

Department of Behavioral Health
TRANSMITTAL LETTER

SUBJECT Effective Communication for People with Disabilities		
POLICY NUMBER DBH Policy 760.3	DATE DEC 17 2013	TL# 218

Purpose. To ensure that individuals with vision, hearing, or speech disabilities are able to access and participate meaningfully in Department of Behavioral Health (DBH) services, programs, and activities.

This revision adopts the policy from the former Department of Mental Health, now merged into the new Department of Behavioral Health, in accordance with the DBH Establishment Act of 2013.

Applicability. Applies DBH-wide, and to individuals with vision, hearing, and speech disabilities, including job applicants, consumers, and individuals who are seeking services or information about programs or activities.

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority offices.

Implementation Plans. Specific staff whose roles are relevant to the implementation of this policy should be trained, as needed. Program managers are responsible for following through to ensure compliance.

Policy Dissemination and Filing Instructions. Managers/supervisors of DBH must ensure that staff are informed of this policy. Each staff person who maintains policy manuals must promptly file this policy in the DBH Policy and Procedures Manual.

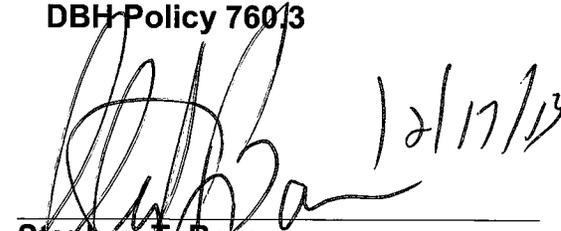
ACTION

REMOVE AND DESTROY

DMH Policy 760.3A

INSERT

DBH Policy 760.3


12/17/13
Stephen T. Baron
Director, DBH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  DEPARTMENT OF BEHAVIORAL HEALTH	Policy No. 760.3	Date DEC 17 2013	Page 1
	Supersedes DMH Policy 760.3, Communication Alternatives for People with Disabilities, dated September 9, 2009		
Subject: Effective Communication for People with Disabilities			

1. **Purpose.** To ensure that individuals with vision, hearing, or speech disabilities are able to access and participate meaningfully in Department of Behavioral Health (DBH) services, programs, and activities.

2. **Applicability.** Applies DBH-wide, and to individuals with vision, hearing, and speech disabilities, including job applicants, consumers, and individuals who are seeking services or information about programs or activities. Requirements for Mental Health Rehabilitation Services (MHRS) providers are located in Section 8 below.

3. **Authority.** Americans with Disabilities Act of 1990 and Amendment Act of 2010 (ADAAA), 42. U.S.C. §12101 *et seq.*, and the District of Columbia Effective Communication Policy, September 2, 2008.

4. **Policy.** DBH will take appropriate steps to ensure that individuals with vision, hearing, and speech disabilities have an equal opportunity to participate in DBH services, activities, programs and other benefits. Auxiliary aids and services will be provided when necessary to ensure that communication is as effective as communication with non-disabled individuals.

5. **Definitions.**

5a. **ADA** - The Americans with Disabilities Act of 1990 is a Federal law that provides civil rights protections to individuals with disabilities.

5b. **Effective Communication** – means that whatever is written or spoken must be as clear and understandable to people with vision, hearing, or speech disabilities as it is for people who do not have disabilities.

5c. **Auxiliary Aids and Services** – devices or services that enable effective communication for people with visual or verbal communication disabilities. Examples of auxiliary aids and services include:

- **Deaf or hard of hearing, and speech disability** - qualified sign language interpreters, note takers, real-time captioning, written materials, assistive listening systems, computer aided real-time translation (CART) or closed captioning, TDD/TTY or equivalent communication line and video remote interpreting.
- **Blind or low vision** - qualified readers, audiotape, Braille, or large print materials, audio-descriptions of power point or video presentations, screen readers, and assistance in locating items.
- **Telecommunications Relay Service**, also known as TRS, Relay Service, or IP-Relay, or Web-based relay services - is an operator service that allows people who are Deaf, Hard-of-Hearing, Speech-Disabled, or Deaf/Blind to place calls to standard telephone users via a keyboard or assistive device. Originally, relay services were

designed to be connected through a TDD/TTY or other assistive telephone device. Services have gradually expanded to include almost any real-time text capable technology such as a personal computer, laptop, mobile phone, personal digital assistant (PDA), and many other devices.

