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DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

January 28, 2011

Beverly Morgan Lewis, Director
Humboldt County Department of Health & Human Services
929 Koster Street
Eureka, CA 95501

Dear Ms. Lewis:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of May 25, 2010. Enclosed is the final report on the review. We apologize for the delay.

There was some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-09-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be ported on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

JIM TASHIMA, Acting Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Deni McFarland, Deputy Director, Employee Services, Civil Rights Coordinator

Linda Patterson, Branch Chief
CDSS CalFresh Program M.S. 8-9-32

Mike Papin, Chief
CalFresh Policy Bureau M.S. 8-9-32

Richard Trujillo, Chief
Field Operations Bureau M.S. 8-9-32

Brian Tam, Chief
CalFresh Management Operations Section M.S. 8-9-32

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CalFresh Policy Bureau M.S. 8-9-32

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CalFresh Program
Western Region

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
HUMBOLDT COUNTY HEALTH & HUMAN SERVICES
Conducted May 25, 2010**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

Reviewer

Cindy Guzman

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Humboldt County Department of Health & Human Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on May 25, 2010. An exit interview was held on May 26, 2010 to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Humboldt County Department of Health & Human Services	808 E. Street Eureka, CA 95501	IHSS/APS Children's Services	N/A
Humboldt County Department of Health & Human Services	929 Koster Street Eureka, CA 95501	Food Stamps CalWORKS	N/A

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the January 1, 2009 – January 1, 2010 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	4	1
Children Social Workers	2	
Adult Program Workers	2	
Receptionist/Screeners	2	
Total	10	

Program Manager Surveys

Number of surveys distributed	1
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	11
Non-English or limited-English speakers' case files reviewed	40
Languages of clients' cases	English, Spanish, Hmong, Lao, Korean, Portuguese

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement.

The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section X of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			
Does the county have extended hours to accommodate clients?	X			
Can applicants access services when they cannot go to the office?	X			
Does the county ensure the awareness of available services for individuals in remote areas?	X			

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under	X			

Signage, posters, pamphlets	Yes	No	Some- times	Comments
California Welfare Programs” (Pub 13)?				
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?	X			All languages on display.
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?	X			
Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille?	X			
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator’s name and address?	X			
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			

B. Corrective Actions

None.

C. Note

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	“Your Rights under California Welfare Programs”	03/07
Pub 86	“Everyone is Different, but Equal Under the Law”	03/07
Form AD 475B	“And Justice for All”	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

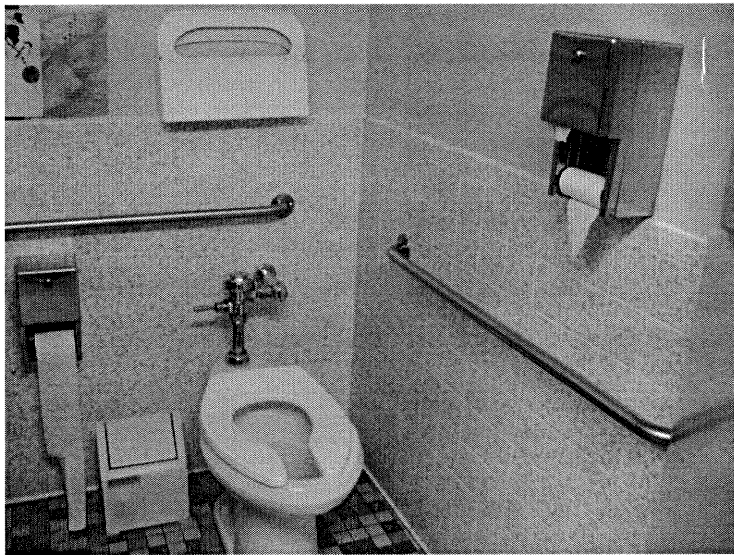
Facility Location: 808 E. Street, Eureka, CA 95501

Facility Element	Findings	Corrective Action
Parking	There is no additional signage "Minimum Fine \$250.00" below the accessible symbol sign.	For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p. 133.
Men's Restroom	Restroom Door is missing the required door sign. Door Pressure too high at 11 lbs.	Door sign and wall sign shall be 60" above the floor. For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281 Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282 Interior Door will have 5 pounds maximum pressure. (CA T24

	<p>Soap dispenser too high at 46"</p> <p>Toilet protector too high at 49"</p>	<p>1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294</p>
<p>Women's Restroom</p>	<p>Restroom Door is missing the required door sign.</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by</p>

		Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282
	Door Pressure too high at 15 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
	Toilet Protector too high at 50".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294
	Feminine Hygiene Dispenser too high at 57".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294
	Toilet tissue dispensers are not located within 12" of the front edge of toilet. See Sample Picture (1-A)	Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) pp 295, 301 Toilet paper dispenser minimum height from floor is 19". (CA T24 1115B.8.4, ADA 4.16.6) pp 295, 301

Emergency egress	No Visual Emergency Alarm, only Audible.	<p>If emergency warning systems are provided, they should include both audible alarms and visual alarms.</p> <p>If emergency warning systems are required, they shall activate a means of warning the hearing impaired. (CA T24 1114B.2.2, ADA 4.28.1) p 243</p>
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(Picture (1-A))

