



Auxiliary Aids and Services Monitoring Plan

2018

This plan delineates how Southeast Florida Behavioral Health Network reviews and monitors their Subcontractors/Providers operational performance and compliance with providing appropriate auxiliary aids and services to consumers and companions who are deaf or hard-of-hearing.

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I. Introduction

Southeast Florida Behavioral Health Network Policy:

It is the policy of Southeast Florida Behavioral Health Network (SEFBHN) to ensure that persons who are deaf or hard-of-hearing are afforded equal opportunity in employment and in receiving services as stipulated by Section 504 of the Rehabilitation Act of 1973 (hereinafter referred to as 'Section 504') and the Americans with Disabilities Act (ADA), as well as Department of Children and Families Operating Policy (DCF CFOP) 60-10, Chapters 1, 3 & 4.

Purpose:

The purpose of this plan is to ensure that effective communication with deaf or hard-of-hearing persons or companions is taking place at the SEFBHN Subcontractor level. This plan describes how SEFBHN reviews and monitors their Subcontractor/Provider network's operational performance in providing appropriate auxiliary aids and compliance with:

1. Title II of the Americans with Disabilities Act (ADA);
2. Section 504 of the Rehabilitation Act of 1993;
3. Section M of the Settlement Agreement between the Department of Children and Families (DCF) and the United States Department of Health and Human Services (HHS) on January 26, 2010;
4. DCF Operating Procedures

Goals and Objectives:

The goals and objectives reflected herein are designed to identify, describe and ensure effective methods to monitor compliance and offer technical assistance as needed to subcontractors within the SEFBHN system of care network to ensure adequate provision of auxiliary aids and services to persons and companions who are deaf or hard-of-hearing.

Areas of Responsibility:

The SEFBHN Single Point of Contact (SPOC) is responsible for the development, implementation, revision and oversight of this monitoring plan.

Sub-Contractors/Providers Subject to Monitoring:

All SEFBHN subcontractors/providers that have direct contact with clients/consumers and companions who are deaf or hard-of-hearing will be subject to monitoring as set forth in this plan.

II. Monitoring Tool

Applicability, Frequency, Method:

Monitoring of subcontractors/providers that have more than 15 employees will take place during regularly scheduled monitoring visits, with additional desk reviews of subcontractors/providers as the need is identified by the SEFBHN SPOC. Monitoring method may include one or both:

1. Desk reviews of the provider's Auxiliary Aids Policies and Procedures and Auxiliary Aids and Services Plan and Monitoring Plans. Desk reviews are employed with the goal of causing the least disruption possible in the provider's direct care services operation.
2. Onsite visits that include File Reviews (Consumers, and Human Resources files for staff), Facility Inspection, and Staff Interviews.

Non-Direct Care Service Providers:

Subcontractors/providers that do not provide direct care treatment, but information and referral, or advocacy training such as 211 are exempt from this monitoring. These types of providers are still expected to assist persons who are deaf or hard-of-hearing access services provided (i.e. information and referral).

Sub-Contractors/Providers with less than 15 Employees:

SEFBHN subcontractors/providers with less than 15 employees will be subject to desk reviews of their auxiliary aids and services policies, and procedures, but are not required to have an auxiliary aids and services plan, nor a monitoring plan. These providers are still expected to assist persons who are deaf or hard- of-hearing access services provided by their organization.

Deficiencies:

If deficiencies are found in any area, SEFBHN staff will provide technical assistance and will request a performance improvement plan to ensure compliance to the applicable laws and state operating procedures.

Monitoring Plan Review:

This monitoring plan is reviewed annually and may be revised more frequently based on previous monitoring outcomes.

III. Guidelines for Monitoring

Notice:

SEFBHN will send a letter and/or email notification to the subcontractor/provider CEO and SPOC informing him/her of the auxiliary aids & services provision monitoring date and time. This notice will indicate that the monitoring consists of a dual process that includes a desk review and an onsite visit. The monitoring tools will be provided along with the monitoring agenda. The selection of Human Resources (HR) files and staff to be interviewed will take place randomly the day of the on-site visit. A minimum of 10 HR files will be reviewed.

Auxiliary Equipment:

The agency's auxiliary aids equipment shall be tested to ensure proper function, use and access by staff.

