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HB 1473
State Government - Equal Access to Public Services for
Individuals With LEP and Individuals with Disabilities
Hearing of The House Health & Government Operations Committee
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FAVORABLE

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Health and Benefits Equity Project advocates to protect and expand access to healthcare and safety net services for Marylanders struggling to make ends meet. We support policies and practices that are designed to eliminate economic and racial inequities and enable every Marylander to attain their highest level of health. **PJC strongly supports HB 1473**, which would strengthen Maryland's language access laws and preserve protections on the state level for individuals with limited English proficiency and individuals with disabilities that may be rescinded on the federal level.

The failure of certain state agencies to consistently provide language assistance services to individuals with LEP and individuals with disabilities violates their right to be free from national origin and disability discrimination. As part of PJC's Health & Benefits Equity Project, we advocate for individuals with LEP to be afforded timely and consistent access to language assistance services, including interpretation and translation, in government-run services and health care settings. Together, Title VI of the Civil Rights Act of 1964 and Md. Code Ann., State Govt. § 10-1103 require certain state agencies, departments, and programs to take reasonable steps to provide *equal* access to public services for individuals with LEP. But our clients and allies who assist individuals with LEP in navigating public services, including safety net services, frequently encounter language access violations in state-run agencies and programs. This includes refusals by frontline staff in agencies to provide oral interpretation by phone or in person; vital written communications about public benefits being written and sent to the client in English when the agency has documented that the client has LEP; and general failures of certain agencies to notify individuals with LEP of their right to free language services in violation of state and federal law.

Miscommunications stemming from the failure to provide language access in certain cases have led to wrongful terminations of benefits for individuals with LEP where letters requesting required information by a certain date

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were sent in English. In other cases, individuals with LEP have been unable to access certain agencies entirely where frontline staff have misinformed the individual that no language assistance services are available either in person or by phone.

PJC has serious concerns about the quickly changing legal landscape at the federal level under the current Administration, and how it will impact Marylanders with LEP. On March 1, 2025, President Donald Trump signed an Executive Order rescinding the nearly 25-year-old Executive Order 13166 of August 11, 2000 (Improving Access to Services for Persons with LEP), which required federal agencies to provide language assistance services, like interpretation and translation, to individuals with LEP. This means that federal agencies are no longer required to provide free qualified interpreters or translate vital documents for individuals with LEP. We believe that the Administration will also rollback rights afforded to individuals with LEP to receive language assistance services from federal financial assistance recipients, including state agencies and healthcare providers. Now is the time to strengthen and preserve these rights at the state level to insulate Marylanders with LEP from further changes.

HB 1473 broadens Maryland's law to make it more responsive to the needs of individuals with disabilities. Our existing language access law leaves out critical forms of language assistance services, like Braille and large print, necessary for individuals with disabilities, such as our communities who are deaf and hard of hearing or have vision impairment, to access public services. By broadening the definition of "language assistance services," HB 1473, if passed, would ensure that individuals with LEP and individuals with disabilities have meaningful access to public services.

HB 1473, if passed, would provide for stronger language access compliance in Maryland. It would require state departments, agencies, and programs to establish a language access policy and plan and take other actions to ensure reasonable access to the entity's programs and activities for individuals with LEP and individuals with disabilities. Having a comprehensive language access policy and plan is a best practice that helps entities determine which communities they may encounter and ensure that all staff are aware and adhere to their obligations to provide timely and professional language assistance services to LEP communities and individuals with disabilities.

HB 1473 provides a mechanism for strong language access rights enforcement. The bill would designate the Governor's Office of Immigrant Affairs as the oversight, monitoring, investigation and enforcement body for the State. It also provides the Office with an annual appropriation of \$400,000 to support its existing work and this new role. Having a single point of contact for complaints and resolutions for language access violations would support community members with LEP and disabilities in addressing time sensitive language access violations without delay. Failure to provide language access can be national origin and disability discrimination and can create serious inequities between English-speakers and non-English speakers in who can access public services.

HB 1473 would help safeguard the rights of Marylanders with LEP and Marylanders with disabilities to access public services without discrimination. For these reasons, the Public Justice Center urges the committee to issue a **FAVORABLE** report for **HB 1473**. If you have any questions about this testimony, please contact Ashley Woolard at 410-625-9409 ext. 224 or woolarda@publicjustice.org.

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