By:  Morales Shaw H.B. No. 5166

A BILL TO BE ENTITLED

AN ACT

relating to the development of a language access plan to increase access to assistance under health and human services programs by certain individuals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0193 to read as follows:

Sec. 531.0193.  LANGUAGE ACCESS PLAN. (a) The commission shall develop a language access plan to increase non-English speakers' access to assistance provided under the health and human services programs the commission administers. The plan must ensure:

(1)  all of the commission's public written materials, forms, applications, portal application systems, and external communications are translated and orally interpreted into any language spoken by a group in this state with a population of at least 50,000 of which at least 33 percent have limited English proficiency, according to the most recent American Community Survey compiled by the United States Census Bureau, including:

(A)  English;

(B)  Spanish;

(C)  Vietnamese;

(D)  Korean;

(E)  Arabic;

(F)  Mandarin or Cantonese; and

(G)  traditional and simplified written Chinese;

(2)  the translated materials, forms, applications, and external communications are available to the public on the commission's Internet website;

(3)  that groups described by Subdivision (1) are informed about language access rights and services, including the availability of the commission's written translations and oral interpretations by:

(A)  conducting intentional outreach efforts; and

(B)  posting translated information and public announcements in public spaces;

(4)  commission employees are provided training on the language access plan, language access procedures, and expectations related to the access plan; and

(5)  that quality control and accountability measures are developed to make certain:

(A)  all translations and interpretations are professional and understandable; and

(B)  members of the groups described by Subdivision (1) are able to evaluate the performance of the commission's language access services and the effectiveness of the language access plan.

(b)  The commission shall employ at least one language access officer to oversee the implementation of the language access plan and ensure language access services are provided in accordance with the plan.

(c)  The commission may use multilingual commission employees or contract with a third party to translate and prepare or provide oral interpretations of the commission's written materials, forms, applications, portal application systems, and external communications as required by Subsection (a).

(d)  The executive commissioner may adopt rules necessary to implement this section.

SECTION 2.  If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3.  This Act takes effect September 1, 2023.