

October 17, 2024

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 24-68**

The purpose of this All County Letter (ACL) is to provide County Welfare Department (CWD) employees with guidance and instructions on when to provide and how to complete Form CR 6181. This letter reminds CWDs of their civil rights obligations regarding use of interpretation services. This letter supersedes ACL 21-128.



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GAVIN NEWSOM  
GOVERNOR

October 17, 2024

ALL COUNTY LETTER NO. 24-68

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY CHILD WELFARE DIRECTORS  
ALL COUNTY CIVIL RIGHTS COORDINATORS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL CALWORKS PROGRAM SPECIALISTS  
ALL REFUGEE PROGRAM MANAGERS  
ALL CAPI PROGRAM MANAGERS  
ALL IHSS PROGRAM MANAGERS  
ALL MEDI-CAL PROGRAM SPECIALISTS/LIAISONS

SUBJECT: INSTRUCTIONS ON WHEN TO OFFER AND HOW TO  
COMPLETE AND DOCUMENT FORM CR 6181 REGARDING  
INTERPRETATION SERVICES AND CONFIDENTIALITY  
AGREEMENT

REFERENCE: [TITLE II OF THE AMERICANS WITH DISABILITIES ACT \(ADA\)  
OF 1990 \(42 U.S.C. SECTION 12101, ET SEQ.\)](#);  
[28 CODE OF FEDERAL REGULATIONS \(CFR\) PART 35, ET  
SEQ.](#);  
[CDSS MANUAL OF POLICIES AND PROCEDURES \(MPP\)  
DIVISION 21](#);  
[ALL COUNTY LETTER \(ACL\) 06-20; ACL 08-65; ACL 19-45](#);  
[ALL COUNTY INFORMATION NOTICE \(ACIN\) I-09-06](#);  
[ACIN I-39-24](#)

This ACL provides guidance and instructions to County Welfare Department (CWD) employees for completing and documenting [Form CR 6181 Interpreter Services Statement and Confidentiality Agreement \(CR 6181\)](#). The CR 6181 was originally released by ACL 21-128. This letter supersedes ACL 21-128. This letter contains new guidance on using the CR 6181 when Deaf and hard of hearing (DHH) individuals want to use their own interpreter, instructions for completing the form during remote service delivery, and reminders regarding use of Telecommunication Relay Services.

The CR 6181 replaced any CWD form previously used for informing individuals of the risks of using their own interpreter instead of interpretation services from the CWD. The CR 6181 must be used when individuals with limited English proficiency (LEP) use their own oral interpreter in any language or when DHH individuals use their own sign language interpreter. Interpreters who assist DHH individuals include American Sign Language (ASL) interpreters, Deaf interpreters, interpreters of foreign sign languages, and tactile and protactile interpreters. This ACL refers to any of these types of interpreters as “Sign Language Interpreters.”

The CR 6181 informs the individual of the potential for communication errors when they use their own interpreter. It also advises individuals that their interpreter may need to interpret sensitive and personal information, and that the CWD cannot guarantee that the client-provided interpreter will maintain confidentiality with respect to any information obtained through the interpretation process. The CR 6181 does not replace GEN 1365 Notice of Language Services, which informs individuals of their right to language assistance services at no cost to them.

CWDs are reminded of their obligation to ensure the provision of effective bilingual/interpretation services to meet the needs of individuals with LEP and DHH individuals. ([MPP Section 21-115.](#)) While applicants/recipients may use their own interpreter, CWDs must not compel, encourage, or require the applicant/recipient to do so, or in any other way discourage requests for and/or use of a CWD-provided interpretation service at any time. ([28 CFR Section 35.160\(c\)\(1\)](#); [MPP Section 21-115.16](#); [ACL 06-20.](#))

## **I. INSTRUCTIONS ON COMPLETING THE CR 6181**

Once a CWD has been informed that an applicant/recipient with LEP needs an interpreter for an oral or signed language, the CWD must always offer free, county-provided interpretation services at each substantive client contact.<sup>1</sup> ([MPP Section 21-115.41](#); [ACL 06-20](#); [ACL 08-65.](#)) Substantive contacts are interactions involving discussion of benefits, services, rights, responsibilities, or appointment scheduling. ([ACL 08-65.](#)) When applicants/recipients or authorized representatives opt to use their own interpreter *after* being offered free, county-provided interpretation services, CWDs must use the CR 6181. The CR 6181 serves as a consent and release of information document, enabling the applicant/recipient to use their own interpreter.

