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TENTH JUDICIAL CIRCUIT OF FLORIDA
(POLK, HIGHLANDS & HARDEE COUNTIES)
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Policy #3.05-00-01 Deaf and Hard-of-Hearing and LEP

Purpose

The purpose of this policy is to establish guidelines for ensuring the provision of services to the deaf and hard-of-hearing or LEP customers/companions.

Policy

It is the policy of Polk County Problem Solving Courts to comply with the deaf and hard-of-hearing and LEP requirements as defined in the master contract and meet requirements pursuant to Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and CFOP 60-10, Ch. 4, "Auxiliary Aids and Services for the Deaf or Hard-of-Hearing."

Procedures in servicing Deaf and Hard-of-Hearing or LEP

When dealing with a consumer or companion who is Deaf or Hard-of-Hearing or LEP, Polk County Problem Solving Courts shall comply with guidelines set forth in Section 504, ADA, and CFOP 60-10 Ch. 4 in regard to making support available to those in need of Auxiliary Aid/Service or foreign language interpretation.

Responsibilities of Polk County Problem Solving Courts

All Deaf or Hard-of-Hearing customers/companions in need of Auxiliary Aids will be offered these Services at no additional cost as per Federal Law and contractual agreement. Polk County Problem Solving Courts has assigned a Single-Point-of-Contact (SPOC).

The Polk County Problem Solving Courts SPOC (or SPOC backup) will ensure effective communication with Deaf or Hard of Hearing customers/companions, as well as customers/companions with limited English proficiency.

Polk County Problem Solving Courts shall at all times recognize that the customer/companion's preference is the primary consideration in determining what auxiliary aids or services to provide.

The SPOC is essentially responsible for maintaining files that document the required information for the Deaf and Hard-of-Hearing. The SPOC also maintains a list of the information that is reported on the Monthly Report that providers send to Central Florida Behavioral Health

Network (CFBHN).

If Customers/Companions are referred to other agencies, the attending Staff and/or SPOC must ensure that the receiving agency is notified of the Customer/Companion's preferred method of communication and any auxiliary aid for service needs. In order to accommodate this effectively, the attending Staff and/or SPOC will ensure that the referral is approved by the participant and that he/she signs a Release of Information for each referral being made. These actions will be recorded and maintained in the Customer's record.

Duties of the Single Point of Contact for Polk County Problem Solving Courts:

Single Point-of-Contact duties will include but not be limited to:

Ensure the Problem Solving Courts auxiliary aids and services plan and auxiliary aids monitoring plan is updated as needed with any updates received.

Ensuring that information regarding no-cost auxiliary aids available to customers/companions that are Deaf and Hard-of-Hearing or LEP is posted so that it is easily visible when entering the building. This includes the Interpreter services for the hearing-impaired poster, the DCF Non-discrimination poster, and the Limited English proficient poster.

Conducting an assessment prior to services to determine the customer or companion's preferred method of communication. SPOC (or designee) shall accomplish this by first completing the Customer Companion Communication Assessment Form and the Request for or Waiver of Free Communication Assistance Form. These items (when fully completed) will be kept on file in the SPOC's office. The customer/companion will be provided with the preferred method of communication and auxiliary aid services needed.

The required documents will be completed at each interaction/service with the client or companion. The purpose of these tools is to facilitate the collection and coordination of auxiliary aids and services to meet the needs of customers/companions who are deaf or hard of hearing.

Staff shall document the customer/companion preferred method of communication and any requested services provided in the customer's record. Documents and forms evidencing when and how the staff provided aids and services to consumers/companions shall be retained in the consumer's record for at least seven years. Forms included but are not limited:

Consumer/Companion Assessment and assessment Aid and Service Record;

Consumer/Companion Request for Free Communication Assistance or Waiver;

Consumer/Companion Feedback Form; Consumer Plan (for providing auxiliary aids or services on an ongoing/continuous basis); Documentation will be kept for record keeping with the SPOC and in the customer's record.

Staff shall provide interpreters for consumers and companions who are deaf or hard of hearing in a timely manner in accordance with the following standards:

If the customer/companion has a scheduled appointment, the preferred method of communication shall be available at the time of the appointment. If for any reason the preferred method of communication is unavailable, a reasonable substitute will be available as soon as possible, but

no later than two hours after the scheduled appointment. The SPOC shall be notified immediately in the event a scheduled interpreter fails to appear.

SPOC (or designee) will ensure that the preferred method of communication is available within two hours (or no later than twenty-four (24) hours) of a non-scheduled appointment when customer/companion is hearing impaired. If the situation is not an emergency, staff shall offer to schedule an appointment and provide auxiliary aid or interpreter at the convenience of the customer/companion, or at least by the next business day.