Document Review:

The SEFBHN SPOC (or designated monitoring staff) will request and review the following documents:

1. Auxiliary Aids and Service Plan

- a. SEFBHN will review the agency's Auxiliary Aids and Services Plan ('The Plan') prior to the onsite monitoring to ensure that it is current and compliant with the current DCF CFOP 60-10, and DCF-HHS Settlement Agreement.
- b. When necessary, policies and procedures will be revised to reflect current DCF policy relative to providing auxiliary aids and services to persons or companions who are deaf or hard-of- hearing.
- c. The Plan should reference current auxiliary aids and services available for current and potential deaf or hard-of-hearing consumers or companions, as well as the agency's process for providing these services in a timely manner.
- d. SEFBHN will provide technical assistance if the provider has outdated auxiliary aids or services, or if the agency does not utilize auxiliary aids commonly used by the deaf or hard-of- hearing community.

Policies and Procedures Addressing Accommodations, Auxiliary Aids, Accessibility and Service Provision to Individuals with Disabilities:

SEFBHN will review the agency's policies and procedures that address accommodations, auxiliary aids provision, accessibility and service provision to individuals with disabilities. The focus of this review is to determine compliance of the agency's policies and procedures with auxiliary aids service requirements, implementation and scope.

Auxiliary Aid Monitoring Plan:

SEFBHN will review the subcontractor's monitoring plan and ensure there are protocols and procedures for the agency's SPOC to evaluate the appropriate provision of auxiliary aids.

Auxiliary Aid Record Monthly Summary Reports:

Each subcontractor who provides direct care services and has more than 15 employees shall complete HHS Reporting Form and submit to SEFBHN via the PECS contract database and to the Southeast Region Civil Rights Compliance/ADA Coordinator. Submission of these reports will be verified during desk and/or on-site monitoring.

Completed Self-Assessment:

Every three years FL DCF will conduct Statewide Self-Assessments to evaluate the subcontractors/provider ability and preparedness to provide auxiliary aids and services. The DCF 504/ADA Coordinator will distribute the self-assessment tool and provide a time frame for when the assessment needs to be returned to DCF. SEFBHN will ensure completion of this assessment during desk reviews and/or on-site monitoring.

The SEFBHN SPOC will ensure that the assessment is completed by each subcontractor's/provider's SPOC. Copies of self-assessments and proof of submission shall be kept on file by the subcontractor/ provider SPOC and submitted to SEFBHN as requested.

Case File Review:

- a. Customer/Companion Communication Assessment and Auxiliary Aid Record;
- b. Customer/Companion Request for Free Communication Assistance or Waiver of Free Communication Assistance;
- c. Communication Plan for Ongoing Services;

- d. Customer/Companion Feedback Form (which customer/companion should mail to Tallahassee, NOT kept in client record); and Interpreter/auxiliary aid service provider billing documentation.

The number of case files to be reviewed will depend on the amount of auxiliary aid services provided at the facility for the given period of the monitoring. If there are more than 10 case files, then at a minimum 10 records shall be reviewed. If there are less than 10, then all records should be reviewed.

Personnel Files Review:

At a minimum, 10 employee HR shall be reviewed to ensure:

- a. Proof of auxiliary aid and civil rights training within 60 days of hire; Annual refresher training; and
- b. Employee Support for the Deaf and Hard-of-Hearing Attestation Form.

Client/Consumer Complaints or Grievances:

SEFBHN will review the agency's process to address all discrimination complaints and grievances filed by employees and customers. The complaint and grievance process should contain a provision allowing consumers or companions to file discrimination complaints with an external agency. The procedure must provide addresses and contact information for the external agencies.

SPOC Position Description:

SEFBHN will review the agency's position description for its SPOC to ensure that the individual has the expertise necessary to serve in this role and also that the position fulfills the requirements of the Settlement Agreement, and the SPOC's job description contains the responsibilities of the SPOC.

Tour of Agency:

- Verify that the three required notices (Interpreter Services for the hearing-impaired poster, DCF Non-discrimination Poster, and Limited English Proficiency Poster) are posted in appropriate locations and are of appropriate size (11x17);
- Ensure that the fire alarms have lights along with sound;
- Confirm that the provider's Auxiliary Aid Plan is posted in the provider's website; and
- Review the agency's public notifications, handbooks, and brochures to ensure they provide information for individuals with disabilities regarding auxiliary aids, and how to request special accommodations.

Interviews:

SEFBHN will interview between 1 and 10 individuals, including the agency's SPOC. Staff to be interviewed will take place randomly the day of the on-site visit.

