section 1, when a customer declines services is the Aid-Essential Communication Situation or the Non-Aid Essential Communication Situation box checked? Not clear on when to check which box.**

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Answer: This box is checked once it is determined if the situation is aid-essential or non-aid essential.

9. In light of what got us here, Interpreters can be expensive as the Amplified hearing devices depending on how many you need. This was not placed in our original budgets. Are there any avenues for financial assistance to help purchase or provide these services if needed

Answer: You should consult with your contract manager.

10. If the customer is a child, can the parent interpret for the child?

Answer: Yes, but staff should have a certified interpreter present to ensure the communication is accurate and correct as being translated.

11. If the customer declines and says they don't want someone, or will use their own person, aren't we violating what they want if we provide one anyway?

Answer: No. The Department is still obligated to ensure effective communication is effective.

12. In the Client Relations Office our appointments are not scheduled, individuals walk-in for assistance. If they have someone with them to interpret and decline free services, are we still required to bring in an interpreter to observe the communication? The majority of the time individuals do not want to have to return to our offices.

Answer: You are required to ensure effective communication is taken place and if it is an aid-essential or non-aid essential situation.

13. A lot of our interpreter services are used via conference calling on our cells. How would we get the interpreter to sign this form or is this just for those meeting us in the field? What if there are no witnesses, just the CPI and the customer? What if witness refused to sign?

Answer: The form is for in-person communication. The CPI can be a witness.

14. If the client requests another type of communication assistance for example a CART, who do we call?

Answer: You will contact your ADA/504 Coordinator (Regional Civil Rights Officer) or your Single Point of Contact.

15. Every time a deaf or hard of hearing client comes in, we have to do a communication assessment and auxiliary aid and service record? We will mark subsequent appt and fill it out if nothing has changed from before?

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Answer: You have to complete the form each time an interpreter is used to document the service date. Yes, you will mark subsequent appointment.

16. What if your agency may not have the finances to cover the costs for interpreters and or Auxiliary Aid devices since this was not included in the original contract negotiations. Is there assistance through DCF for the agencies?

Answer: You should consult with your contract manager.

17. I understand we need to submit the Monthly Summary Report, however if no services are used do we still attach the other forms?

Answer: If there were no services provided there is no need to attach additional forms.

18. We were informed a Case No. and Subsection were N/A for contracted providers.

Answer: You are required to prove a case number or other identifier, excluding social security number and date of birth.

19. What is the definition of a certified Interpreter?

Answer: The term "Certified Interpreter" shall mean a qualified interpreter who is certified by the National Registry of Interpreters for the Deaf or other national or state interpreter assessment and certification program.

20. For programs that see individuals on a daily basis or weekly basis this form will be required to be completed each time?

Answer: You will complete a communication plan for on-going services.

21. Each service visit one of these has to be filled out is that by the aide who is doing homemaking services?

Answer: The form/s is completed by the designated staff providing direct care.

22. What if the customer or companion waives the interpreter, does one need to be in attendance?

Answer: We need to ensure effective communication is occurring.

23. Please define what you consider "qualified staff"

Answer: This is DCF Personnel who are qualified to interpret for DCF in accordance with Section B.15 of the Settlement Agreement.

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24. Who determines the classifications in the 3rd tier box (deaf, hard of hearing, etc)?

Answer: The Customer or Companion and the person completing the form.

25. If the client we service does not have any of these problems do we have to do this form?

Answer: This form should be completed only for those customers who are deaf or hard-of-hearing.

26. What do you check if the interpreter did not meet expectations of the client or staff?

Answer: You will leave the box in Section 2 blank. You will document in Section 3, the reason/s communication was not effective and what steps were taken to ensure effective communication.

27. In section 1, what specifically should be documented in the "health status" field if the client does not have medical devices?

Answer: Determine if the customer or companion has any medical devices or health issues that would interfere when providing an auxiliary aid. For example, you may not offer an Assistive Listening Device to a person wearing a pacemaker. If there are no health issues, then mark the box "NA".

28. I heard two hours and within the next business day for requiring an interpreter for scheduled appointments. Please clarify.

Answer: If it is a scheduled appointment, you must have a certified interpreter at the time of the scheduled appointment. If the interpreter is a no show, staff must take whatever necessary steps to make a certified interpreter available as soon as possible, but in no case later than two hours after the scheduled appointment.

29. What happens when the agency you refer a customer to (example: Child Support Enforcement or Workforce) does not provide auxiliary aid/communication services? We have experienced this in the past. Are we responsible to provide and pay for that service?

Answer: Contact your Civil Rights Officer for assistance.

30. If a person is placed in our group home but followed by another agency, who is responsible for providing the aid essential communication?

Answer: The group home is responsible for ensuring effective communication.

