

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;

1                   (F) Mandarin or Cantonese; and

2                   (G) traditional and simplified written Chinese;

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

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

10                   (A) conducting intentional outreach efforts; and

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

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

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

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

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

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

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

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

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

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