



Denver Human Services Civil Rights Plan

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Denver Human Services
1200 Federal Blvd, Denver, CO 80204
Phone: (720) 944-4347
Fax: (720) 944-3074
Email: DHS_Civil_Rights@denvergov.org

Denver Human Services Civil Rights and
American with Disabilities Act and Section 504 contact person:
Jason Vert
Privacy Officer
1200 Federal Blvd, Denver, CO 80204 – Fourth Floor
Phone: (720) 944-2829
Fax: (720) 944-3074
Email: DHS_Privacy_Team@denvergov.org
Email: Jason.vert@denvergov.org

The Denver Human Services Civil Rights Plan, Civil Rights Complaint and Grievance Policy, Denver Human Services Nondiscrimination and State Nondiscrimination statements are available at Denver Human Services Welcome Center by requesting them from an employee and by requesting through the DHS_Civil_Rights@denvergov.org mailbox. The Civil Rights Plan will also be publicly posted at www.denvergov.org/Humanservices and Denver Human Services Welcome Center.

Purpose:

As a recipient of Federal Financial Assistance, Denver Human Services is responsible for providing core services to assist and support Colorado's most vulnerable individuals and families so they can meet their basic needs and be treated with respect and dignity. Denver Human Services has a civil rights plan to ensure that all eligible individuals receive equal access to all programs, services, activities, and information. All programs are operated in a nondiscriminatory way, without regard to race, color, ethnic or national origin, ancestry, age, disability, sex, gender, sexual orientation, gender identity or expression, religion, political beliefs, creed and public assistance status. In medical assistance programs, sex includes sex stereotypes and gender identity under any health program or activity receiving federal funds.



The civil rights plan also serves as a source of information for Denver Human Services staff and the general public. The plan sets out the Agency's civil rights administrative policies and procedures, identifying key contacts within the Agency and linking the reader to applicable state and federal civil rights laws and resources.

This statement is in accordance with:

- Title VI of the Civil Rights Act of 1964
- Section 504 and Section 508 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- The Age Discrimination Act of 1975
- Section 1557 of the Patient Protection and Affordable Care Act of 2010

U.S. Department of Health and Human Services Regulations:

- Title 45 Code of Federal Regulations (CFR) Parts 80, 84, and 91
- Title 28 CFR Part 35

State of Colorado regulations:

- Title 24 Colorado Revised Statutes (CRS) Parts 4, 6, 8 and 34
- Title 10 Code of Colorado Regulations (CCR) Section 8.100
- The Colorado Anti-Discrimination Act

Equal Access and Opportunity

Denver Human Services' policies are intended to ensure programs, services and activities are accessible to all eligible persons without regard to race, color, ethnic or national origin, ancestry, age, disability, sex, gender, sexual orientation, gender identity and expression, religion, political beliefs, creed and public assistance status by providing information on how to access accommodations, being transparent with its policies, requiring annual training for all employees and instituting a resolution process.

Disability Compliance

In accordance with the requirements of Section 504 of the Rehabilitation Act of 1973 (504), Title II of the Americans with Disabilities Act of 1990 ("ADA"), and Section 1557 of the Patient Protection and Affordable Care Act of 2010, Denver Human Services does not discriminate against qualified individuals with disabilities on the basis of disability in employment, admission or access to, treatment or participation in, or receipt of the services and benefits under any of its programs, services and activities. Denver Human Services and all of its programs, services and activities are accessible to and usable by individuals with disabilities.

Denver Human Services will make reasonable modifications to policies, practices, procedures, and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all



of its programs, services and activities. For example, individuals with service animals are welcomed in the Denver Human Services offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service or to request a reasonable modification to participate in a program, service or activity of Denver Human Services, should contact the agency and/or the Civil Rights Contact Person to request. Denver Human Services is not required to take any action that would fundamentally alter the nature of its programs, services, and activities, or impose an undue financial or administrative burden.

Denver Human Services will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications, such as providing an American Sign Language (ASL) interpreter for effective communication, ensuring physical access to all areas open to the public, or assistance with filling out an Application for Public Assistance.

Denver Human Services has a procedure for complaints alleging disability discrimination or violations of Section 504, Title II of the ADA, or Section 1557 of the Patient Protection and Affordable Care Act of 2010.

Effective Communication Aids and Services

Denver Human Services provides auxiliary aids and services to individuals with disabilities, and language services to individuals whose first language is not English, when needed to ensure equal opportunity and meaningful access to programs, services and activities. Denver Human Services will provide auxiliary aids and services in a timely way and free of charge.

