

	POLICY / PROCEDURE	Domain	Corporate Compliance
	Affordable Care Act Non-Discrimination	No.	[1 of 1]
		Revision	
		Effective Date	[10/16/2016]
		Final Approver	CEO

1.0 Purpose

The purpose of this policy is to ensure Liberty ARC remains compliant with all applicable Federal Civil Rights laws and Section 1557 of the Affordable Care Act Non-Discrimination requirements informing individuals about non-discrimination and language accessibility.

2.0 Scope

All individuals served in Liberty ARC programs

3.0 Policy

Liberty ARC complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Furthermore, Liberty ARC takes reasonable steps to provide meaningful language access services to those with limited English proficiency, such as:

- i. Provides appropriate auxiliary aids and services, including qualified interpreters in a free, timely manner, when necessary
 - a. Liberty ARC will not require individuals to provide their own interpreter or rely on an adult that accompanies the individual to facilitate or interpret, except:
 - i. In cases of emergency involving imminent threat to the safety or welfare of an individual or the public and when no qualified interpreter is readily available, OR
 - ii. If the individual specifically requests the accompanying adult to facilitate, the adult agrees, and reliance on that adult is situationally appropriate
- ii. Provides language assistance services for translated documents and oral interpretation in a free, timely manner, when necessary
- iii. Informs people of how to obtain the above-referenced aids
- iv. Identifies the contact information for our designated compliance employee
- v. Has available grievance procedures
- vi. Explains how to file a discrimination complaint with OCR (Office of Civil Rights)

4.0 Responsibilities

Liberty ARC has designated the Compliance Officer to coordinate compliance efforts with Section 1557 of the Affordable Care Act Non Discrimination, Language Accessibility requirements. The Compliance Officer will investigate any grievances submitted by or on behalf of an individual served in program(s).

5.0 Procedures

Liberty ARC posts the following notice both in English and Spanish in conspicuous physical locations as well as the agencies (website) and other significant written communications targeted to individuals receiving services:

Liberty ARC complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Liberty ARC does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

Liberty ARC:

- Provides free aids and services to people with disabilities to communicate effectively with us, such as:
 - Qualified sign language interpreters
 - Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Provides free language services to people whose primary language is not English, such as:
 - Qualified interpreters
 - Information written in other languages

If you need these services, contact Corporate Compliance Officer

If you believe that Liberty ARC has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with:

Corporate Compliance Officer
47 Liberty Drive Amsterdam, NY 12010
518-842-5080 X3331- Phone
518-954-3018- Fax

You can file a grievance in person or by mail, fax. If you need help filing a grievance, The Corporate Compliance Officer is available to help you. You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue SW., Room 509F, HHH Building
Washington, DC 20201
1-800-368-1019
1- 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

Liberty ARC posts the following statement both in English and Spanish in small- sized publications and written communications targeted to individuals receiving services:

“Liberty ARC complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Liberty ARC makes available to you language assistance services, free of charge. If you are in need of such services call our Compliance Officer at (518) 842-5080, ext. 3331”

Liberty ARC defines significant publications as: individual’s consents, notifications of rights, service contracts, service agreements, lease agreements, etc.

Liberty ARC defines small sized publications as newsletters and tri-fold pamphlets.

This notice and statement as well as any other written material may be translated into all languages via Google translate at: <https://translate.google.com/>

Liberty ARC, as a provider of OPWDD services makes available to you other methods of language accessibility services free of charge including:

- a. Translation of vital documents at:
<http://www.opwdd.ny.gov/resources/language-access/translated-documents>
- b. Telephonic interpretation services with completed OPWDD attestation form available at: <https://www.opwdd.ny.gov/node/4645>
- c. Web based interactive interpreting services

If you need these Language Accessibility Services, contact Liberty ARC’s Compliance Officer:

47 Liberty Drive
Amsterdam, NY 12010
(518) 842-5080 ext. 3331

If you believe that Liberty ARC has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with the Agencies Compliance Officer or Corporate Compliance Hotline:

47 Liberty Drive
Amsterdam, NY 12010
(518) 842-5080 ext. 3331
Compliance Hotline: (518) 954-3125

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>

Or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue, SW Room 509F, HHH Building
Washington, D.C. 20201
1-800-368-1019,
1-800-537-7697 (TDD)
Complaint forms are available at:
<http://www.hhs.gov/ocr/office/file/index.html>

7.0 Training

The policy and procedure an explanatory memo will be disseminated electronically, available on Liberty ARC's website and will be provided in writing to all individuals currently served. Individuals seeking or newly enrolled in services will be provide this policy and procedure during intake.

8.0 References

- o Section 1557 of the Affordable Care Act Non Discrimination, Language Accessibility
- o 45 C.F.R. § 92.101
- o Liberty ARC Grievance Process (Policy and Procedure)

9.0 Document Approvals

Role	Position	Name of Approver	Approval Signature	Date Approved
P&P Committee	Committee Members	Sarah Quist		[MM/DD/YYYY]
CFO	Chief Finance Officer	Barbara Ganey		[MM/DD/YYYY]
CCO	Corporate Compliance Officer	Sarah Quist		[MM/DD/YYYY]
Human Resources	Director of HR	Nicole Archibald		[MM/DD/YYYY]
Final Approver	Chief Executive Officer	Jennifer Sanders		[MM/DD/YYYY]

10.0 Revision History

Effective Date	Rev Letter	Document Author	Description of Change
[10/16/2016]	A	[Name]	Initial Release.