



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

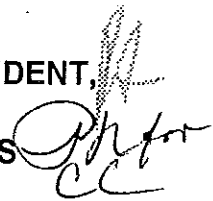
Family Investment Administration
ACTION TRANSMITTAL

Control Number: #09-04

Effective Date: Upon Receipt

Issuance Date: August 13, 2008

TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF
CHILD CARE SUBSIDY PROGRAM ADMINISTRATORS AND STAFF
HEALTH OFFICERS, LOCAL HEALTH DEPARTMENTS
LOCAL HEALTH DEPARTMENT ELIGIBILITY STAFF

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR, FIA
ROLF GRAFWALLNER, ASSISTANT STATE SUPERINTENDENT,
OFFICE OF CHILD CARE, MSDE
CHERYL A. CAMILLO, EXECUTIVE DIRECTOR, DHMH/OES 

RE: EQUAL ACCESS TO PROGRAMS AND SERVICES

PROGRAMS AFFECTED: ALL PROGRAMS

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

Recently, the federal Department of Health and Human Services (DHHS), Office of Civil Rights requested that DHR remind all staff that individuals with disabilities must have equal access to all programs and services. We cannot allow limited mobility or other disability to hinder a customer's access to our programs and services in any way. The Americans with Disabilities Act (the ADA) requires equal access. Equal access equates to equal opportunity.

ACTIONS REQUIRED:

- o At each contact, the case manager must ask customers if they require any special accommodation. If a customer requires a special accommodation, including being unable to come into the LDSS or local health department (LHD) due to a disability, the LDSS or LHD must offer a reasonable accommodation to the customer.
- o Reasonable accommodations include: offering the customer a telephone interview, home visit or other alternative method for meeting the face-to-face interview requirement or other requirement necessitating the customer to come into the office. Case managers must also provide appropriate accommodations for requirements other than the face-to-face interview.

- o Do not force customers to make multiple requests for reasonable accommodations. Respond to customers in a timely and professional manner.
- o Case managers must thoroughly narrate the customer's need for special accommodation. **Narrative entries should note whether or not the customer/head of household requires any special accommodation.** If special accommodation is required, include in the narration what accommodation the customer requested and the agency's response.
- o Whenever there is contact with a customer, advise the customer of their rights and responsibilities. In addition, copies of the DHR/OEPE pamphlet entitled "Discrimination – You Can Do Something About It" (OEPE 5035) should be readily available in all customer waiting areas. Also, explain to any LDSS/LHD vendors who provide customer services (e.g., WORKS program vendors or any type of taxi/carrier service etc.) of the necessity of ADA compliance.
- o DHR and DHMH new worker and refresher trainings will continue to include modules on ADA and civil rights compliance and will include specific reference to equal access under federal and state law.

INQUIRIES

Please direct TCA policy questions to Marilyn Lorenzo at 410-767-7333 or mlorenzo@dhr.state.md.us or Randy E. Graybeal at 410-767-7683 or rgraybea@dhr.state.md.us. Purchase of Care questions should be directed to Betsy Blair at 410-767-7845 or betsy.blair@msde.state.md.us and Medical Assistance questions should be directed to Peggy Owens at 410-767-1472 or POwens@dhmd.state.md.us.

cc: DHR Executive Staff
 MSDE Executive Staff
 DHMH Executive Staff
 FIA Management Staff
 MSDE Management Staff
 DHMH Management Staff
 FIA Policy and Training Staff
 OEPE Staff
 Constituent Services