



NYIC State 2016 Policy & Budget Priorities Language Access

Recommendation

Improve enforcement of language access laws and increase access for immigrants across New York State.

- **Convene a State Language Access Taskforce.** The Governor and Legislature should convene a statewide Language Access Taskforce to propose recommendations for how to improve enforcement of existing language access laws, and increase access for Limited English Proficient (LEP) individuals across the State, particularly in upstate New York.

History

- **2006:** With the passage of the NYS Hospital Communications Assistance Law and NYS Patient Bill of Rights, all hospitals have been required to: identify a patient's preferred language; provide free, skilled interpreting services for a patient's entire visit; post signs in all public areas and offer information about free interpreting services in top six languages; provide interpreter services even when family members or friends accompany patient; and translate all significant forms for the patient.
- **2011:** Governor Cuomo issues Executive Order 26 requiring all state agencies that provide direct public services to: translate vital documents in the six most common non-English languages spoken by LEP individuals; provide interpretation services; and publish a language access plan.

Community Need

Over 2.6 million New Yorkers or **13.5% of New York's population are Limited English Proficient (LEP)**, and almost half (**46.9%**) of NY's foreign-born population is LEP. **Only about half speak Spanish**; the other half speak nearly **150 other languages and dialects.**

Like all residents, individuals who are LEP need access to the police, health care services, and education among other things. However, LEP New Yorkers face unique language barriers - when individuals who are LEP are unable to communicate with their government, the consequences can be dire. Public safety is put at risk when individuals who are LEP cannot report crimes, the economy suffers when new business do not open because they cannot receive the necessary information, parents are unable to appropriately participate in their child's education when they cannot communicate with schools, and agencies waste valuable dollars when individuals who are LEP come back to the office multiple times because the agency does not communicate effectively with them during their first encounter.

Although New York's language access laws are some of the best in the country, **violations of these laws are widespread**, and in many cases the laws are not enforced. In some cases, providers and public employees are not aware of their language obligations, and in other cases, they outright refuse to comply with the current laws by providing language access. In upstate New York, the problem is even more severe, given that the most common languages spoken – such as **Nepali, Karen, Somali and Arabic** - are not included in the Governor's Executive Order.

Opportunity and Talking Points

By creating a statewide Language Access Taskforce, New York State could help offer recommendations – new public education campaigns, tougher enforcement of existing laws, and the creation of incentives for providers to offer language access services – that would make significant improvements in increasing access for New York's millions of LEP residents to critical government services – particularly upstate.

- Recommendations on language access could help **improve government efficiency and lower costs** – avoiding frustrating, inefficient interactions between government service officials and LEP residents seeking to access services.
- Improving language access in upstate New York could help **strengthen trust between immigrant communities and state/local government.** By improving access beyond the languages enumerated in the Governor's Executive Order, the Taskforce can help New York State take major steps to better integrate upstate immigrant communities.

For additional information, please contact Jackie Vimo at jvimo@nyic.org.