



HOMELESS PERSONS REPRESENTATION PROJECT, INC.

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Testimony in Support of HB 987 State Government - Equal Access to Public Services for Individuals With Limited English Proficiency – Modifications

Health and Government Operations Committee, March 5, 2024

**Testimony of Michelle Madaio, Director – Economic Justice and
Claudet Miranda, Paralegal, Economic Justice Program
Homeless Persons Representation Project**

HPRP is a non-profit civil legal aid organization that provides free legal services to Marylanders who are homeless or at risk of homelessness on issues that create barriers to housing and economic stability. HPRP provides free legal services through offices serving Baltimore City, Montgomery County, and Prince George’s County, and advocates for policies that will prevent and end homelessness statewide. HPRP’s Economic Justice Program represents individuals and families who receive Supplemental Nutrition Assistance Program (SNAP), Temporary Cash Assistance (TCA) and Temporary Disability Assistance Program (TDAP) in administrative appeals and advocacy.

“It would be nice for people who get SNAP to receive their notices in their language if they don’t speak English. Mine get sent in English, even though I speak only Spanish, and I have to translate the documents word by word on google translate. It’s hard because sometimes it won’t even translate right.”

- Ms. Martinez, a mom who HPRP represented in accessing SNAP (translated into English)

Many LEP clients and communities that HPRP serves have experienced discrimination based on national origin and have been denied meaningful access to DHS programs and services. Over the years, HPRP has spoken with many families who, like Ms. Martinez, have been unlawfully denied meaningful access to benefits and services through the Maryland Department of Human Services (DHS) simply because the family is limited English proficient (LEP). Individuals with lived experience applying for benefits at the local Department of Social Services (DSS) offices have shared with HPRP significant challenges stemming from the lack of information available in their native languages, leading to a discouraging environment for families attempting to access public benefits. This situation has resulted in numerous applications being either denied, left without a response, or never filed. Confronted with such difficulties, many families are inclined to either stop applying for these benefits or accept wrongful denials. The lack of language access fosters feelings of distress and helplessness among these families, adding an additional barrier that intersects with race/ethnicity and socioeconomic status. Individuals have

reported experiences of xenophobia with DSS workers, sharing instances where DSS workers have either denied them access to an interpreter or subjected them to offensive and biased remarks because of communication barriers. This not only reflects a failure in providing necessary language assistance but also highlights a broader issue of systemic discrimination.

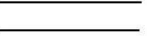
DHS has not provided many of HPRP's clients with appropriate interpretation and translation of written information to ensure timely and meaningful access to its programs and activities. HPRP has worked with families who speak languages including Spanish, Arabic, Amharic, among others, and have not been provided with oral interpretation services and/or who only receive written communication in English. Even in instances when DHS has prepared written notices to clients in their spoken language, the translations have been only partial, inadequate and ineffective at communicating the message. Attached is recent example of a written notice DSS sent a client who speaks Spanish with the manually prepared section of the notice written in English only. Although many of our clients have met the eligibility criteria for benefit programs, our clients have not been able to access benefits until after receiving legal representation by HPRP and filing an appeal with the Office of Administrative Hearings. HPRP represented another LEP client who filed a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Health and Human Services after experiencing discrimination in meaningful access to DHS programs and services based on her national origin, in violation of Title VI of the Civil Rights Act of 1964. In its findings, OCR determined that DHS “did not adequately document the Affected Party’s primary language in its electronic case files or that interpreter services were offered, accepted, or declined” and “...did not provide appropriate translated written information to the Affected Party (until after her attorney intervened) to ensure timely, meaningful access to its programs and activities.”

HPRP supports HB 987 because it will improve language access compliance with existing laws, including Title VI of the Civil Rights Act of 1964 and Md. State Govt. § 10-1103. HB 987 would require state departments, agencies, and programs to establish a clear language access plan and designate a language access compliance program coordinator to coordinate requests for oral language services and translations of vital documents to an individual with LEP. By requiring state agencies to take actions to ensure meaningful access to the entity’s programs and providing monitoring and enforcement mechanism, HB 987 will standardize best practices across the state and give frontline employees less discretion to deviate from the language access plan. This will improve overall compliance with state and federal language access laws to provide the required meaningful access to benefits and services for individuals and communities with limited English proficiency.

HPRP strongly urges the Committee to issue a favorable report on HB 987. If you have any questions, please contact Michelle Madaio (she/her), Director – Economic Justice at (410) 716-0521 or mmadaio@hprplaw.org.



DEPARTAMENTO DE SERVICIOS HUMANOS DE MARYLAND



HARBOR VIEW OFFICE
18 REEDBIRD AVE-KO
BALTIMORE MD 21225



Identificación de la correspondencia: [Redacted]
Tipo de correspondencia: Aviso 15
Fecha de la correspondencia: 11/17/2023
Nombre del programa: SNAP
Número del reclamo: [Redacted]
Número del caso: [Redacted]
Identificación del cliente: [Redacted]
Número de atención al cliente: 800-332-6347
Información en el sitio web:
mymdthink.maryland.gov/
TTY: 1-800-735-2258 or 7-1-1

Si tiene un dominio limitado del inglés o necesita adaptaciones razonables por una discapacidad o impedimento, infórmelo llamando al número indicado anteriormente.


Estimado/a [Redacted]:

Hemos tomado una decisión respecto a sus beneficios. Esta carta describe nuestra decisión y cómo usted puede proceder.

¿Cuál es nuestra decisión?

Table with 3 columns: Programa, Persona(s), Resumen de la decisión. Row 1: Programa de Asistencia Nutricional Suplementaria (SNAP), [Redacted], Le pagamos menos de lo que deberíamos haberle pagado durante el(los) siguiente(s) mes(es). Le pagamos de menos para el(los) mes(es) de 10/2023. Los detalles se encuentran a continuación.

Si actualmente recibe beneficios, el monto de la emisión de menos que se detalla a continuación se agregará a sus tarjetas EBT.

 Asistencia Nutricional Suplementaria			
<p>Motivo: Administrative Error</p> <p>Está recibiendo una emisión suplementaria porque Household was underpaid SNAP Benefits for 10/2023 due to unknown system error.</p> <p>Household received \$766 for 10/2023 owed \$207..</p>			
Mes	Monto recibido	Monto corregido	Monto adicional a pagar
Oct 2023	\$766.00	\$973.00	\$207.00