

WVDHHR Public Participation Plan
June 12, 2023

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I. Introduction

The West Virginia Department of Health and Human Resources (WVDHHR) strives to conduct business in an open and transparent way. To achieve this goal, WVDHHR and its staff must be aware of and sensitive to the changing diversity of the state's population, culture, and the needs of communities across the state when developing and implementing public participation, outreach, and engagement programs. This Public Participation Plan is intended to be a living document that addresses the WVDHHR's ongoing efforts to engage in public participation and guide WVDHHR's efforts to continue presenting clear and easy-to-consume information to all stakeholders.

It is important to note that while this document provides guidance and best practices, each community is different and a 'one-size fits all' procedure for public participation is not the most effective approach. Rather, the agency will apply best practices and methods that reflect the needs of each individual community. The primary purpose of creating, implementing, and regularly updating this Plan is to assist the agency and its staff in fostering stronger partnerships with individuals and groups that will contribute to the WVDHHR's statutory duty to protect public health. Fostering these relationships and partnerships from the outset will provide the WVDHHR and our staff with more meaningful opportunities to engage the public when specific events, permit applications, or community concerns arise.

The law provides that no person shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Rehabilitation Act of 1973, and all other pertinent nondiscrimination laws and regulations. In keeping with the tenets of the law, the agency works to ensure that, with respect to the development, implementation, and enforcement of public health laws, regulations, and policies, all West Virginians will receive fair treatment and meaningful involvement regardless of their race, color, national origin, or income.

According to the U.S. Environmental Protection Agency (USEPA):

Fair treatment means no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies, and;

Meaningful involvement means

- people have an opportunity to participate in decisions about activities that may affect their environment and/or health
- the public's contribution can influence the regulatory agency's decision
- community concerns will be considered in the decision-making process
- decision-makers will seek out and facilitate the involvement of those potentially affected

II. Purpose

The purpose of this Plan is to ensure consistency across the WVDHHR in both the understanding and implementation of our public participation, outreach, and engagement strategies. The agency recognizes public engagement as an active and intentional dialogue between members of the public and WVDHHR. In order for communities to be meaningfully involved in decision-making processes and for the agency to incorporate local community knowledge, proper tools must be used to engage with communities. By applying the guidance and best practices presented in this Plan, WVDHHR aims to:

- Create better opportunities and mechanisms to receive public input.
- Promote respectful and meaningful dialogue between community members, organizations, and the agency.
- Educate the public about the agency's programs.
- Build trust with the public to strengthen community ties and partnerships.
- Work with community organizations to identify shared goals and opportunities for collaboration.
- Provide consistent communication about state law and WVDHHR's regulatory authority.
- Work with the public on strategies to improve future public engagement.
- Identify underserved communities, as needed, and develop tailored communication plans that best serve their specific cultural and logistical needs.

III. Public Engagement Methods

WVDHHR will continue to comply with its legal requirements while actively looking for appropriate opportunities to exceed those requirements and improve community engagement and outreach efforts, especially in underserved communities. WVDHHR will consider geography, available community information, and other relevant data to reach key constituencies and stakeholders.

WVDHHR's public engagement and outreach steps may include:

Distributing media releases when events are posted for public notice and public comment;

Crafting social media and email messages to raise awareness for public notice and public comment events;

Communicating with interested parties, such as community members, local and tribal governments, community organizations, and non-profit organizations that have expressed an interest in or may be directly affected by the agency's proposed action. WVDHHR will also attempt to reach other organizations that may have an interest but may not be aware of the pending decision or action;

Meeting in-person and/or virtually with interested parties to address issues of concern;

Directing affected individuals or groups to the proper staff contacts within WVDHHR or sister agencies;

Updating, maintaining, and improving the use of the agency's stakeholder contact databases; or

Scheduling meetings at times and locations that are convenient, accessible, and culturally-appropriate for potentially impacted communities.