Examples of free aids and services include, but are not limited to:

- Qualified sign language interpreters
- Written information in other formats
- Foreign language interpreters
- Information translated into other languages

If an individual believes that Denver Human Services has failed to provide these services or discriminated in another way, a grievance can be filed with the Civil Rights Contact Person by mail, phone, fax, or email within sixty (60) days of the incident. The Civil Rights Contact Person can also help file the grievance.

Civil Rights Complaint Appeal Process

At the time of notifying the applicant, member and/or the individual that submitted the complaint of the results of the investigation, they will also be notified of the right to appeal the initial decision rendered by the Agency. Applicants, members and/or the individuals who submitted a complaint shall notify the DHS Executive Director, in writing, of their intent to



appeal a decision within thirty (30) calendar days of any decision made. Appeal requests can be sent to DHS_Civil_Rights@denvergov.org or mailed to 1200 Federal Blvd. Denver, CO 80204. If the appeal is received by the Agency, the appeal will be forwarded to the Department and DHS Executive Director by the Civil Rights Contact Person.

When making an appeal decision, the DHS Executive Director shall consider all testimony and relevant evidence introduced during the appeal. The applicant, member, or the individual that submitted the complaint and the agency's Civil Rights Contact Person may both be allowed to introduce witnesses and evidence in a fair and consistent manner and may be represented by counsel if desired.

Appeal decisions must be rendered by the DHS Executive Director within fifteen (15) calendar days of appeal being received by the Agency. All decisions shall be in writing and provided to the agency's Civil Rights Contact Person, the applicant, the member, and/or the individual who submitted the complaint, and the Department. The Civil Rights Contact Person must update the Civil Rights Complaint Tracking log with the outcome of the appeal.

The applicant, member or individual who submitted the complaint will not be retaliated against for their submission of a complaint, nor will a member's benefits be terminated for submitting a complaint.

Departments of human/social services must cooperate fully with the federal and state investigative processes. If the Department receives or is notified of a complaint of discrimination against the agency, the Department will initiate corrective actions as specified in 10 CCR 2505-5 1.020.11 until the Agency rectifies the issue. Non-compliance with corrective action will result in sanctions as stated in 10 CCR 2505-5 1.020.12.

If the Civil Rights Contact Person has a conflict of interest or is unavailable, the Administrative Assistant for Executive Management will collaborate with DHS Legal to investigate an allegation as [Policy 1512-474 Civil Rights Grievance and Complaint](#) allows for. If there is a question of whether there is a conflict of interest, then DHS Legal will make the final determination.

Procedure:

The Civil Rights Contact Person will follow the process and policies in [Policy 1512-474](#) when conducting a civil rights investigation as well as American with Disabilities Act and Section 504 complaints. The [complaint form](#) is also available from this plan.

Civil Rights Plan Administration and Monitoring:

Denver Human Services will administer its Civil Rights Plan by:



Appointing a qualified Civil Rights Contact Person. To be considered qualified, the Civil Rights Contact Person must be impartial and independent. The Civil Rights Contact Person will act as a point of contact for applicants, members, individuals and the Department for all of the agency's Civil Rights Plan requirements. The Civil Rights Contact Person will be the point of contact for civil rights complaints. This person will maintain up-to-date information on civil rights laws and requirements and ensure updates are shared with agency staff regularly. The Civil Rights Contact Person will be responsible to post civil rights notices and updates in lobbies and on the agency website. The Civil Rights Contact Person will manage the discrimination investigation procedures, conduct investigations and address issues of civil rights non-compliance. The Civil Rights Contact Person will work with the agency to provide civil rights training.

The Denver Human Services complaint resolution process outlined here is posted publicly within the lobby of the Denver Human Services Welcome Center building at 2929 W. 10th Ave. Denver, CO 20204 and available on the DHS website at www.denvergov.org/humanservices. The HCPF Nondiscrimination Statement and the County Nondiscrimination statement will be posted along with this process.

The Agency will conduct regular training to staff as described below. Training will also be completed based on the findings of investigations conducted. As detailed in 10 CCR 2505-5 1.020.6.f.ii, if the Department receives or is notified of a complaint of discrimination against the county, or the county, through its own investigation of a civil rights or discrimination complaint, and the complaint is founded and an applicant, member or individual was found to be discriminated against by the county or its staff, the Department will initiate corrective actions as specified in 10 CCR HCPF OM 23-003 2505-5 1.020.11 until the county rectifies the issue. Denver Human Services will work with the Department to rectify and founded findings.

