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Building a Just Society



Language Access As A Human Right

Standing, strategizing, and mobilizing in solidarity with Marylanders with limited English proficiency



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Pursuing systemic change to build a just society. www.publicjustice.org

HEALTH & BENEFITS EQUITY PROJECT

We advocate 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.



KEY DEFINITIONS

Limited English Proficiency

- An individual whose primary language for communication is not English
- Limited ability to read, write, speak or understand English
- May be proficient in English for certain types of communication (e.g., speaking or understanding), but still have limited English proficiency in other areas (e.g., reading or writing)

Language Access

- Providing language assistance services, including but not limited to:
- Oral language assistance (i.e., in-person or remote by a qualified interpreter and bilingual or multilingual staff)
- Written translation (by a qualified translator)

KEY DEFINITIONS

National Origin

Includes, but is not limited to a person's (or their ancestors;) place of origin or a person's manifestation of the physical, cultural or linguistic characteristics of a national group

Interpretation & Translation Requirements

Interpretation & translation must be:

- 1) accurate,
- 2) impartial,
- 3) effective, and
- 4) free of charge.

FEDERAL LAWS OF THE LAND

Sources of federal language access rights

Title VI of the Civil Rights Act of 1964

Section 1557 of the Affordable Care Act



Entities accepting federal financial assistance must provide *meaningful* access to their programs and activities to individuals with limited English proficiency:

Interpretation and translation from qualified professionals or staff

Vital documents must be linguistically accessible to individuals with limited English proficiency

LANGUAGE ACCESS IN MARYLAND

Maryland Equal Access to Public Services – Individuals with Limited English Proficiency, Md. Code, State Gov't § 10-1103

- ❖ Covers certain state departments, agencies, and programs
- ❖ Must take “reasonable steps” to provide equal access to public services for individuals with LEP
- ❖ Translation of vital documents into languages that constitute 3% of the overall population in the entity’s geographic service area (based on Census)
- ❖ As of 2024, includes principal departments created on or after October 2024 (July 1, 2025 implementation date)
- ❖ Several counties have their own local language access laws & policies



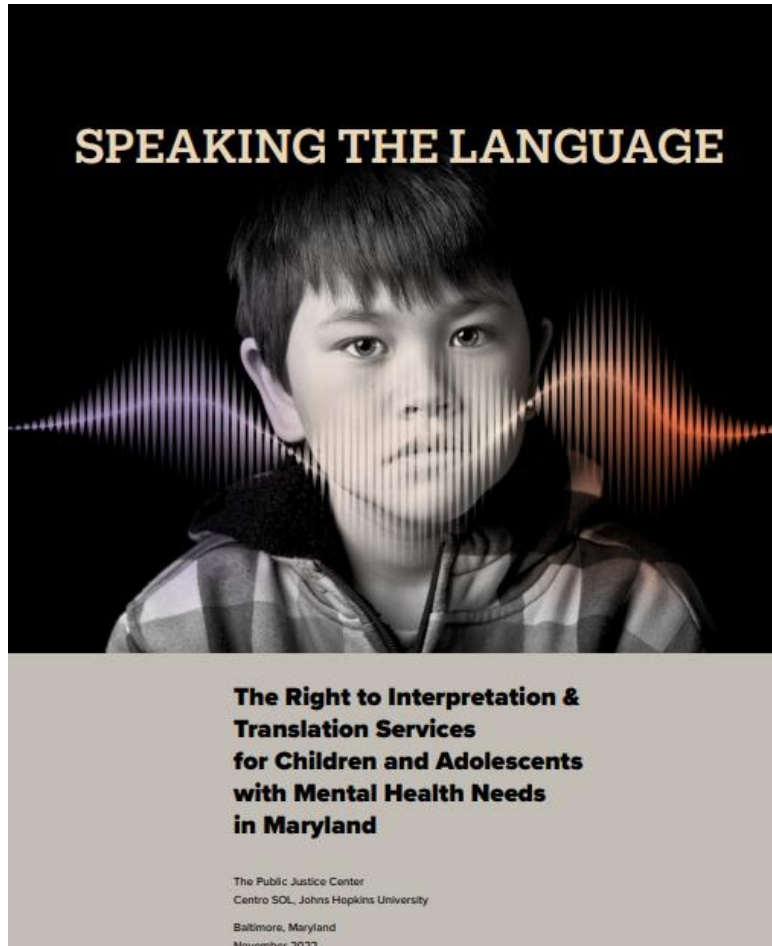
PJC'S LANGUAGE ACCESS ADVOCACY, EDUCATION & COMMUNITY OUTREACH



Maryland Language Access Equity Alliance (MLAEA)