IV. Monitoring Outcomes and Reporting

- A. Any indicators of non-compliance shall be reviewed by SEFBHN to determine if further review is warranted. Corrective measures shall be developed in accordance with the findings. Corrective measures may include, but are not limited to, retraining of staff, programmatic system review, or other actions as appropriate.
- B. All subcontractors who were monitored will receive a written report that will detail all areas where the subcontractor/provider has not implemented the terms of the Settlement Agreement and specify any area where corrective action and technical assistance may be needed. The provider will be required to submit the corrective action plan to SEFBHN within (30) calendar days of receipt of the report and request for corrective action.
- C. For those subcontractors/providers subject to corrective measures, SEFBHN will periodically request follow-up information, to ensure that the provider is complying with the remedial measures put in place and detailed in their CAP.

SEFBHN Auxiliary Aids and Services Monitoring Tools

Auxiliary Aids and Services Review

Date of Site Visit: Click or tap here to enter text.

Sub-Contractor/Provider Name: Click or tap here to enter text.

Provider ID: Click or tap here to enter text.

Address: Click or tap here to enter text.

SEFBHN staff conducting Desk Review or Site Visit: Click or tap here to enter text.

Sub-Contractor/Provider staff participating in this site visit (Including official title): Click or tap here to enter text.

Requirement

Requirements of DCF CFOP 60-10 Chapter 3 and 4, and the 2010 DCF HHS Settlement Agreement

Standard	Yes	No	N/A
Does the plan include the provision of Auxiliary Aids for clients/consumers who are deaf, hard of hearing, have other disabilities, or have limited English proficiency (LEP)?			
Does the plan provide clear instructions for staff to timely request auxiliary aids on a 24/7 basis?			
Does the plan specify that the type of auxiliary aid provided should be based on the customer's preference?			
Does the plan instruct staff what to do if the auxiliary aid provided is found to be ineffective?			
Does the plan instruct staff what to do if the scheduled auxiliary aid does not show or cancels (in cases of on-site interpreters)?			
Does the plan specify what procedures should be followed in the event the agency denies a requested auxiliary aid?			
Is the plan posted on the agency's website?			
Is the plan available in different formats if requested by staff and stakeholders?			
Does the plan require record retention of all documents used in the provision of auxiliary aids? If so, what is the record retention schedule?			
Does the plan ensure accessibility at meetings, conferences, trainings and open forums to individuals who are in need of auxiliary aids, or any other special accommodation due to a disability?			
Does the plan instruct that all new employees receive auxiliary aid training within 60 days of hire, and that the training certificate is kept with the HR files?			

Does the plan require that all the agency staff sign the “Support to the deaf and hard of hearing form?”			
Does the plan require annual refresher training on the provision of auxiliary aids?			
Does the plan require that employees receive training on how to use the auxiliary aid equipment available at the agency?			
Does the plan require verification of the interpreter’s certification?			
Does the plan contain a list of certified sign language interpreters?			
Does the plan contain information about accessing the Florida Relay Service?			
Does the plan contain information about accessing video relay interpreting services?			
Does the plan contain information about accessing captioning in real time (CART)?			

Please provide an explanation for any items marked, “no” or N/A”:

Standard	Yes	No	N/A
Does the plan include the timeframes for ongoing monitoring? (minimum once per year)?			
Does the plan specify what agency department, or staff, is in charge of this monitoring? (usually SPOC, or QI Dept.)			
Does the plan instruct for the review of the following in the client file:			
<ul style="list-style-type: none"> • Customer/Companion communication assessment and auxiliary aid service record 			
<ul style="list-style-type: none"> • Customer/Companion request for free communication assistance or waiver of free communication assistance 			
<ul style="list-style-type: none"> • Entry in the client file about distribution of Customer/Companion feedback form (the actual form is to be mailed by client to Tallahassee) 			
<ul style="list-style-type: none"> • File entry about the auxiliary aid services provided 			
<ul style="list-style-type: none"> • Verification of the interpreter’s certification 			
Does the plan require file review for the following in the employee HR file:			
<ul style="list-style-type: none"> • Attestation of “Support to the Deaf and Hard of Hearing Form” 			
<ul style="list-style-type: none"> • Certificate of Auxiliary Aids training within 60 days of hire 			
<ul style="list-style-type: none"> • Annual Auxiliary aids refresher training 			
Does the plan require the review of complaints/grievances regarding the provision of auxiliary aids?			
Does the complaint/grievance procedure and form include the contact information for the DCF Office of Civil Rights, U.S. Department of Health and Human Services (HHS), and the United States Department of Justice (USDOJ)?			
Does the plan ensure monitoring for the submission of Auxiliary Aid records monthly summary reports? (email receipt from HHS should be kept as proof of monthly report submission)			
Does the plain instruct for the review of policies and procedures that address auxiliary aids services?			
Does the plan direct for the review of record retention of all documents used in the provision of auxiliary aids? (until year 2020 – 10- year period after the settlement agreement signature)			

