

Language Assistance Program

Federal law requires that providers ensure all services are provided in a culturally competent manner and are accessible to all members, including those with limited-English proficiency (LEP), limited reading skills, who are deaf or hard of hearing, or have diverse cultural and ethnic backgrounds. To assist in meeting these requirements, Arizona Complete Health-Complete Care Plan offers participating providers and members access to interpreters at no cost.

ORAL INTERPRETATION AND AMERICAN SIGN LANGUAGE

Interpreter assistance needs to be and is available to both providers and members at no cost 24 hours a day, seven days a week, 365 days a year. These services ensure access to qualified interpreters trained on health care terminology and a wide range of interpreting protocols and ethics; as well as support to address common communication needs across cultures. Providers are responsible for providing interpreters as requested. They may use certified bilingual staff, a language vendor, or utilize the Arizona Complete Health-Complete Care Plan interpreter resources to provide interpreters to members who require or request them. To meet language assistance established requirements, providers must ensure that the language assistance meets the established requirements as follows:

- Utilize licensed interpreters for the Deaf and the Hard of Hearing and/or provide auxiliary aids that meet the needs of the individual upon request.
 - Auxiliary aids include computer-aided transcriptions, written materials, assistive listening devices or systems, closed and open captioning, and other effective methods of making aurally delivered materials available to persons with hearing loss.
 - The Arizona Commission for the Deaf and the Hard of Hearing provides a listing of licensed interpreters, information on auxiliary aids and the complete rules and regulations regarding the profession of interpreters in the State of Arizona. (Arizona Commission for the Deaf and the Hard of Hearing www.acdhh.org or 602-542-3323 (V/TTY)).
- Ensure that interpreters are available at the time of the appointment.
- Ensure that members with limited English proficiency are not subject to unreasonable delays in the delivery of services including access to providers after hours.
- Extend the same participation opportunities in programs and activities to all members regardless of their language preferences.
- Provide services to members with LEP that are as effective as those provided to others.

THIS UPDATE APPLIES TO THE FOLLOWING **AzCH-Complete Care Plan** PROVIDER TYPES:

- Physicians
- Medical Groups/IPAs
- Hospitals
- Ancillary Providers

PROVIDER SERVICES

AzCHProviderEngagement
@azcompletehealth.com
1-866-796-0542 *Effective 10/1/18*
azcompletehealth.com

PROVIDER DISPUTES

AzCH-Complete Care Plan Provider
Disputes
1870 W. Rio Salado Parkway, Ste. 2A
Tempe, AZ 85281

STATE FAIR HEARINGS

AzCH-Complete Care Plan Provider
State Fair Hearings
1870 W. Rio Salado Parkway, Ste. 2A
Tempe, AZ 85281

ORAL INTERPRETATION AND AMERICAN SIGN LANGUAGE CONTINUED

Restricted use of certain persons to interpret or facilitate communication- A Provider shall NOT:

1. Require an individual with limited English proficiency to provide their own interpreter;
2. Rely on an adult accompanying an individual with limited English proficiency to interpret or facilitate communication, except:
 - a. In an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no qualified interpreter for the individual with limited English proficiency immediately available;
 - b. Where the individual with limited English proficiency specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances;
3. Rely on a minor child to interpret or facilitate communication, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no qualified interpreter for the individual with limited English proficiency immediately available;
4. Rely on staff other than qualified bilingual/multilingual staff to communicate directly with individuals with limited English proficiency.

Qualified interpreter for an individual with limited English proficiency as defined in section 1557 of the Affordable Care Act- means an interpreter who via a remote interpreting service or an on-site appearance:

- Adheres to generally accepted interpreter ethics principles, including client confidentiality;
- Has demonstrated proficiency in speaking and understanding both spoken English and at least one other spoken language;
- Is able to interpret effectively, accurately, and impartially, both receptively and expressly, to and from such language(s) and English, using any necessary specialized vocabulary, terminology and phraseology.

Please make sure the following is recorded in the member's medical record:

- Language needs of the member, as well as the their request for or refusal of interpretation

WRITTEN TRANSLATION

Providers Must Provide Written Translation with their own resources. - Providers shall ensure written translations are provided in the following manner:

1. Written materials that are critical to obtaining services (also known as vital materials) shall be made available in the prevalent non-English language spoken for each LEP population in the Contractor's service area. [42 CFR 438.3(d)(3)] Oral interpretation services shall not substitute for written translation of vital materials.
2. All written materials for members shall be translated into Spanish regardless whether or not they are vital.
3. In general, any document that requires the signature of the Member, and that contains vital information such as the treatment, medications or notices, or service plans must be translated into their preferred/primary language upon request.
4. Both the English and translated versions must be maintained in the Member's record.

WRITTEN TRANSLATION CONTINUED

5. The provider shall provide easy-to-understand print and member information materials, materials in alternative formats, as well as signage in the languages commonly used by the populations in the service area. This includes the production of materials with consideration of members with LEP or limited reading skills, those with diverse cultural and ethnic backgrounds, and those with visual or auditory limitations.

In addition, to comply with the communication and language assistance requirements in the National Standards for Culturally and Linguistically Appropriate Services (CLAS) and the Affordable Care Act (ACA) Section 1557, providers must comply with the following:

- Post nondiscrimination notices in lobbies and on websites. Notices must include a nondiscrimination statement, the availability of interpretive assistance for patients with LEP, and the availability of auxiliary aids and services for individuals with disabilities, including informing them how to obtain the aids and services. The statement must include the availability of a grievance procedure for discrimination complaints and information about how to file a complaint. The notice must also contain information regarding how to file a discrimination complaint with the HHS Office of Civil Rights (OCR).
- Post taglines in lobbies and on websites that advise members that they can receive an interpreter in their preferred language at medical points of contact. These statements notify individuals of the availability of language assistance and must include taglines in at least the top 15 languages utilized in Arizona.
- Taglines and nondiscrimination notices must be included in correspondence sent to the member.

Report Appropriately for Language Assistance - T1013, Interpretation

- T1013 must be reported – by behavioral health service providers when providing language assistance delivered by certified bilingual staff or when provided by a language vendor. This code is used to track language assistance that is being provided (languages other than English, including ASL).
- Interpretation must be reported in conjunction with another service that cannot be delivered effectively without the availability of sign language or interpreter assistance, never a standalone code.

ADDITIONAL INFORMATION

If you have questions regarding the information contained in the update, please contact your Provider Engagement Specialist or email AzchProviderEngagement@azcompletehealth.com.