IV. Notifications

Print newspapers are declining in popularity, rendering them less effective as a single point of noticing information. For some individuals, websites may be difficult to navigate, as they require access to technology and internet services, which some individuals may not have. Therefore, it is important for the agency to continue to practice different methods of communication and outreach to help ensure public notices reach the public. Possible supplementary methods for providing notice include:

Mailed flyers or postcards may best serve certain communities when resources allow. These flyers can be mailed to residents using the United States Postal Service. Communities where mailed flyers or postcards may be appropriate include those with a large population over 65 years old, communities with limited internet access, and rural communities with limited shared public spaces. Mailing flyers may also be appropriate when in-person staff visits are not feasible. Mailed flyers may be sent to the same locations identified (below) under posted flyers.

Posted flyers can be effective and can start the dialogue with a community. Venues where information can be posted that may have higher concentrations of sensitive populations (i.e. children, the sick, or elderly, etc.) or shared spaces underserved community members may frequent include:

- Schools
- Places of worship
- Tribal facilities
- Locally-owned businesses
- Restaurants
- Nursing homes
- Public libraries
- Community colleges
- Community centers
- Subsidized housing complexes
- Local government buildings
- Laundromats

In many communities, information about events happening in the area are circulated via social media platforms, such as Facebook and Twitter. Given the wide reach and broad use of these platforms, the agency publicizes events and notices on WVDHHR's social media accounts.

Radio can be an effective method to notify certain stakeholder groups in rural areas about public notices or events. Radio ads or outreach may be considered where appropriate and as resources allow.

V. Distribution of Title VI Programmatic Information

Programmatic information on Title VI and other WVDHHR non-discrimination programs will be created and distributed to employees, contractors, stakeholders, and the public. Public distribution efforts may vary, but will generally include:

- Posting, online and prominently at each WVDHHR building multi-lingual public statements describing WVDHHR's nondiscrimination policy using readable designs;
- Placing multi-lingual brochures in public places, such as government offices, transit facilities, and libraries;
- Including nondiscrimination language in contracts;
- Including multi-lingual nondiscrimination notices in meeting announcements and handouts; and
- Displaying WVDHHR's Notice of Non-discrimination at public meetings in multiple languages.

At a minimum, nondiscrimination information will be available on the WVDHHR website, as well as on posters in visible areas at all of the WVDHHR's office locations. Project-related information and the WVDHHR's most current Title VI documents will be maintained online.

VI. Limited English Proficiency

It is critical to facilitate and encourage public participation and reduce known barriers. The WVDHHR is committed to providing equitable access and ensuring accurate and understandable information is distributed to and available for all West Virginians. Executive Order 13166 requires each federal agency to ensure recipients of federal funding provide language access services to Limited English Proficient (LEP) individuals on the obligation under Title VI. As a recipient of federal funds, WVDHHR is therefore required to provide language assistance services to qualifying populations when deemed appropriate. Please refer to WVDHHR's LEP Language Access Plan, which has been developed in conjunction with this plan, for resources and best practices for outreach with limited English proficient persons.

VI. Disability Access

The Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities on the basis of a disability. As a recipient of federal funds, WVDHHR will attempt to provide effective communication in a timely way that protects the privacy and independence of persons with a disability. Please refer to WVDHHR's Disability Access Plan, which has been developed in conjunction with this plan, for resources and best practices for outreach with persons with a disability.

X. Conclusion

It is the WVDHHR's intention to follow this Plan in the conduct of the people's business in West Virginia. WVDHHR staff who interact with the public as part of their duties will be appropriately notified of this Plan and trained in its implementation to ensure consistency across programs. This agency will continue to perform its work in an open and transparent way, with awareness of and sensitivity to the changing demographics of the people of our State. To ensure the plan reflects current best practices and lessons learned by the agency, this plan will be reviewed every two

years. As the agency applies the public participation, community outreach, and engagement strategies and methods articulated in this Plan, WVDHHR expects to be better stewards of the State's resources and better partners with the communities it serves.