Does the plan ensure the review of notifications, or material available to the public to ensure accommodations for individuals with disabilities are made?			
Does the plan monitor the inspections and maintenance of auxiliary aid equipment?			

Facility Inspection

Standard	Yes	No	N/A
Interpreter services for the deaf and hard of hearing poster			
DCF non-discrimination poster			
Limited English proficiency poster			
Ensure the fire alarms have lights along with sound			
Confirm the provider's auxiliary aid plan is posted on the provider's website			
Review the agency's public notifications, handbooks, and brochures to ensure they provide information for individuals with disabilities regarding auxiliary aids and how to request special accommodations			

Please provide an explanation for any items marked, "no" or N/A":

Auxiliary Aids Staff Interview

Date of Site Visit: Click or tap here to enter text.

Sub-Contractor Name: Click or tap here to enter text.

Sub-Contractor Provider ID: Click or tap here to enter text.

SEFBHN Interviewer: Click or tap here to enter text.

Staff Name and Position: Click or tap here to enter text.

Item being Monitored	Response
What is your understanding of DCF-HHS Settlement Agreement regarding provision of auxiliary aids and services to customers and companions who are deaf or hard-of- hearing?	
Who is your agency's Single-Point-of-Contact (SPOC) for questions or issues regarding the provision of auxiliary aids?	
Please provide the name of your region DCF ADA/504 Coordinator.	
If a person came to you requesting auxiliary aids and services what would you do?	
What is the agency's process for assessing the communication needs of customers or companions, who are deaf, hard-of- hearing, have a disability, or have limited English proficiency (LEP)?	
Describe the forms that need to be completed when providing auxiliary aids. Do you feel confident filling them out?	
Where are the completed required forms maintained after completion?	
Do you know of any circumstances where the agency discriminated against or treated a customer or client unfairly when he/she requested an auxiliary aid?	
Would you honor a customer/companion refusal for auxiliary aids if the information exchanged is considered to be essential?	
Would you provide the same auxiliary aids and services to a companion of a client? Any differences?	
Have you received training on the provision of auxiliary aids? If so, how often?	
When is the agency required to provide auxiliary aids and services for customers or companions who are deaf and hard-of hearing?	

Under what circumstances can the agency deny auxiliary aids?	
What are the timeframes for providing an interpreter for a scheduled appointment?	
What are the timeframes for providing an interpreter for a non-scheduled appointments and emergency situations?	
What would you do if after providing an auxiliary aid you find out that the communication was not effective?	
What do you do if the interpreter does not show up?	
What types of Assistive Listening Devices does your program have? Do you know how to use them? Do you find them effective?	
Does the agency charge the customers any fees for the provision of auxiliary aids?	
Do you make notations in the client's file regarding the services provided as it relates to auxiliary aids?	
Do you provide clients, who are deaf or hard of hearing with the Customer Feedback Form?	
Do you note in the client's file that you provided the customer with the form?	
Are there any areas related to the provision of auxiliary aids where you would like additional training?	
Have you received any complaints regarding the agency's process for providing auxiliary aids or services? If so, what was the nature of the complaint? How were they resolved?	

Auxiliary Aid and Services Consumer Record Review

Sub-Contractor Name: Click or tap here to enter text.

Sub-Contractor Provider ID: Click or tap here to enter text.

Date of Consumer Record Review: Click or tap here to enter text.

SEFBHN Staff Reviewer: Click or tap here to enter text.

Consumer ID: Click or tap here to enter text.

Please provide comments on quality of A through F, and further information for any “No” answers.

Section Information	Comments
A. Communication assessment completed? Was contact regarding satisfaction made with this consumer? Results?	
B. Auxiliary aid/services request/waiver form completed?	
C. Was an auxiliary aid/services requested?	
D. Auxiliary aid/services provision documented in the consumer chart/record?	
E. Was a communication plan completed for the provision of ongoing services?	
F. The invoice/bill for communication services was present for the service event?	