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~~31. In the past, a communication plan was not necessary for OP groups, where 12-15 clients are attending 2-3 times per week. Is a communication plan necessary for this situation?~~

~~Answer:~~

32. What about clients who lack capacity? Should staff fill in and submit all of these forms?

Answer: In these situations, a Guardian is normally appointed.

33. Referral Agency Notification - is this only if we refer to another agency, or do we document if we got the information when client referred to our agency?

Answer: This section is completed when a referral is being made to other agencies or providers.

~~34. If we have multiple persons responsible such as nurses, can we identify Nursing Staff?~~

~~Answer:~~

35. When do these forms become effective for implementation?

Answer: These forms will be implemented July 1, 2011.

~~36. Seems as though the third box is a little confusing. "If I change my mind, I will tell you if I need assistance for my next visit". Almost sounds like we do not have to complete the aux aid again if they refused aid this visit, sounds like they will tell us next visit if they need assistance?~~

~~Answer:~~

37. Do we need to utilize the forms if our staff is fluent in sign language?

Answer: Yes.

38. Can we scan and email the Customer Feedback form to submit?

Answer: No.

39. Do we need to give them a postage paid envelope?

Answer: No.

40. Are there plans to provide the companion feedback form in Spanish or Creole in addition to English?

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Answer: The form has been translated in Spanish and Creole and will be posted on the intranet and internet websites.

41. The log is new and was not discussed during our Office of Civil Rights audit. Can you provide, in writing, a detailed explanation of this new requirement?

Answer: The log is used to document all contact with the customer who is deaf or hard-of-hearing. This will keep the treatment facilities from having to complete an assessment form during each contact, because they have a communication plan.

42. Will you send out a hard copy of your presentation?

Answer: This webinar, along with all the forms discussed during this training, will be posted on both the DCF intranet and internet web address on or before June 30th, 2011.
<http://eww/ Aspe/CivilRights.shtml> DCF internet web address
<http://www.dcf.state.fl.us/admin/servicedelivery/index.shtml>

43. To be sure I heard you correctly, this form must be filled out on each session with a client only if they are deaf or hard of hearing, but on first session only if NOT deaf or hard of hearing?

Answer: For the purpose of the Settlement Agreement, only services provided to those individuals who deaf or hard-of-hearing should be documented using these forms.

44. If a customer states that you can speak loudly is this considered an alternative? Answer: No. The customer must be offered an Assistive Listening Device.

Also if a client is in the hospital and they provide an interpreter for the customer where is this information documented?

Answer: No. The customer is under the facility's care.

45. Our agency is not a mental health facility or hospital - we are a community based non-profit domestic violence and sexual assault provider. Does that mean that we are exempt from the "communication plan for on-going services"

Answer: No you are not exempt from completing the communication plan for on-going services.

46. If you refer the client to a service provider and give proper notice of the auxiliary aid needed, is it the providers responsibility to follow up with the aid needed or the initial agency that referred the client for the service.

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Answer: Both agencies may be required to provide services under this scenario.

47. Our agency provides referrals for services. Example: we would refer the client to various agencies for parenting, DV, etc.

Answer: The agency you are referring to should provide the auxiliary aid.

48. Sorry I don't understand.....so can friends and family (as long as 18yrs or older) be used as interpreters if the customer wants to use them or are they not allowed at all as interpreters.

Answer: The customer can choose who they wish to use as an interpreter, however, we must ensure effective communication is occurring.

49. Do we have to complete this form for "all" clients seeking our services or only those who state that they have a hearing problem.

Answer: For the purpose of the Settlement Agreement, only services provided to those individuals who deaf or hard-of-hearing should be documented using these forms.

50. If a client is wearing a hearing aid and states that they do not need a translator/interpreter do they need to complete the waiver.

Answer: Yes, they will need to complete the waiver form.

51. Can you elaborate on non aid essential communication situation?

Answer: Examples of Non-aid essential communication situation: Providing brochures, filling out admission forms, pointing to signs.

52. Are you saying that it is acceptable to use a "qualified staff" as an interpreter, even if not certified?

Answer: Qualified DCF Personnel may be used to communicate in limited situations involving relatively simple face-to-face conversations with minimal interactive communication, such as when providing written brochures, filling out admission forms, directing Customers or Companions to a particular area of the facility, or other general information; or while waiting for the certified interpreter to arrive.

