

<b>HEALTH PLAN OF SAN JOAQUIN</b>		
<b>Subject: Access to Interpreter Services</b>		
<b>Department:</b> Member Services		<b>Policy #:</b> CL 03
<b>Applies to:</b> MC, HF, Commercial		<b>Scope:</b> MS
<b>Effective Date:</b> 2/96	<b>Revised Date:</b> 6/08	<b>Approved by:</b>  <i>Signature on file</i> <i>Chief Operating Officer</i>

**PURPOSE**

To ensure that Limited English Proficient (LEP) and hearing-impaired members have equal access to and participation in federally and state-funded programs to comply with the Civil Rights Act of 1964, (42 U.S.C. Section 2000d, and 45 C.F.R. Part 80), which prohibits recipients of federal financial assistance from discriminating against persons based on race, color or national origin.

**DEFINITIONS**

**Limited English Proficient (LEP):** A limited ability or 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 services agencies.

**Limited English Proficient (LEP) Members:** Any member who is limited English proficient, including those who speak a language other than one of the threshold languages.

**Threshold Languages-Department of Health Care Services (DHCS):** Languages spoken by LEP population groups that meet a numeric threshold of 3,000 mandatory Medi-Cal beneficiaries residing in a county and/or languages spoken by a population of mandatory Medi-Cal LEP beneficiaries residing in a county, who meet the concentration standard of 1,000 in a single zip code or 1,500 in two contiguous zip codes.

**Point of Contact:** Any instance in which a member accesses the services of a plan or its contracting providers, including but not limited to administrative and clinical services, and telephonic and in-person contacts. Non- medical care settings include, but are not limited to, contact with HPSJ Member Service, Health Education and Outreach staff.

**Provider:** For the purposes of this policy, a provider refers to contracted providers and subcontractors including but not limited to, physicians, hospitals, clinics, pharmacies, nurse advice and ancillary service providers.

**Interpreter:** A trained and professional bilingual/bicultural individual who mediates spoken or signed communication between people speaking different languages.

### **POLICY**

Health Plan of San Joaquin (HPSJ) will provide equal access to health services for LEP and hearing impaired members by providing for, and/or ensuring the availability of, interpreter services at all points of contact with HPSJ or its providers. These services will be available 24 hours a day at no cost to HPSJ members, and will be monitored for their proficiency, appropriateness, quality, accessibility and frequency of utilization.

### **PROCEDURES**

- A. HPSJ will document a member's preferred language in its internal database, and provide this information to the PCP assigned to the member.
- B. HPSJ will ensure its members are not subjected to unreasonable delays in receiving appropriate interpreter services when the need for such services is identified by the provider or requested by the member.

#### **B.C. Informing members about interpreter services.**

- 1. The Marketing and Outreach Departments inform prospective members about the availability of 24-hour interpreter services at key points of contact at no charge to the member.
- 2. The Evidence of Coverage (EOC), informs members about the availability of 24-hour interpreter services. The EOC is provided to all new members in the welcome packets that are sent by the Marketing Department, and annually thereafter.
- 3. Member Services makes outbound calls to new HPSJ members within the first month of eligibility.

- During the call, the member is encouraged to select a Primary Care Physician who can provide services in the member's language, if he or she has not already done so.
  - Members are also informed during this call of the availability of free interpreter services and are instructed to request an interpreter at the time of appointment scheduling, if needed.
4. On an on-going basis, Member Services and Marketing inform HPSJ members about interpreter services in HPSJ's threshold languages through:
    - Member newsletters
    - HPSJ Website
    - On hold messages (Member Services)
  5. Members are informed that:
    - Interpreter services are free.
    - Members should not use family members or friends as interpreters.
    - There is an option of face-to-face or telephone interpreter for LEP members, and an option of face-to-face sign language interpreters or TDD line for hearing impaired members.
    - A member can file a grievance if linguistic needs are not met.

**C.D. Informing providers about interpreter services**

1. Provider Services informs newly-contracted providers in an orientation session about the procedures for accessing three types of interpreter services: telephonic, face-to-face and sign language. The provider is also provided with resources for working with interpreters.  
  
Quality Improvement reinforces the training on accessing and utilizing interpreter services during the Facility Site Review and as part of re-credentialing.
2. Provider Services also informs providers about interpreter services through:
  - Provider Contract
  - Provider Manual

- Provider Newsletter
  - HPSJ website
  - Other communications (i.e., Provider Alerts)
3. Providers are informed about:
- The phone numbers, access codes and other required information needed to request interpreter services.
  - Instructions on how to document each member's preferred language in the patient chart as well as dated requests for and refusals of interpreter services.
  - That they must not require or suggest that LEP members provide their own interpreters unless the member requests it after being informed that he/she has a right to free interpreter services and about the risks of relying on family and friends to interpret.

**D.E. Access to 24-hour Interpreter Services - HPSJ**

1. During regular business hours, bilingual Member Services Representatives (MSRs) are available to assist members in the threshold languages in person or by telephone. A TDD line is available for hearing impaired members, as well as the California Relay Service available in Spanish and English.  
  
Additionally, MSRs are trained to assist provider offices and members in the scheduling of telephonic or face-to-face interpreter services through contracted vendors.
2. If MSRs do not speak a member language, contracted telephone interpreter services (LanguageLine), available immediately, 24 hours a day will be used.
3. For face-to-face interviews with LEP members, any HPSJ member may request face-to-face interpreter services by contacting Member Services to schedule an appointment through the HPSJ contracted interpreter service, or they may utilize the contracted 24-hour LanguageLine.
4. After regular business hours, the Member Services 1-800 number provides an "After Hours" message in the threshold languages. The message informs the caller of the regular business hours of HPSJ, and instructs the caller to contact his/her doctor directly in

the case of an urgent medical need and/or call the 24-hour Advice Nurse line (telephone number provided). Callers can also leave a message and are informed that their call will be returned on the next business day.

The HPSJ Advice Nurse also has access to the contracted 24-hour Language Line.

5. The Health Education Department is responsible for referring members to community health education programs that provide services in the members' language to the extent feasible.

#### **E.F. Access to 24-Hour Interpreter Services - Medical Points of Contact**

1. If a provider does not speak the member's language, provider office staff that speaks the member's language will be used to the extent feasible.
2. If a provider or provider office staff cannot meet the member's language needs, the contracted 24-hour LanguageLine may be accessed immediately.
3. For appointments scheduled in advance, providers may contact HPSJ Member Services Department to schedule a face-to-face interpreter, as available, at no charge to the provider or member.

#### **E.G. Contracting and Monitoring Interpreter Services**

1. HPSJ will contract with qualified interpreter services vendors for telephonic and face-to-face interpreters.
2. HPSJ will assess and monitor the proficiency, appropriateness, quality, accessibility and frequency of utilization of telephonic and face-to-face interpreters according to the procedures outlined in C&L 04 - *Proficiency of Interpreters*.

#### **G.H. Record Keeping**

1. The Information Systems Department will maintain member records, including data on languages spoken.
2. The Human Resources Department will maintain records on the linguistic capabilities of staff and any relevant certifications.
3. The Provider Services Department will maintain records on the linguistic capabilities of providers, their office staff, and pharmacists.

4. The Member Services Department will maintain a record of the languages available through interpreter services, and usage of the services.

**REFERENCE**

- A. Civil Rights Act of 1964, 42 USC, Section 2000d
- B. DHS Contract Exhibit A, Att. 9, #11 & #13
- C. MRMIB Contract, Exhibit A, III. C
- D. DHS MMCD Policy Letter 99-03, *Linguistic Service*

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