

Contra Costa Health Services

Patient/Client Services	Access to Services for Limited English Proficient (LEP), Deaf and Hearing Impaired Persons	Policy # 402-PCS
		Original Date: 04/01
		Revised: 11/10
		Supersedes: Access to Services for Limited English Proficient (LEP) Persons

PURPOSE To provide quality health care and to comply with federal and state law, Contra Costa Health Services provides interpretation and translation services to patients/clients, including those who are limited English proficient (LEP), deaf or hearing impaired, thus ensuring access to services and to effective, accurate and timely two-way communication.

POLICY Effective communication is the key to meaningful access for all patients/clients, including those who are limited English proficient (LEP), deaf or hearing impaired. To ensure meaningful access to Contra Costa Health Services, all limited English proficient (LEP) patients/clients as well as those who are deaf or hearing impaired will be provided language assistance services at no cost to them. Language assistance services include:

- a) interpretation by qualified bilingual staff or qualified medical interpreters and
- b) translation of written materials.

REFERENCES

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d, et. seq.)
- Executive Order 13166, August 2000
- 45 CFR, Parts 80, 84, 86, 90, 91
- Title VI of the Civil Rights Act of 1964; Policy Guidance on the Prohibition Against National Origin Discrimination as It Affects Persons With Limited English Proficiency. 65 Fed. Reg. 52762-52774 (30 August 2000) and reaffirmed in 2002. The Dymally-Alatorre Bilingual Services Act, Kopp Act. California Government Code, DHS Department of Health Services – MediCal Managed Care Contract.

DEFINITIONS **Interpretation** – The process of understanding and analyzing a spoken or signed message and re-expressing that message faithfully, accurately and objectively in another language while taking the cultural and social context into account.

The purpose of interpreting is to enable communication between two or more individuals who do not speak each other's languages.

Translation – The conversion of a written text into a written text in a second language corresponding to and equivalent in meaning to the text in the first language.

Qualified – Qualifications for language interpreters and translators will be met through language proficiency assessment, education, training and experience.

Limited English Proficiency (LEP) – A limited ability or an inability to speak, read, write or understand the English language at a level that permits the person to interact effectively with health care providers or social service agencies.

PROCEDURE

A. Notify Patients/Clients of Right to Free Language Assistance Services

1. Display posters at all points of patient/client access that inform them of their right to free language assistance services and invite them to identify themselves as persons needing or requesting such services. These posters include all commonly encountered languages.
2. Posters are available from the Health Services Language Access unit (Contact 925-313-6242)

B. Identify the Language of the Person You Are Assisting

1. Ask the person what language they prefer or feel most comfortable using and request that they point to that language on the poster if you are not sure which language they are referring to.
 - a. The instructions on the poster read:
“You have the right to a medical interpreter at no cost to you. Please point to your language. A medical interpreter will be called. Please wait.
2. If available, use “I Speak” Cards to identify the language spoken by the patient/client during face-to-face encounters. Model “I Speak” cards are available from Health Services Language Access Unit (Contact 925-313-6242)

- a. On the “I Speak” card, the name of the language is written in English on one side of the card and in the Foreign Language on the reverse side.
3. If the encounter is by telephone or if staff is unable to identify the language of the patient/client using the poster or the “I Speak” card, use the telephone interpretation service for your Division to identify the language – our contracted vendors employ linguists who identify the language and connect you with the appropriate interpreter
4. Document the patient/client’s communication needs, including preferred language for discussing health care in the medical file along with their race and ethnicity. If the patient/client is a minor, is incapacitated or has a designated advocate, the communication needs of the parent or legal guardian, surrogate decision-maker or legally authorized representative is documented in the medical record.

C. Use Appropriate Interpretation Services for Limited English Proficient (LEP) Patients/Clients and Those Who are Deaf or Hearing Impaired.

1. When interpreter services are required for limited English proficient (LEP) or deaf or hearing impaired patients/clients, utilize bilingual personnel, the Health Care Interpreter Network (HCIN), either by video or by phone or contract interpreters either in-person or over the phone, based on your Division procedures.
 - a. Access The Assistance of Qualified Bilingual Staff/Provider.
 1. Qualified bilingual staff/providers within Contra Costa Health Services shall include:
 - a. Clinical staff who have been tested for language proficiency via a Health Services Personnel Division approved testing process and have received documented proof of a passing score and a corresponding badge designation. These providers and staff are permitted to speak with patients about their health care in the language assessed.
 - b. Non-clinical staff/providers who have been tested for language proficiency via a

Human Resources approved testing process and have received documented proof of a passing score. These providers/staff are permitted to provide non-medical directions/assistance in the language assessed.

