

DHS, FEMA and HHS Announce Completion of Multi-Year Review of State Efforts to Provide Language Access During the COVID-19 Public Health Emergency

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WASHINGTON -- The U.S. Department of Health and Human Services Office for Civil Rights (HHS OCR), U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (DHS CRCL), and the FEMA Office of Equal Rights (OER) has announced the successful completion of a language access compliance review of COVID-19 public health messaging in 19 states. This review included trainings and technical assistance for the states to ensure vital public health resources are available to people with limited English proficiency (LEP). These trainings help build skilled emergency management workforces that are better able to meet the needs of the communities they serve.

“Language access is a vital component of the federal government’s commitment to equity,” said Leslie Saucedo, Director of FEMA OER. “FEMA is focused on the fair, just and impartial treatment of all individuals, including those whose primary language is not English.”

The agencies initiated the review in response to National Health Law Program (NHeLP) concerns alleging that, in violation of [Title VI of the Civil Rights Act of 1964](#), individuals with LEP in 19 states had not received meaningful language access to COVID-19 services during the public health emergency. Understanding that language barriers can pose significant challenges during times of crisis, HHS OCR, DHS CRCL and FEMA OER responded to NHeLP’s concerns by requesting and reviewing data from each state, and by developing and presenting webinars on language access to the 19 states’ emergency management or public health agencies during the winter of 2022 and spring of 2023. The states reviewed were



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California, Colorado, Georgia, Hawaii, Illinois, Indiana, Maryland, Massachusetts, Michigan, Montana, Nevada, New York, North Carolina, Oregon, Pennsylvania, South Carolina, Texas, Virginia and Washington.

“Extensive data shows there’s a lack of meaningful language access across the country and that can lead to inequitable access to health care and impact health outcomes,” said Melanie Fontes Rainer, Director of HHS OCR. “If you can’t communicate with your doctor or state health official at a testing site, how are you supposed to understand the severity of what’s happening to you or what is needed to make you feel better? It’s critical that states do their part to meet the needs of their communities, which includes language services. This is a top priority for HHS.”

[Title VI of the Civil Rights Act of 1964](#) (Title VI) prohibits discrimination based on race, color, and national origin (including persons with LEP) and requires covered entities, such as state and local government entities receiving federal financial assistance, to provide meaningful language access to individuals with LEP. This longstanding obligation cannot be waived and is especially important during public health emergencies or major disasters.

“I’m grateful for the collaboration with HHS OCR and FEMA OER in conducting this compliance review focused on ensuring that persons who are limited English proficient receive meaningful access to federally assisted programs and activities related to the COVID-19 response,” said Shoba Sivaprasad Wadhia, DHS Officer for Civil Rights and Civil Liberties. “I also wish to express my appreciation to NHeLP for bringing concerns about language access in the COVID-19 response to our attention.”

The training highlighted effective practices states have employed to meet their language access obligations under Title VI, such as:

- Planning ahead to serve LEP communities during public health emergencies and major disasters
- Identifying LEP populations and the most common languages spoken
- Engaging with community-based organizations
- Providing high-quality language services
- Offering print materials in other languages



- Ensuring that individuals with LEP know how to request print materials in other languages
- Minimizing use of machine translations and utilizing qualified human translators to review any machine translations before posting to ensure accuracy of translated information

In addition to the training, HHS OCR, DHS CRCL, and FEMA OER sent technical assistance letters to remind the state emergency management or public health agencies that their Title VI obligations, including language services, apply not only to direct recipients of federal funding, but also extend to subrecipients of federal funding. Thus, if states rely on subrecipients as part of their pandemic response efforts, they are responsible for the subrecipients' compliance with Title VI language access requirements. As a result of the compliance review by the agencies, over 10,900 state agencies and subrecipients of those agencies received and reviewed the agencies' training materials.

The webinar, *Language Access During the COVID-19 Pandemic and Other Health Emergencies*, and more information about Title VI language access obligations can be found on the [DHS Civil Rights Resources for Recipients of DHS Financial Assistance](#) webpage under the Recipient Resources menu as well as on HHS OCR's "[Special Topic](#)" [webpage devoted to LEP resources](#). All state and community officials are encouraged to use these resources to examine and enhance their program accessibility for individuals with LEP.

Recipients of federal financial assistance who would like to receive language access training may contact HHS OCR at LanguageAccess@hhs.gov, DHS CRCL at TitleVILanguageAccess@hq.dhs.gov, or FEMA OER at FEMA-EqualRights@fema.dhs.gov.

Individuals who would like to file a civil rights complaint are encouraged to visit: [Filing a Complaint | HHS.gov](#) ; [HHS.gov/LEP](https://www.hhs.gov/lep/); email: OCRComplaint@hhs.gov; or call 1-800-368-1019; [Make a Civil Rights Complaint | Homeland Security \(dhs.gov\)](#); email: CRCLCompliance@hq.dhs.gov; visit: [External Civil Rights Division | FEMA.gov](#); or email: FEMA-CivilRightsOffice@fema.dhs.gov

