



Eddy SeniorCare

ST PETER'S HEALTH PARTNERS

Title VI Program Plan

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

Specifically, Title VI provides that "no person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Eddy SeniorCare is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTS) Circular 4702.1.A. This plan was developed to guide Eddy SeniorCare in its administration and management of Title VI-related activities.

Title VI Coordinator at Eddy SeniorCare:

Michael Flaherty, Executive Director

Eddy SeniorCare

1938 Curry Road

Schenectady, NY 12303

Office: 518-382-3290

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in vehicles at all Eddy SeniorCare locations. Information relating to non-discrimination obligations can be obtained from the Eddy SeniorCare Executive Director. Additional non-discrimination information can be found at www.sphp.com/pace.

Title VI information shall be disseminated to Eddy SeniorCare employees during annual training containing the language set forth in Appendix A. This reminds employees of Eddy SeniorCare about the policy statement and that is against the law to discriminate on the basis of race, color, national origin, age, disability, or sex.

During department orientation, new employees shall be informed of the provisions in Title VI and the expectations of Eddy SeniorCare employees to perform their duties accordingly. All transportation employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgment of Receipt (see Appendix B).

III. Subcontracts and Venders

All subcontractors and venders who receive payments from Eddy SeniorCare where funding originates from any Federal assistance are subject to provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgments of receipts from the employees indicating the receipt of the Eddy SeniorCare Title VI Plan, copies of the Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants and Title VI investigations.

V. Title VI Complaint Procedures

How to file a Title VI Complaint

- Participants/family members/representatives filing a grievance may discuss their grievance at any time with any staff member or contractor that they feel comfortable with. Participants will be assured that their grievance will remain confidential and that they can freely voice their grievance without any restraint, fear of reprisal, interference, coercion or discrimination.
- A participant or caregiver may voice a concern either orally or in writing. To verbally file a grievance, the participant/family member/representative may contact Eddy SeniorCare staff during normal business hours and after hours including holidays and weekends at (518) 382- 3290. Participants may also file a grievance in writing to Eddy SeniorCare, Attn: Executive Director, 1939 Curry Road, Schenectady, NY 12303. The complaint for in Appendix D may be used but is not a requirement to file a formal complaint. If a participant does not speak English a bilingual volunteer or translation service will be made available to facilitate the grievance process. Accommodations will also be made available to the hearing and visually impaired as necessary.
- During the hours that the center is closed, the participant/family members/representatives may file a grievance with the administrator on call. Participants will be encouraged to give complete information so appropriate staff can resolve their grievance in a timely manner.

What happened to the complaint after it is submitted?

- All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Eddy SeniorCare will assure that complainants have access to phone and in-person translation services as needed.
- Eddy SeniorCare shall also provide appropriate assistance to complainants with disabilities
- Eddy SeniorCare shall make every effort to address all complaints in an expeditious and thorough manner and there shall be no discrimination against a Participant on the grounds that he/she has filed grievance.
- A grievance log as well as the file containing information pertaining to the grievance will be maintained in a secure confidential location. Access to completed grievance files is limited to the Executive Director and is only shared on a "need to know basis". No photocopies are to be made without the Executive Director's approval.
- Upon receipt of the complaint, the complainant will be provided documentation regarding the Eddy SeniorCare Grievance and Appeal process

How will the complainant be notified of the outcome of the complaint?

The Executive Director will provide in writing (See Appendix E) to member/representative the resolution to their concern within fifteen (15) calendar days of the receipt of the grievance.

Any participant/family member/representative who is dissatisfied with the outcome of the grievance resolution can take further action.

- 1) He/she may contact ESC's Executive Director within thirty (30) calendar days of the grievance resolution. The Executive Director will have fifteen (15) calendar days to resolve the grievance utilizing such resources as the operations team, the Ethics Committee, and the Quality Improvement Committee. The ESC Executive Director will send written notification indicating results of reconsideration of initial decision.
- 2) File a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to the Title VI complaints within sixty (60) working days of receipt of such complaints. The complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor- TCR
1200 New Jersey Ave
SE Washington DC 20590**

VI. Language Assistance Plan (LAP)

FTA Circular 4702.1B was developed by the Federal Transit Administration (FTA) and details the administrative and reporting requirements for recipients of FTA financial assistance to comply with Title VI and related executive orders including on LEP (Limited English Proficiency) persons.

The United States Department of Transportation (DOT) published guidance that directed its recipients to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP customers. Eddy SeniorCare Language Assistance Plan (LAP) includes a four factor analysis and implementation plan that complies with the requirements of the DOT LEP guidance.