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<sup>1</sup> The DHH community includes individuals who are Deaf, DeafBlind, Deaf disabled, hard of hearing, and late-deafened (DDBDDHHL). It is important to note that not all DHH individuals communicate via ASL or another signed or tactile language. Therefore, Sign Language Interpreters may be neither necessary nor helpful to facilitate effective communication for all DHH individuals. If a DHH individual informs the CWD that they do not know or use any sign language modality to communicate, the CWD need not offer an interpreter at every interaction. Instead, the CWD should ensure other appropriate auxiliary aids are provided to achieve effective communication, such as written notes or closed captioning. The CWD must give primary consideration to the aids requested by the individual. ([28 CFR Section 35.160.](#)) See [ACIN I-39-24](#) for more information.

The CR 6181 shall be made available in all translations provided by CDSS. ([MPP Section 21-115.2](#); see also [ACIN I-09-06](#).) Translations of the CR 6181 are available on the [CDSS Translated Forms and Publications webpage](#) in 19 languages: Arabic, Armenian, Cambodian, Chinese, Farsi, Hindi, Hmong, Japanese, Korean, Lao, Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Thai, Ukrainian, and Vietnamese.

**Section A** notifies the applicant/recipient of their right to free sign language interpretation and oral interpretation services, the county's preference for using qualified bilingual staff or a trained interpreter, potential challenges that may arise when using the applicant's/recipient's chosen interpreter, and the right to request county-provided bilingual or interpretation services at any time, even after completing the CR 6181.

**Section B** must be completed by the applicant/recipient. They must fill in their name and preferred language, and then sign and date on the designated lines in Section B.

**Section C** must be completed by the applicant's/recipient's chosen interpreter. The interpreter must fill in their name and specify the language they are interpreting on the designated lines in Section C. The interpreter must fill in the applicant's/recipient's name and their relationship to the applicant/recipient. Finally, the interpreter must sign and date at the bottom of Section C.

The CWD is responsible for ensuring that both the applicant/recipient and their interpreter thoroughly read and understand every section of the CR 6181. To facilitate understanding, the CWD must provide the CR 6181 in the applicant's/recipient's primary language. If the CR 6181 is not available in the applicant's/recipient's primary language, if the individual is not literate in their primary language, and/or if assistance is needed in understanding and completing the form, the CWD must take the following steps:

- **For applicants/recipients who communicate by spoken language:** use a county-provided interpreter or qualified bilingual staff person to read each section aloud in the applicant's/recipient's primary language and assist them in understanding and completing the form.
- **For DHH applicants/recipients who communicate with sign language:** use a county-provided Sign Language Interpreter, Video Remote Interpretation (VRI), or other auxiliary aid requested by the applicant/recipient to assist them in understanding and completing the form. Primary consideration must be given to the auxiliary aid or service requested by the DHH individual. ([28 CFR Section 35.160](#).)

The CWD may not rely on the client-provided interpreter to assist the individual in understanding and completing the CR 6181. The CWD must use a county-provided interpreter to assist with clarification and address any questions the applicant/recipient may have.

When an individual opts to use their own interpreter, a new CR 6181 must be completed if no CR 6181 is on file, if the CR 6181 was completed over a year ago, or if the applicant/recipient opts to bring a different interpreter. The CWD may not use the applicant/recipient-provided interpreter without a completed CR 6181. If the applicant/recipient or their interpreter refuses to complete the CR 6181, the CWD must use a county-provided interpreter or qualified bilingual staff person. Household members (including spouses) may not be used as interpreters for another applicant/recipient without a completed CR 6181.

## **II. DOCUMENTATION OF THE CR 6181**

After the applicant/recipient and their interpreter complete the CR 6181, the CWD staff member must properly document it in the applicant's/recipient's case file. The CWD staff member must specifically annotate in the journal, notes, or narrative section of the case file that the CR 6181 was provided to the applicant/recipient, confirm that they read and understood its contents, and acknowledge the signatures of both the applicant/recipient and their chosen interpreter. The CWD staff member must also document the name of the interpreter, their relationship to the applicant/recipient, and the language services were provided in. The completed CR 6181 must be retained within the applicant's/recipient's case file.