If an auxiliary aid or service is found to be ineffective, SPOC (or designee) shall re-assess to determine an alternative form of communication that will be used in order to ensure the customer/companion fully understands the information that is being provided. Documentation shall be made in the customer's file regarding the attempt to improve the effectiveness of auxiliary aids and services.

At no time is it acceptable for Staff to deny services to a Customer without notifying the SPOC (or Designee). If staff, based on the Communication Assessment results find that auxiliary aids or services are not essential, Staff are to contact the SPOC.

Ensuring certified interpreters (when requested) are available at time of scheduled appointments for Deaf and Hard-of-Hearing customers/companions. SPOC (or designee) shall obtain verification of the interpreter's certification and shall keep it on file for future reference. A list of certified interpreters is maintained in the office of the SPOC.

Ensuring qualified foreign language interpreters (when requested) are available at time of scheduled appointments for Deaf and Hard-of-Hearing or LEP customers/companions. SPOC (or designee) shall obtain verification of the interpreter's certification and shall keep it on file for future reference. A list of foreign language interpreters is maintained in the office of the SPOC.

Ensuring that individuals are aware of and know how to use the Florida Relay Service. To call the Florida Relay, dial 7-1-1, or use the following toll free numbers:

- 1-800-955-8771 (TTY)
- 1-800-955-8770 (Voice)
- 1-800-955-3771 (ASCII)
- 1-877-955-8260 (VCO-Direct)
- 1-800-955-5334 (STS)
- 1-877-955-8773 (Spanish)
- 1-877-955-8707 (French Creole)

Polk County Problem Solving Courts does not have access to TDD/TTY equipment but can accept phone calls from individuals who use these items to communicate.

Maintain information on Pocket Talkers and Personal Listening Devices in the office of the SPOC. If a customer/companion has need for an Assisted Listening Device, the SPOC (or designee) will make one available for the customer/companion's appointment. Court Administration maintains a supply of Assisted Listening Devices. The SPOC (or designee) shall be responsible for checking out (and returning) a Personal Listening Device from Court

Administration for use by the customer/companion.

Ensuring that individuals are aware of and know how to use the Federal Video Remote Interpreting (VRI) and Video Relay Interpreting (also known as the Federal Video Relay service, or VRS) services. The Video Remote Interpreting software can be downloaded at https://www.fedvrs.us/supports/what_is_vri, the phone number is (877) 689-7775, the service is available Monday through Friday from 7:00 am to 11:00pm EST, and English-to-Spanish Translation is available with 24 hour notice. The Video Relay Interpreting software can be downloaded at www.fedvrs.us, and the service is also available in Spanish. Polk County Problem Solving Courts does not currently have access to the equipment needed for Video Remote/Relay Interpreting but can accept phone calls from those individuals who use these items to communicate.

Ensuring that individuals are aware of and know how to use the Captioning in Real Time (CART) Services. CART providers can be found online at <http://psl.ncra.org/index.asp>. A list of CART providers in Florida is maintained in the office of the SPOC.

Maintain the monthly report log of providers submissions to the DCF website by the 5th of each month.

Employees of Polk County Problem Solving Courts are initially trained on the requirements for the deaf and hard-of-hearing in their Orientation when they are hired, but no later than 60 days from the commencement of employment. Refresher training on how to provide assistance to persons who are deaf or hard-of-hearing, persons with disabilities, and those who are limited English proficient shall be conducted on an annual basis for all employees.

Polk County Problem Solving Courts' office hours are from 8:30 A.M. to 5:00 P.M. EST. The Problem Solving Courts maintains daytime hours of operation and only able to obtain services of a sign language interpreter during the hours of 8:30 A.M. to 5:00 P.M. EST.

If an employee of Polk County Problem Solving Courts is assisting a deaf or hard-of-hearing customer/companion and is unfamiliar with an auxiliary aid or service requested, the employee may contact the SPOC (or designee), or if the SPOC (or designee) is unavailable, the employee can go to the website or phone number referenced above.

If Polk County Problem Solving Courts holds a public meeting, conference, or seminar, an addendum to the documents advertising the events will be added, stating: "Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least 48 hours before the meeting by contacting the SPOC (or designee) at (863) 534-4612 or 863-534-4984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (800) 955-8770 (Voice)."

A copy of this Policy and Procedure will be posted on Polk County Problem Solving Courts website to be made available to the public for informational purposes for both individuals and organizations. Printed documents (including this Policy and Procedure) are made available upon request to assist in ensuring effective communication.

(1) Each employee of the Problem Solving Courts shall be responsible for understanding the general contents of the applicable statutes.

(2) A copy of the Intervention and Outpatient license shall be displayed in the facility.

This policy supersedes all other previous policies on this subject and becomes effective upon the date approved by the Director of the Problem Solving Courts.

APPROVED:

Lou B. LMHC
Director of Problem Solving Courts

6-17-25
Date