1. Identifying LEP (Limited English Proficiency) Individuals

LEP Individuals are those individuals speaking a language other than English or using sign language that request assistance. Eddy SeniorCare/St. Peter's Health Partners has access to phone and in-person translation services as needed.

2. Providing Services

Eddy SeniorCare/St. Peter's Health Partners has access to phone and in-person translation services as needed.

3. Communicating Availability of Language Assistance

Eddy SeniorCare/St. Peter's Health Partners will inform those who request services of the process that translation services will be provided

4. Monitoring

Satisfaction Surveys offer an opportunity for individuals served and their care givers to provide input or suggest additional services.

The Title VI Plan will also be reviewed every three years.

5. Employee Training

As part of employee orientation, Eddy SeniorCare/St. Peter's Health Partners encourages staff interest and education in learning to more effectively communicate with individuals served.

VII. Safe Harbor Provision

The federal Transit Authority Circular 4702.1B states

"DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered. Then such action will be considered strong evidence of compliance with the recipient's written translation obligation. Translations of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provision apply to the translation of written documents only. The do not affect the requirement to provide access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factors Analysis, that even though a language meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."

VIII. Membership of Non-elected Committees and Councils

Eddy SeniorCare does not have a non-elected transit related advisory council at this time.

IX. Title VI Equity Analysis

Eddy SeniorCare does not have transit related facilities.

Appendix A: Employee Annual Education Form Title VI Policy

Eddy SeniorCare complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Eddy SeniorCare does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

Eddy SeniorCare Provides:

- Free aids and services to people with disabilities to communicate effectively with us, such as:
Qualified sign language interpreters
- Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Free language services to people whose primary language is not English

If these services are needed, contact the SPHP Communication /Language Access Program at 518-525-6771 or 518-525-6134.

Appendix B: Employee Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Eddy SeniorCare Title VI Plan. I have read the plan and am committed to ensuring that no participant is excluded from or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Administration (FTA) Circular 47002.1.A.

Employee signature

Print name

Date

Appendix C: Public Participation Plan (Page 1 of 2)

All applicants for Federal Transit Administration (FTA) financial assistance are required to ensure their programs, policies, and activities comply with US Department of Transportation (USDOT) Title VI of the Civil Rights Act of 1964. In order to comply with 49 CFR Section 21.9(b), sub recipients must develop, and submit to NYSDOT, a Public Participation Plan, which includes information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission.

The goal of a sub recipients Public Participation Plan is to offer early, often, and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. The plan should provide adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points.

Sub recipients should determine how, when and how often specific public participation activities should take place, and what specific measures are most appropriate. Sub recipients should make these determinations based on:

- The composition of the population in your service area;
- The type public involvement activities you have planned;
- The resources available to your Agency

For any change in service, even regular changes, public information sessions or website updates must inform low-income, minority and LEP populations directly. Sub recipients must be able to show these populations have been notified of the change by documenting the outreach activities and response.

In order to integrate Title VI, Environmental Justice (EJ), Limited English Proficiency (LEP), sub recipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities.

Outreach to low-income minority and LEP populations should include phone contact with relevant local organizations for these populations prior to any changes. Local organizations include Community Based Organizations, advocacy groups for immigrants, Independent Living Centers, just name a few. Public information sessions provide translation for LEP populations, and location must be accessible to impacted people by transit.

Sub recipients should always document when and how groups were contacted, and the type of meeting they were invited to. Minutes and records of responses must be taken down in written for review and be held for response. Sub recipients are required to certify they have fulfilled the Inclusive Participation requirement, by providing a summary of outreach efforts as part of their Title VI Program submission.

Appendix C (page 2 of 2)

Sub recipients should consider the following effective practices when developing a public participation plan:

- Use locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities;
- Coordinating with individuals, institutions, or organizations and implementing community based public involvement strategies to reach out to members in the affected minority and/or low-income communities;
- Placing public notices of activities in all stations and in all vehicles; provide alternative language notices for LEP communities in your service area
- Provide opportunities through means other than written communication. Consider personal interview or use of video or audio to capture community feedback from LEP populations;
- Use different meeting sizes and formats that are tailored to your particular communities or populations;
- Utilize social media, such as Facebook and You Tube to complement, but not replace, other involvement strategies;
- Consider non-traditional methods such a posting notices in hair salons, street fairs, faith-based institutions, libraries, etc.