### **Sample documentation when a new CR 6181 is signed:**

The customer's preferred spoken language is [insert language] and preferred written language is [insert language]. Offered free interpretation services; the customer declined the services and chose to use their own interpreter. Provided Form CR 6181 in [insert language] and certified bilingual employee [insert name] helped the customer complete the form in [insert language]. Customer and interpreter signed CR 6181 indicating they read and understood it. Uploaded image of completed CR 6181 to case file. Customer's chosen interpreter is [insert customer's interpreter information]. The interpreter is the customer's [identify relationship]. Services provided in [insert language]. [Include any other relevant information specific to the case].

For DHH applicants/recipients requiring interpretation due to a disability, documentation must also adhere to the requirements set forth in [ACL 19-45](#) regarding documentation of requests for and the provision of reasonable accommodation and auxiliary aids. The case file must contain information reflecting that the individual requires accommodation due to disability, the accommodation(s) requested by the client, and the accommodation(s) provided to the client. (See section IV of [ACL 19-45](#).)

If an applicant/recipient continues to use the same interpreter for subsequent substantive contacts within a year of completing the CR 6181, the CWD must document the interpreter's name and the language used in the journal, notes, or narrative section of the case file for each substantive contact.

Any new CR 6181 completed by the applicant/recipient must be added to their case file and documented accordingly.

### **III. PHONE OR VIRTUAL COMMUNICATIONS**

The same rules and requirements for use of client-provided interpreters apply during phone or virtual service delivery. However, the method of completing the CR 6181 will differ to accommodate the remote service delivery. If a new CR 6181 needs to be completed during phone or virtual service delivery, the CWD must take the following steps to avoid relying on the applicant's/recipient's interpreter in completing the CR 6181:

- **For applicants/recipients who communicate by spoken language:** use a county-provided interpreter to interpret Sections A and B of the CR 6181 for the individual in their primary language (e.g., by adding a telephonic interpreter or qualified bilingual staff person to the phone call via three-way calling). The CWD must also read Section C of the CR 6181 aloud to the interpreter.
- **For DHH applicants/recipients who communicate with sign language:** determine if the DHH individual has access to a device that enables direct communication with the CWD employee, such as a video phone, a Video Relay Service (VRS) app on their mobile device, a text telephone device like TTY or TDD, or other adaptive equipment. If the individual has access, the CWD employee should connect with the individual through the available device and read Sections A and B of the CR 6181. The CWD must also read Section C of the CR 6181 aloud to the interpreter.

As an alternative, the CWD may email a copy of the CR 6181 for the individual to read, if the individual has access to email. However, CWDs should be aware that, given educational barriers and language deprivation, limited English proficiency is common in the deaf community so reading the CR 6181 may not be a reliable option for some individuals.

CDSS intends to release an ASL video clip of the CR 6181. When available, this video clip will be posted on the CDSS website. CWDs may play the ASL video clip to meet the requirement of reading the CR 6181 to applicants/recipients who understand ASL and/or can read closed captioning.

The applicant/recipient must agree to Section B and the interpreter must agree to Section C. The CWD may accept telephonic signatures or another form of agreement. The method of obtaining agreement will vary by individual (some DHH individuals may speak but not hear; other individuals may neither hear nor speak). The CWD must assess on an individual basis how the applicant/recipient or interpreter can communicate agreement. Agreement can also be conferred by email.

CWD staff should complete the CR 6181, indicating that verbal or another form of agreement was obtained by telephone in lieu of wet signatures. The completed CR 6181 must be maintained in the applicant's/recipient's case file. A copy of the CR 6181 should be provided to the applicant/recipient if requested.

Any phone or virtual interaction must be documented as outlined above in Section II. In addition to other required information, the CWD must document that they obtained verbal or signed agreement from the individual and the interpreter.

#### **IV. OTHER CIRCUMSTANCES INVOLVING CLIENT-PROVIDED INTERPRETERS**

The individual's choice to use a minor as an interpreter must be temporary and only until a CWD interpreter is made available. ([ACL 06-20](#).) Additional restrictions on the use of minors as interpreters apply for DHH applicants/recipients. (See [28 CFR Section 35.160\(c\)\(3\)](#); see also [ACIN I-39-24](#).) Requirements to use the CR 6181 are not intended to interfere with or delay a CWD's response to temporary extenuating circumstances, such as an emergency situation. Therefore, completion of the CR 6181 is not required in such circumstances. When a minor (under 18 years of age) is used as an interpreter, the CWD shall so document the circumstances requiring temporary use of the minor interpreter in the case record. ([MPP Section 21-116.22](#).)

