

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1160

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Access to State Agencies” and substitute “Survey of State Departments, Agencies, and Programs”; in line 5, before “provide” insert “are authorized to”; strike beginning with “requiring” in line 5 down through “proficiency” in line 11 and substitute “defining certain terms; requiring that State agencies survey the need for certain services and the measures taken to provide certain services; requiring the Department of Human Resources to develop and distribute certain surveys and review certain information; requiring the Department of Human Resources to make certain recommendations and develop certain budgets if certain conditions exist; requiring the Department of Human Resources and the Department of Planning to prepare certain estimates; requiring the Department of Human Resources to issue a certain report on or before a certain date; and providing for the termination of this Act”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 12 on page 1 through line 5 on page 3, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(a) The General Assembly finds that it is the policy of the State that departments, agencies, and programs are authorized to provide equal access to public services to persons with limited English proficiency.

(b) (1) In this Act the following words have the meanings indicated.

(2) “Equal access” means to be informed of, participate in, and benefit from services offered by a State department, agency, or program, at a level equal to English-proficient

(Over)

persons.

(3) “Limited English proficiency” means the inability to adequately understand or express oneself in the spoken or written English language.

(4) “Program” means all of the operations of a State department, State agency, or any other instrumentality of the State.

(c) (1) Each State department, agency, or program shall:

(i) On or before September 1, 2001, respond at the request of the Department of Human Resources to a survey to determine the need for interpretation and translation services based on current requests for services; and

(ii) On or before September 1, 2001, provide to the Department of Human Resources a description of the current measures taken to provide interpretation and translation services.

(2) For purposes of the response to the survey required under paragraph (1)(i) of this subsection, requests for services or services provided through a volunteer interpreter, such as a family member, friend, or private nonprofit organization, shall be counted as a request for service by or a service provided to a limited English proficiency person.

(d) (1) The Department of Human Resources shall develop, distribute, and collect the surveys in subsection (c)(1)(i) of this section and review the information contained in the surveys.

(2) If, upon review, the Department of Human Resources determines that there is an increased need for interpretation and translation to assure equal access for limited English proficiency speakers, the Department of Human Resources shall make recommendations and prepare budgets for the implementation of comprehensive interpretation and translation services.

(3) The recommendations in paragraph (2) of this subsection shall be completed by October 1, 2001, and shall include provisions for:

(i) The translation of vital documents, including:

1. Applications;

2. Consent forms;
3. Documents requiring a response from program participants;
4. Documents describing how to participate in a program or how to receive language assistance; and
5. Notices pertaining to the reduction, denial, or termination of services or benefits or the right to appeal such actions; and

(ii) The interpretation through one or more of the following:

1. Bilingual staff;
2. Contract interpreters;
3. Community volunteers; or
4. Telephonic interpreter services.

(e) (1) The Department of Human Resources, in conjunction with the Department of Planning, and on or before September 1, 2001, shall prepare:

(i) An estimate of the number of limited English proficiency persons by county and language subgroup; and

(ii) An estimate of increased utilization rates if comprehensive interpretation and translation services are implemented in State programs.

(2) The estimates in paragraph (1) of this subsection shall be based on:

(i) Census data;

(Over)

- (ii) Data from school systems and community agencies;
- (iii) Current utilization data from client files; and
- (iv) Other socio-economic indicators relevant to each State agency, including relative rates of poverty, crime, and workplace accidents.

(f) The Department of Human Resources shall report to the Senate Economic and Environmental Affairs Committee and the House Commerce and Government Matters Committee on or before November 30, 2001 on the implementation of this Act.”.

AMENDMENT NO. 3

On page 3, in line 7, strike “October” and substitute “July”; and in the same line, after “2001.” insert “It shall remain effective for a period of 6 months and, at the end of December 31, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.