C. Facility Location: 929 Koster Street, Eureka, CA 95501

Facility Element	Findings	Corrective Action
Parking	<p>There is no additional signage "Minimum Fine \$250.00" below the accessible symbol sign on any of the accessible spaces.</p> <p>Persons with disabilities are forced to go behind</p>	<p>For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p. 133.</p> <p>Persons with disabilities shall not be forced to go behind</p>

	cars from two of the accessible parking spaces.	parked cars except their own. (CA T24 1129B.3.3) (hardship exception, p 134)
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V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			The county uses the Request for Interpreter Form, and the I speak card.
Does the county use a	X			Language Form A-13-37

Question	Yes	No	Some- times	Comments
primary language form?				
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			The county has an interpreter list.
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			County uses a language line provider and county interpreter list.
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			
Does the county ensure	X			

Question	Yes	No	Some-times	Comments
that the client-provided interpreter understands what is being interpreted for the client?				
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?			X	Workers stated they do not have TTY/TDD services for persons with impaired hearing, but stated they have an ASL interpreter.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			
Is the client identified as having a learning	X			

Question	Yes	No	Some-times	Comments
disability referred for evaluation?				

B. Corrective Actions

Area of Findings	Corrective Actions
Auxiliary Aids	Humboldt Department of Health and Human Services shall ensure the availability of auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision or manual skills where necessary to afford such persons an equal opportunity to access program services. Div 21-115.41

C. Recommendation

Although the County Plan states there are TTY/TDD services for persons with impaired hearing, the county needs to ensure that all workers are aware of the TTY/TDD services, and how to use them. It is also recommended that the workers are aware of the California Relay Services.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh
Ethnic origin documentation	CWS/CMS	APS: Referral Form A-24-19 IHSS: Soc 293	SAWS 1	SAWS 1
Method of	Checklist for	Language Line	Checklist for	Checklist for

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh
providing bilingual services and documentation	Limited English Proficient Clients Form V-13-30.	and Bilingual Worker used to provide bilingual services was well documented.	Limited English Proficient Clients Form V-13-30.	Limited English Proficient Clients Form V-13-30.
Client provided own interpreter	Checklist for Limited English Proficient Clients Form V-13-30.	Documentation found regarding client provided own interpreter and signed confidentiality form in a significant number of cases.	Checklist for Limited English Proficient Clients Form V-13-30.	Checklist for Limited English Proficient Clients Form V-13-30.
Method to inform client of potential problem using own interpreter	No Documentation found in Case Samples.	Documentation found of client being told of potential problems using own interpreter in a significant number of cases.	No Documentation found in Case Samples.	No Documentation found in Case Samples.
Release of information to Interpreter	Interpreter Fact Sheet and Certification Form V-13-28 would be used.	Found in a significant number of cases.	Interpreter Fact Sheet and Certification Form V-13-28 would be used.	Interpreter Fact Sheet and Certification Form V-13-28 would be used.
Individual's acceptance or refusal of written material offered in primary language	Checklist for Limited English Proficient Clients Form V-13-30.	Found in a significant number of cases.	Checklist for Limited English Proficient Clients Form V-13-30 used.	Checklist for Limited English Proficient Clients Form V-13-30 used.

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh
Documentation of minor used as interpreter	None Found in Case Samples.	None Found in Case Samples.	None Found in Case Samples.	None Found in Case Samples.
Documentation of circumstances for using minor interpreter temporarily	None Found in Case Samples.	None Found in Case Samples.	None Found in Case Samples.	None Found in Case Samples.
Translated notice of actions (NOA) contain translated inserts	Case Plans had appropriate language.	Appointment letters found in appropriate language.	Case Samples found inserts in appropriate language.	Case Samples found inserts in appropriate language.
Method of identifying client's disability	Not found in sample, but Would be in CWS/CMS	Not found in sample, but Would be in Validation of Medical Condition Form.	Not found in sample, but Would be in Statement of Facts.	Not found in sample, but Would be in Statement of Facts.
Method of documenting a client's request for auxiliary aids and services	None found in Case Samples.	Soc 293	None found in Case Samples.	None found in Case Samples.

B. Corrective Actions

Areas of Action	Corrective Action
General	Humboldt County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?			X	A few workers stated they have not had Civil Rights training in awhile. One said they had a mini Civil Rights Training a week ago.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			
Does the county provide employees Cultural Awareness Training?			X	A few workers stated they do not remember having Cultural Awareness Training in awhile.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	Humboldt County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1
Cultural Awareness Training	Humboldt County shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff has an understanding of and sensitivity to the various cultural groups in the county's population. Div. 21-117.2

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a	X			

Interview and review areas	Yes	No	Some-times	Findings
personnel complaint?				
Did the employees know who the Civil Rights Coordinator is?	X			
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action

None

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Humboldt Department of Health and Human Services Civil Rights Compliance Plan for the period January 1, 2009 through January 1, 2010 was received on September, 2009. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the Humboldt Department of Health and Human Services staff warm, welcoming, informative and very supportive. Particular thanks to Deni McFarland, Deputy Director of Employee Services (Civil Rights Coordinator), for organizing the details of the review, In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Humboldt Department of Health and Human Services in satisfactory compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Humboldt Department of Health and Human Services County Department of Social Services must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.