- b. Access the Health Care Interpreter Network (HCIN) via telephone or video
 - 1. Qualified medical interpreters on HCIN include healthcare interpreters who have received at least 40 hours of interpreter training, medical terminology training and HCIN training and have passed a standardized healthcare interpreter test.
- c. Access the Contra Costa Health Services Contracted Interpreter Services
 - 1. The contracted interpreter services have met the qualifications of healthcare interpreting determined by Contra Costa Health Services.
- d. Access Interpreter Services For Deaf or Hearing -Impaired Patients/Clients
 - 1. Qualified American Sign Language interpreters are available as above via HCIN or in-person through a contracted interpreter service.
 - 2. TDD (Telecommunications Device for the Deaf) telephone services may be used, as available, for patients/clients during in-person or over the phone conversations.
 - 3. The California Relay Service (CRS) provides toll free telephone accessibility for people who are deaf, hard of hearing or speech impaired and is available at all times. If you do not have a TDD and need to talk to someone who does, please call either of the following numbers for assistance in relaying a message:
(800) 735-2922
(888) 877-5379
- e. Contra Costa Health Services does not use family members, friends or other non-qualified

individuals as interpreters for patients/clients who are limited English proficient (LEP), deaf or hearing-impaired during the provision of care, treatment and/or health care services.

1. Contra Costa Health Services allows for the presence of a support individual of the patient's choice, unless the individual's presence infringes on other's rights, safety or is medically or therapeutically contraindicated. The individual may or may not be the patient's surrogate decision maker or legally authorized representative.
2. Qualified Health Care Interpreters are always used during the provision of care and to discuss the limited English proficient (LEP), deaf or hearing impaired patient/client's health care.
 - a. If LEP patient refuses the use of a medical interpreter or insists on relying on interpretation by a family member, a qualified medical interpreter must be used in addition to the family member to assist with the accuracy of the interaction and ensure effective communication.

D. Provide Appropriate Translation of Written Materials

1. Whenever possible, provide patients/clients with written materials in their preferred written language and in a manner that best meets the patient's/client's needs. If the material is not immediately available, provide spoken interpretation of the material or arrange for the information to be translated and mailed in a timely manner.
2. Contra Costa County's threshold language is Spanish. Appropriate written materials for patients/clients are to be made available in Spanish.
3. Contra Costa County's concentration language is Vietnamese. Each division must identify "vital documents" to be made available in Vietnamese.
4. All translations done by contracted vendors will be reviewed internally by division, or department identified contacts for accuracy, appropriate literacy level and cultural sensitivity.

5. No CCHS staff will be utilized to translate vital documents. Contracted translation vendors will be utilized for all vital document translation.

E. Grievance and Complaints Procedure.

1. All patients/clients have the right to file a complaint about the provision of language assistance. Complaints will be processed and resolved through the Divisions' established grievance and complaint procedures.

F. Division Specific Procedures

1. Each Division will identify the available language assistance resources and provide staff with appropriate materials and information on how to gain access to these resources. This includes clearly identifying the language access contact person(s) for each Division or site and providing their contact information.
2. Each Division will develop procedures on how to access language assistance services in a timely manner.
 - a. Language assistance services include qualified bilingual staff, Health Care Interpreter Network (HCIN), contract interpreter vendors, telephone/video interpretation services and translation services. These procedures must include at least the following:
 1. An identified contact person in each Division, program, or site, who can address or assist with language assistance services, both interpretation and translation.
 2. Which interpretation services resources to use first – bilingual staff, Health Care Interpreting Network (HCIN), contract interpreter for telephone or video interpretation – and the languages available from each resource.
 3. Instructions on how to access bilingual staff, Health Care Interpreting Network (HCIN) or contract interpreter services, including how to use specialized telephones or video equipment as needed and how to access services through number(s) that can be dialed from any phone.

- 4. Specific instructions on resources for the deaf and hearing impaired, i.e. TDD locations and relay services.
- 5. Instructions on translating written materials – including identifying materials to be translated, resources to be used, and validation requirements.

RESPONSIBLE Division Directors

Departmental Review	Signature	Date
Health Services Director		