If CWDs have a concern about the adequacy of the client's interpreter, the CWD may wish to have their own interpreter participate in the meeting. The ADA prohibits CWDs from relying on a client-provided interpreter to interpret if the CWD doubts that reliance on that adult for such assistance is appropriate under the circumstances. ([28 CFR Section 35.160\(c\)\(2\)](#).) For example, it is inappropriate to rely on a spouse to interpret during a domestic violence screening.

#### **V. REMINDERS REGARDING USE OF TELECOMMUNICATION RELAY SERVICES AND CONTRACTED INTERPRETERS**

[Telecommunications Relay Services](#) (TRS) are publicly funded services that enable individuals with hearing loss or speech disabilities to engage in telephone communication in a manner that is functionally equivalent to telephone services used by persons without such disabilities. See [ACIN I-39-24](#) for more information.

It is imperative that CWDs refrain from requesting or requiring TRS communication assistants, including interpreters, to complete the CR 6181. TRS communication assistants are bound by confidentiality, preventing them from disclosing any information, including their identity, at any time. Further, TRS communication assistants are exempt from the requirements of this letter because they do not meet the definition of client-provided interpreters as they are provided by TRS providers.

There is no requirement that CWDs use the CR 6181 for contracted interpretation services (e.g., language line vendors and interpretation services providers) if the CWD contract includes language protecting the client's privacy and confidentiality. ([ACL](#)



[08-65.](#)) CWDs should refrain from making unnecessary requests for the CR 6181 beyond the requirements of this letter to avoid undue delays in the provision of interpretation services. ([MPP Section 21-115.](#))

## **VI. REMINDERS REGARDING PROVISION OF BILINGUAL AND INTERPRETATION SERVICES TO APPLICANTS/RECIPIENTS WITH LIMITED ENGLISH PROFICIENCY**

CWDs must affirmatively inform applicants/recipients of their right to free sign language interpretation and oral interpretation services in any spoken language. ([ACL 06-20.](#)) CWDs must provide language services promptly and without undue delay. ([MPP Section 21-115.](#)) CWDs must take steps to ensure that communication with DHH applicants/recipients is as effective as communications with others. ([28 CFR Section 35.160\(a\)\(1\)](#); see [ACL 19-45](#) and [ACIN I-39-24.](#))

The CWD shall not conduct substantive, program-related conversations with the applicant/recipient until qualified interpretation services are available absent extenuating circumstances as described above. ([ACL 06-20.](#)) A “qualified interpreter” means an interpreter who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. ([28 CFR Section 35.104](#); [MPP Section 21-104\(q\)\(2\).](#))

The CWDs are reminded to document the following details in the case record file during initial contact (when application is received or at intake), at redetermination (or annually if redetermination is not required), and whenever the applicant/recipient requests a change in oral or written language preference:

1. Confirmation that the applicant/recipient was offered free language services in their primary language;
2. The applicant’s/recipient’s preferred language for both oral and written communications (which may not necessarily be the same);
3. The applicant’s/recipient’s decision to accept or decline language services;
4. The language in which the services were provided; and
5. Identification of the individual or service that provided the interpretation services, specifying whether it was a qualified bilingual employee, telephonic interpreter, TRS communication assistant, client-provided interpreter, etc. If the applicant/recipient is assigned to a bilingual worker or unit that provided the services, the name of the worker or unit should be documented as well. ([ACL 08-65.](#))

For all subsequent substantive contacts with an applicant/recipient with LEP or an applicant/recipient who uses sign language, CWDs must document each interaction in accordance with [ACL 08-65.](#)



If you have any questions or need additional guidance regarding the information in this letter, contact the CDSS Civil Rights Section at (916) 654-2107 or at [crb@dss.ca.gov](mailto:crb@dss.ca.gov).

Sincerely,

***Original Document Signed By***

KATHY YANG  
Deputy Director  
Office of Equity Division