- Video Remote Interpreting (VRI) - uses video devices or web cameras to provide sign language or spoken language interpreting services through a remote or offsite interpreter, in order to communicate with persons with whom there is a communication barrier. The VRI system provides effective communication with deaf or hard of hearing consumers. The use of a VRI offers the greatest amount of flexibility where clinically appropriate.
- Telecommunication Devices for the Deaf (TDD), *also called TTY* – electronic device with a keyboard and a visual display for exchanging written messages over the telephone.

5d. Qualified Interpreter - An in person interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary.

6. Requesting Auxiliary Aids and Services.

6a. Appropriate auxiliary aids and services, as stated in 5c above, will be provided for DBH sponsored events, training, and human resource activities (e.g., the application process and interviews), and for deaf or hard of hearing employees to facilitate in the performance of their job functions. The ADA Coordinator is the established contact person to request auxiliary aids and services. These services can be requested by telephone, email or in person. Also see Section 6c below.

6b. Interpreting services will also be made available for deaf or hard of hearing consumers to access mental health treatment and supports.

(1) In Person Sign Language Interpreting Services. DBH contracts with vendors who are proficient in American Sign Language, tactile interpretation, and other specialized interpreting services upon request. An in person sign language interpreter is available for the following program uses:

- (a) Medication education and management
- (b) Understanding mental illness
- (c) Discharge groups
- (d) Clinical groups
- (e) Sensory enhancement groups
- (f) Trauma groups
- (g) Legal/competency related sessions
- (h) Individual Recovery Planning (IRP)/Individualized Plan of Care (IPC) sessions

(2) Video Remote Interpreting (VRI) must be used for all other program areas unless there is a signed clinical determination that an in person interpreter is required:

- (a) Medical and dental visits
- (b) Art therapy
- (c) Music therapy
- (d) Task skill groups
- (e) Computer training sessions
- (f) House community and group meetings

- (g) Religious services
- (h) Library services

The VRI capability will be made available at the following locations:

- Mental Health Authority
- Mental Health Services Division
- Comprehensive Psychiatric Emergency Program, including mobile crisis services
- Saint Elizabeths Hospital

Appropriate staff will be trained in the use of the VRI system.

6c. Offices/individuals that need auxiliary aids and services should submit a request to the DBH ADA Coordinator at least five (5) business days in advance to identify the type of service(s) required.

- The DBH ADA Coordinator will arrange for the required auxiliary aids and services.
- When advance notice is not given, efforts will be made to provide auxiliary aids or services as requested, whenever possible.
- The individual's choice should be honored unless:
 - another equal alternative means of communication is available; or
 - providing the auxiliary aid or service would fundamentally alter the service, program, or activity; or
 - providing the auxiliary aid or service would result in undue financial or administrative burden.

7. DBH ADA Coordinator Responsibilities and Procedures.

7a. Ensure compliance with the District of Columbia Effective Communication Policy and ADA standards with regards to communication access for people with disabilities who use or participate in DBH programs and services.

7b. Ensure effective communication services are available to employees and individuals accessing mental health services.

7c. Provide ADA Title I and Title II training on a yearly basis, to include the provision of alternative communication services information.

7d. Ensure that public notices regarding how to request auxiliary aids and services are posted throughout DBH facilities.

8. Specific Guidance for MHRS Providers.

8a. Each MHRS provider shall make language interpreters available as needed for persons who do not use English as a first language or use a non-primary language for communication and develop a written policy as required by MHRS standards.

8b. Each MHRS provider shall utilize a TTY communications line (or an equivalent) to enhance the MHRS provider's ability to respond to service requests and needs of consumers and potential consumers, and train provider staff in the use of the communication devices.

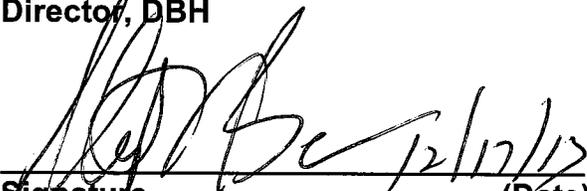
9. Grievance Procedure.

If an individual with a disability is not satisfied with a proposed or provided auxiliary aid or service, he or she may contact the DBH ADA Coordinator at 202-673-7690 (voice) or TTY: 202-673-7500, or the Office of Disability Rights at 202-724-5055 (voice) or TTY 202-727-3363.

Consumers may also file a grievance in accordance with the DBH Consumer Grievance Procedures in 22A DCMR Chapter 3.

Approved By:

**Stephen T. Baron
Director, DBH**



Signature (Date)