53. Give example of a referral agency notification”.

Answer: Referring the customer to services not provided by your program or

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agency; i.e. public assistance benefits, physical exams, etc.
<p>54. Will there be a standard form for a contact log or will incorporating it in multi-disciplinary notes suffice?</p> <p>Answer: You will develop your own contact log, to include the requested information. If you wish to incorporate it on an existing form you are using, that will be sufficient.</p>
<p>55. If the client absolutely refuses?</p> <p>Answer: The client can refuse, but we must secure an interpreter or other auxiliary aids to ensure effective communication is occurring.</p>
<p>56. If the customer claims it is a violation of privacy and cites HIPPA, are we legally allowed to have an outside certified interpreter hearing their health care information?</p> <p>Answer: Contracted interpreters are bound by HIPAA laws.</p>
<p>57. Will there be a list of certified interpreters by regions?</p> <p>Answer: The Statewide Auxiliary Aids plan or your Region's Auxiliary Aids Plan is on the internet and Intranet web sites.</p>
<p>58. Will we continue to use the "customer or companion waiver for free interpreter services" (CFOP 02/2010) or is the use of this form discontinued?</p> <p>Answer: You will utilize the forms we discussed in this presentation.</p>
<p>59. What do you mean by the agency needing to have 15 or more employees?</p> <p>Answer: DCF Contract Agencies that employ and/or subcontract with fifteen (15) or more people and have entered into a contractual agreement with DCF to provide health and human services directly to the public, are required to comply with the terms of the Settlement Agreement.</p>
<p>60. Are we allowed to reschedule the customer until we get an interpreter?</p> <p>Answer: You are required to have an interpreter present during a scheduled appointment. During non-scheduled appointments or walk-ins, you must provide an interpreter within 2 hours of the request. If is not an emergency situation, you can reschedule until the next business day to have an interpreter present.</p>
<p>61. We can reschedule for an emergency but must get someone there in 2 hours for a walk in?</p>

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Answer: If is not an emergency situation, you can reschedule until the next business day to have an interpreter present.

62. Communication plans would be appropriate for all state mental health treatment facilities, civil and forensic, correct?

Answer: That is correct.

63. Do we need to submit a report every month even if we do not serve deaf or hard of hearing clients?

Answer: Yes, you will submit the monthly summary report, but do not have to submit the other forms.

64. As a crisis hotline providing telephone services (no walk-ins) and receiving incoming calls through 7-1-1 which if any of these reports is applicable to us?

Answer: These reports are not applicable to your program.

~~**65. For a non-scheduled appointment, the time frame is extremely vague. Within 2 hours to the next business day is a range of 22 hours. The client wouldn't be here anymore! What if it is a Friday? Would this be required for the next business day, which would be Monday?**~~

Answer:

66. Please define "emergency."

Answer: What constitutes an emergency is going to be determined by program protocol.

67. Why do you need to document subsequent appointment if you use an ongoing communication plan? Does this not suffice for having to redo this form with every visit?

Answer: A communication plan is developed for on-going services. A subsequent appointment may be a follow-up visit that does not require on-going services. For example: medical, dental, educational test results, dropping off additional paperwork.

68. If you know you are going to have subsequent visits would you not do a communication plan versus having to do a new form?

Answer: See response above. All subsequent visits are not for on-going services.

69. How are we going to ascertain/determine the effectiveness of a certified interpreter?

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Answer: The customer or companion will determine the effectiveness of a certified interpreter.

70. The new form does not have a space to write the communication plan. Where should this be detailed? On a separate sheet of paper?

Answer: Yes

~~71. Is all this applicable to a customer whose care IS NOT paid for in whole or in part by the State of Florida?~~

Answer:

72. If they are using the companion, do we need to verify that they are qualified?

Answer: Even if the customer insists on using their family member or friend as their interpreter, the Department is still required to provide “effective communication.” To ensure that the customer receives accurate information, we must provide a certified interpreter to observe the interpretation of the family member, friend or advocate.

73. Must we then call an interpreter for each initial assessment? It is then required that an interpreter sign the wavier/request form? What if they don't want or need one?

Answer: You must provide the appropriate auxiliary aid (the customer's preference takes priority) in all aid essential communication situations.

74. If there were no contacts for the month, do we still attach the Customer or companion?

Answer: If no contacts for the month (all zeros), you will not have to submit any additional forms.

75. When we are doing the assessment, we don't know what they want or need. There is a line for the interpreter's signature. Does an interpreter have to be present and sign in every case?

Nurse: If no interpreter was used, then you can strike through or omit that line.

76. So, customer preference takes priority except to have a family member or friend serve as their companion/interpreter?

Answer: Even if the customer insists on using their family member or friend as their interpreter, the Department is still required to provide “effective communication.” To ensure that the customer receives accurate information, we must provide a certified

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interpreter to observe the interpretation of the family member, friend or advocate. Also, anyone interpreting must be at least 18 years of age.

77. If you cannot get an Interpreter in 2 hours can you use the written form of communication, note such in the chart and assure that there is an interpreter for the next scheduled appointment?