- ❖ Formerly Governmental Access Workgroup
- ❖ Maryland language access advocates
 - Identifying systemic language access issues
 - Strategizing and advocating to improve access to public services and healthcare

PJC'S LANGUAGE ACCESS ADVOCACY, EDUCATION & COMMUNITY OUTREACH



Speaking the Language: The Right to Interpretation & Translation Services for Children and Adolescents with Mental Health Needs in Maryland ([available in Spanish here](#)) - co-authored by Centro SOL & PJC

- ❖ Inspired SB 991 (2024)- Behavioral Health Language Assistance Services Pilot Program (Md. Code, Health-General § 10-929)
- ❖ Implementation advocacy → education for local behavioral health authorities on language access rights as well as developing and assessing language access plans

PJC'S LANGUAGE ACCESS ADVOCACY, EDUCATION & COMMUNITY OUTREACH

HELLO, I SPEAK _____ ARABIC DIALECT.

I need a qualified interpreter or bilingual staff to speak with your office. Please provide an interpreter, translate vital documents, and put in your records that my primary and preferred language is Arabic.

Under Title VI of the Civil Rights Act of 1964 and Section 1557 of the Affordable Care Act, recipients of federal financial assistance are required to provide meaningful access to programs and activities to individuals with limited-English proficiency at no cost to the individual.

Thank you. If you have questions, please visit www.lep.gov.

يحق لك الحصول على خدمات الترجمة الشفوية والتحريرية المجانية من مقدمي الرعاية الصحية وبعض الهيئات الحكومية التابعة للولاية في حالة حصولهم على تمويل من الحكومة الفيدرالية. ويجب على هذه الهيئات أن توفر لك مترجماً شفويًا وتحريريًا مؤهلين بغض النظر عن وضعك القانوني كمهاجر. كما عليك إبراز الجانب المكتوب باللغة الإنجليزية من هذه البطاقة إلى مُقدِّم الخدمة أو موظف الهيئة لطلب الحصول على خدمات المساعدة اللغوية.

في حال تم رفض طلبك للحصول على خدمات المساعدة اللغوية وكنت تسعى للحصول على المساعدة القانونية، فيرجى الاتصال بمركز العدالة العامة على الرقم **410-625-9409**.



Language Access Know Your Rights trainings for individuals with LEP

- ❖ Identifying rights violations
- ❖ Empowerment & self-advocacy
- ❖ Knowing when to contact PJC
- ❖ Sharing their knowledge

Listening Sessions

- ❖ Staying current on community needs

Self-Advocacy Tools

- ❖ "I Speak" cards (sample above)
- ❖ KYR brochures (in development)



MARYLAND LANGUAGE ACCESS ACT OF 2025

Sponsored by Delegate Gabriel Acevero (District 39,
Montgomery County)

Would significantly strengthen Maryland's existing language
access protections by:

- ❖ requiring agencies to establish a language access plan on or before July 1, 2028 → annual report on their plan
- ❖ Lowers translation of vital documents in languages that are spoken at home from 3% to 0.5% of Maryland's population (per Census)
- ❖ Lays foundation to establish a monitoring, oversight, investigation, and enforcement body

WHAT'S AT RISK UNDER THE INCOMING FEDERAL ADMINISTRATION?



Donald Trump speech at U.S.-Mexico border - February 29, 2024
Link: <https://youtu.be/nCvivFTHltg?si=mxYaGhdJv7tbjvl>

Potential rollback of critical language access protections:

- ❖ Notice requirements of free language assistance services and non-discrimination
- ❖ Removing certain federal financial assistance sources as a trigger for language access obligations
- ❖ New telehealth protections under ACA
- ❖ Grievance/complaint processes through covered entities
- ❖ Lower standards for determining when an entity must provide language assistance services
- ❖ Lowering standards for remote interpreting
- ❖ Relaxing guardrails around use of AI and other tools

STRATEGIC
ADVOCACY
PLANNING
DISCUSSION

FIGHT TODAY
FOR A BETTER
TOMORROW