This plan will be reviewed annually by the county and updated as necessary, including changes to the Civil Rights Contact Person and/or their contact information. Any changes to the plan will be resubmitted to the Department (by submitting a County Relations Request form ticket or by email HCPF_CountyRelations@state.co.us).

Monitoring

The agency Civil Rights Contact Person is responsible for monitoring Denver Human Service's compliance with the Civil Rights Plan, including ensuring all staff complete required training, and that investigations are completed per the plan, including submission of the biannual investigation reporting. Denver Human Services will monitor process changes that are implemented by the agency due complaints received or investigation findings.



Retaliation statement

An applicant, member, or individual cannot be retaliated against or coerced for requesting access to or assistance with the submission of a Civil Rights or discrimination complaint, per federal and state law.

Training Statement

Denver Human Services will conduct annual training on the agency's civil rights plan to all staff that have contact with applicants and members or agency staff who supervise those who have applicant/member direct contact. The training will include information on how to provide clients and members with civil rights information, guidance on how to assist with filing civil rights complaints and updated contact information for the agency's Civil Rights Contact Person. Training will also provide staff with information on how to access auxiliary aids and services and language access services for applicants and/or members. 100% of Denver Human Services staff shall complete the annual training, and tracking of completion of annual training shall be maintained by the Civil Rights Contact Person on the agency training spreadsheet. Training will be completed through City and County of Denver Workday technology, as well as through supervisor and Civil Rights Contact Person derived trainings including this plan.

Agency staff appointed to fulfill duties relating to the administration of Medical Assistance and who have direct contact with applicants and members or who supervise those who have direct contact with applicants and/or members are required to complete annual State Civil Rights and Nondiscrimination training provided by the Staff Development Division (SDD). 100% of the agency's staff must complete the required training on an annual basis. Failure to complete the training annually may result in loss of access to the Colorado Benefits Management System (CBMS). The Agency Civil Rights Contact Person shall maintain tracking of training completion by staff on the agency training spreadsheet.

The Civil Rights Contact Person will conduct, as needed, training to staff based on complaint referrals received by the agency and when investigations on complaints determine that there was a violation and/or founded discrimination. This training will be conducted to ensure that future occurrences of civil rights complaints are prevented to the best of the staff members ability. The training will be tracked on the agency training spreadsheet and on the agency's Civil Rights Complaint log. Additional action may be taken including but not limited to staff performance improvement plan and termination.

Agency Contractor, Vendor, and Partner Compliance Requirements

As specified in 10 CCR 2505-5 1.020.6.1.c, the Department shall assure that any contractors, vendors, partners, or other parties that do business on behalf of the agency, are paid using federal and state Medical Assistance funds, or who have contact with applicants or members are in compliance with federal and state civil rights laws and the provisions within this Operational Memo. If the agency is alerted to founded discriminatory activity, the agency must



notify the Department, via email HCPF_CountyRelations@state.co.us, within three (3) calendar days.

At the Department's direction, if the agency, state or federal government finds that any of the agency's contractors, vendors or partners are in violation of federal and state civil rights provisions, the agency may be required to terminate any payments or association with that party, per 10 CCR 2505-5 1.020.6.1.d. Termination must occur immediately upon notification from the Department to the agency.

Additional Complaint Resources

Per state and federal law, individuals can submit a discrimination or civil rights complaint to the agency or directly to the state or federal government. All of the options listed below for the submission of civil rights complaints are publicly posted within lobbies and high-traffic areas within the agency. To submit a complaint, the applicant or member can utilize the agency's Civil Rights/Non-Discrimination complaint process, required as part of the agency's Civil Rights Plan, operationalized by the agency and approved by HCPF and/or:

U.S. Department of Health and Human Services
Office for Civil Rights
1961 Stout Street, Rooms 08-148
Denver, CO 80294
Telephone: 800.368.1019
TDD: 800.537.7697
Fax: 202.619.3818
Email: OCRComplaint@hhs.gov
www.hhs.gov/civil-rights/filing-a-complaint/complaint-process/index.html

Colorado Department of Health Care Policy and Financing
Civil Rights Officer
1570 Grant Street
Denver, CO 80203
Telephone: 303.866.6010
State Relay: 711
Fax: 303.866.2828
Email: hcpf504ada@state.co.us
<https://hcpf.colorado.gov/americans-disabilities-act>



Colorado Department of Regulatory Agencies
Colorado Civil Rights Division
1560 Broadway, Suite 825
Denver, CO 80202
Telephone: 303.894.2997
Toll Free: 800.262.4845
State Relay: 711
Fax: 303.894.7830
Email: dora_ccrd@state.co.us
<https://socgov07-site.secure.force.com/ColoradoCivilRights/>