Answer:

- If it is a scheduled appointment, remember, you must have a certified interpreter at the time of the scheduled appointment. If the interpreter fails to appear, staff shall take whatever additional actions are necessary to make a certified interpreter available to the Customer or Companion as soon as possible, but in no case later than two (2) hours after the scheduled appointment.
- If it is a non-scheduled appointment or non-emergency situation, you must provide a certified interpreter within two hours of the request, or at least by the next business day. In emergency situations an interpreter shall be made available as soon as possible, but in no case later than two (2) hours from the time the Customer or Companion requests an interpreter, whichever is earlier.
- You may use alternative forms of communication while waiting for the interpreter to arrive.

78. When we receive incoming Relay Calls do we complete this form? This would not be a service we provided, but one that the client is using to reach us.

Answer: You would only document the call if staff initiates the call using the Relay Service.

79. Does the communication plan apply to representative payee services where only financial payments are made on behalf of the client? Monthly site visit to our office is required to confirm residency of the client.

Answer: Yes, a communication plan will need to be developed if the customer/client is involved.

80. So even if the client chooses wave having an interpreter we are still required to have one present?

Answer: Yes, if the customer signs, to ensure that information being shared is communicated as stated and communication is effective.

81. If a client's hearing loss is compensated via hearing aids and has waived having an interpreter are we still required to have one present at aid-essential determined appointments?

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Answer: If the client is not deaf and does not sign, but has hearing loss, it is not necessary to have an interpreter present. However, the pocket-talker which is being implemented statewide should be offered to the customer/client as an auxiliary aid.

82. Does the Department not want us to transmit information on those customers that require verbal language interpretations?

Answer: For purposes of the Settlement Agreement, you are only required to document services for the deaf or hard-of-hearing, exception would be if the individual is both deaf or hard-of-hearing and limited English Proficient. Please see Header Box on form.

83. Who should be signing as staff person completing form?

Answer: The person who conducted the assessment should be signing the form.

84. The first contact with customer may be front desk clerical. Should they give customer feedback from? Or should form be given to customer at end of interview while service agency is present to provide them with assistance in completing the form?

Answer: The preferred method would be to give the customer the form after the auxiliary aid or service has been provided. Remember to give assistance in completing the form if necessary.

~~**85. Are services required to be paid for by the referring agency for example when a client is referred to AA or NA services?**~~

Answer:

86. What if this interaction is over the phone and TDD is being used? Do we still need to fill out form?

Answer: You would only document the call if staff initiates the call using the Relay Service.

87. Customer preference always takes priority. So if they want their Aunt Betty to provide sign language interpretation that is ok even if Aunt Betty is not certified?

Answer: To ensure that information being shared is communicated as stated and communication is effective, staff should have an interpreter present during aid essential situations.

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88. Are you saying that if we are providing a service over the phone we would need to document that contact or are you saying that we would need to document it if we have any contact?

Answer: You would only document the call if staff initiates the call using the Relay Service.

89. We've been asked to provide both a Mental Health/Substance Abuse Monthly Summary as well as a Family Support Services Monthly Summary. Should I list the Family Support Services under the program option and list the department?

Answer: Yes, as well as the contract number.

90. Does contract Designee have to sign Denial also?

Answer: If the Contracted Client Services Provider Administrator has designated and authorize a designee to deny a requested Auxiliary Aid, yes that individual will be required to sign the denial.

91. So it is due on the 5th business day or by the 10th day of the month?

Answer: Contracted Client Services Providers Single-Points-of-Contact reports are due to the Contract Manager by the 5th business day of each month, or as agreed upon between the Contract Manager and provider.

92. Are our employees to give out the Customers/Companions Feedback Forms at the time of initial contact with the customers/companions?

Answer: The preferred method would be to give the customer the form after the auxiliary aid or service has been provided. Remember to give assistance in completing the form if necessary.

93. Is it an initial or reassessment if a different worker was to see the same customer/companion at a different time and they were already assessed by a previous worker?

Answer: It would be a subsequent appointment, unless the method of communication changes.

94. I work with FCADV and how do my centers know which circuit they are in?

Answer: Your contract manager should be able to assist you with this information.

95. Are communication plans documented on the Assessment and Auxiliary

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Aid and Service Record form or on a separate form?

Answer: You will indicate on the Assessment and Auxiliary Aid and Service Record that a communication plan has been developed. But the Plan itself is separate from the auxiliary aid and service record

96. Are these interpreter services provided at no cost to the provider, what if these services are not budgeted?

Nurse: Interpreter services are provided at no cost to the customer or companion.

**97. Can you give examples of what might go in the following section:
"Individual Health Status for those Seeking Health Services"?**

Answer: If you offer the client an Assistive Listening Device such as a pocket-talker to increase hearing and the client is wearing a pace maker, this may not be an appropriate auxiliary aid.

98. So would I then write in this section "Customer has pacemaker"?

Answer: Yes, that is appropriate.