

NRS 232.0081 Language access plan: Development and biennial revision; requirements; public comment; legislative recommendations; inclusion of necessary funding in proposed budget of agency. [Effective May 20, 2024.]

1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency. The plan must:

(a) Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;

(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:

- (1) The types of services received by such persons or for which such persons are eligible;
- (2) The preferred language and literacy level of such persons;
- (3) The ability of such persons to access the services of the agency electronically;
- (4) The number and percentage of such persons who are indigenous; and
- (5) The number and percentage of such persons who are refugees;

(c) Provide an inventory of language services currently provided, including, without limitation:

(1) Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;

(2) Oral language services offered by language and type;

(3) A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;

(4) A description of any position at the agency designated for a dual-role interpreter;

(5) Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and

(6) Any resources made available to employees of the agency related to cultural competency;

(d) Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and

(e) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to [NRS 353.210](#).

5. As used in this section:

(a) “Agency of the Executive Department” means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

(b) “Dual-role interpreter” means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) “Language services” means oral language services and translation services.

(d) “Oral language services” means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) “Person with limited English proficiency” means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

(f) “Translation services” means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

(Added to NRS by [2021, 3234](#); A [2021, 3237](#), effective May 20, 2024)