Sub recipients can refer to, the NYSDOT Office of Policy, Planning and Performance developed a handbook entitled Public Involvement for Transportation Planning, which is available online at (link to website). In addition, How to Engage Low-Literacy and Limited English Proficiency Populations in Transportation Decision-making, available online at www.fhwa.dot.gov/hep/lowlim

Appendix D:



Eddy SeniorCare

ST PETER'S HEALTH PARTNERS

Title VI COMPLAINT FORM

Name _____

Address _____ **City** _____ **Zip** _____

Telephone: Home _____ **Work** _____ **Cell** _____

Basis of Complaint: (place checkmark)

Race

Color

Sex

National Origin

Age

Disability

Type of Complaint (place checkmark)

Program

Service

Benefit

Activity

Who allegedly discriminated against you?

Name _____

Address _____ **City** _____ **Zip** _____

Telephone _____

If an organization what is its name?

Name of Organization _____

Address _____ **City** _____ **Zip** _____

Telephone _____

Name of Contact _____

How were you discriminated against?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name

Title

Work Phone

Home Phone

Have you filed your complaint with anyone else?

Who _____

When _____

Do you have an Attorney in this matter?

Name _____

Address _____ **City** _____ **Zip** _____

When did you acquire _____

Signed _____ **Date** _____

Mail to:

Title VI Coordinator at Eddy SeniorCare:

Michael Flaherty, Executive Director

Eddy SeniorCare

1938 Curry Road

Schenectady, NY 12303

Office: 518-382-3290

Appendix E:



Eddy SeniorCare

ST PETER'S HEALTH PARTNERS

Date (to be completed and sent within 15 days of receiving grievance)

Dear Participant: (letter to be personalized with patient's and or family member's name)

You recently reported to a staff member at Eddy SeniorCare that you were not satisfied with

We appreciate you taking the time to inform us of this issue and apologize for any inconvenience this may have caused you. Areas of concern have been resolved as follows:

-
-

We hope that the solution noted above is acceptable. Should you not be satisfied with the outcome of this grievance resolution you can take further action. You may contact me within thirty (30) days of this letter and I will then have 15 days to resolve the grievance utilizing other resources within our system such as the operations team, the Ethics Committee, and/or the Quality Improvement Committee. I will send written notification to you indicating the results of this reconsideration.

You or a family member may also choose to contact the New York State Department of Health at any time to voice a complaint by calling:

- Managed Long Term Care issues at 1-866-712-7197
- For Title VI Transportation Non-Discrimination Issues: 888-446-4511
- Home care issues: NYS Home Care Hot Line at 1-800-628-5972

Again, I appreciate you taking the time to let us know how we can service you better. If you have any questions or concerns, please do not hesitate in contacting our office at (518) 382-3290.

Sincerely,

Michael Flaherty
Executive Director

Sample of Narrative to be included in Posters to be displayed in Participants Transport Vehicles and Facilities

Eddy SeniorCare operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.

To obtain additional information about your rights under Title VI, contact Eddy SeniorCare, Michael Flaherty, Executive Director

If you believe you have been discriminated against on the basis of race, color, or national origin by Eddy SeniorCare, you may file a Title VI complaint by completing, signing, and submitting the agency's Title VI Complaint Form.

How to file a Title VI complaint with Eddy SeniorCare

1. Participants/family members/representatives filing a grievance may discuss their grievance at any time with any staff member or contractor that they feel comfortable with. Participants will be assured that their grievance will remain confidential and that they can freely voice their grievance without any restraint, fear of reprisal, interference, coercion or discrimination.

A participant or caregiver may voice a concern either orally or in writing. To verbally file a grievance, the participant/family member/representative may contact Eddy SeniorCare staff during normal business hours and after hours including holidays and weekends at (518) 382- 3290. Participants may also file a grievance in writing to Eddy SeniorCare, 1938 Curry Road, Schenectady, NY 12303. If a participant does not speak English a bilingual volunteer or translation service will be made available to facilitate the grievance process. Accommodations must also be made available to the hearing and visually impaired as necessary

2. In addition to the complaint process at Eddy SeniorCare complaints may be filed directly with the Federal Transit Administration Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor,- TCR, 1200 New Jersey Ave,SE Washington DC 205903.

Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.

4. The form must be signed and dated, and include your contact information.

If information is needed in another language, contact 518-525-6771

APPENDIX F: NYSDOT Public Transportation Programs

Title VI Investigations, Complaints & Lawsuits Log

Title VI Coordinator at Eddy SeniorCare:
Michael Flaherty, Executive Director
Eddy SeniorCare
1939 Curry Road
Schenectady, NY 12303
Office: 518-382-3290

FISCAL YEAR FY:

REPORTING PERIOD (check appropriate box):

1ST Half ☐
(July-December)

2ND Half ☐
(January-June)

Complete Fiscal Year ☐
(July-June)

1. Were any investigations, lawsuits or complaints filed during this time period?
2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period:

Date the investigation, lawsuit or complaint was filed, and Summary of the allegation(s) and status if resolved.
3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**
4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**