



**REGION 10 PIHP**

<b>SUBJECT</b> Limited English Proficiency (LEP)	<b>CHAPTER</b> 05	<b>SECTION</b> 01	<b>SUBJECT</b> 02
<b>CHAPTER</b> Clinical Practice Guidelines		<b>SECTION</b> Access to Services	
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**I. APPLICATION:**

- PIHP Board     CMH Providers     SUD Providers
- PIHP Staff     CMH Subcontractors

**II. POLICY STATEMENT:**

It shall be the policy of Region 10 PIHP to recognize the special needs of individuals with Limited English Proficiency (LEP) and provide reasonable access to services in a manner that facilitates full participation by all persons.

**III. DEFINITIONS:**

Limited English Proficiency (LEP): Potential enrollees and enrollees who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English may be LEP and may be eligible to receive language assistance for a particular type of service, benefit, or encounter.

Linguistically Appropriate Services: Services provided in the language best understood by the individual receiving services through bilingual staff and/or the use of qualified interpreters, including American Sign Language, to individuals with LEP. These services are a core element of cultural competency and reflect an understanding, acceptance, and respect for the cultural values, beliefs, and practices of the community of individuals with LEP.

Prevalent: A non-English language determined to be spoken by a significant number or percentage of potential enrollees and enrollees that are limited English proficient.

**IV. STANDARDS:**

- A. The PIHP and its Network Providers shall maintain capacity to immediately accommodate individuals that present with LEP and other linguistic needs, diverse cultural and demographic backgrounds, visual impairments, alternative needs for communication and mobility changes. The PIHP and its Network Providers will make oral interpretation services available free of charge to its

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Enrollees for all non-English languages. Oral interpretation requirements apply to all non-English languages, not just those that the State identifies as prevalent.

- B. The PIHP and its Network Providers must comply with the Office of Civil Rights Policy Guidance on the Title VI Prohibition Against Discrimination as it affects persons with Limited English Proficiency, 45 CFR 92.201 and Section 1557 of the Patient Protection and Affordable Care Act. Contractor is expected to take reasonable steps to provide meaningful access to each individual beneficiary with Limited English Proficiency, such as language assistance services, including but not limited to, services oral and written translation.
  - C. All materials shall be available in the languages appropriate to the people served within Contractor's area for specific non-English Language that is spoken as the primary language by more than 5% of the population in Contractor's Region.
  - D. All written materials for potential beneficiaries must include taglines in the prevalent non-English languages in PIHPs region.
  - E. The PIHP and its Network Providers must notify its Enrollees and potential Enrollees that oral interpretation is available for any languages and written translation is available in the identified languages.
  - F. Service information will be offered in a manner easily understood by the individual served.
  - G. Policies and procedures will address the special needs of individuals with limited English proficiency.
  - H. Ensure staff are trained and possess current, working knowledge in Limited English Proficiency (LEP) and cultural competency.
  - I. If an individual requests services and is unable to communicate using English, any office and/or program must have policies/procedures in place to facilitate communication in order for the individual to obtain access to services.
- V. **PROCEDURES:**
- A. Establish a methodology for identifying the prevalent non-English languages spoken by enrollees and potential enrollees throughout the State, and in each MCO, PIHP, PAHP, or PCCM entity service area.

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- B. Region 10 PIHP staff are required to utilize Language Line Solutions to assist individuals with LEP accommodations.
  
- C. The PIHP Provider Network will have policies and procedures to ensure that individuals are notified that oral interpretation is available for any language, written information is available in Telephone (TTY/TDY) and American Sign Language (ASL), and these services are available upon request at no cost, and how to access those services as referenced in 42CFR 438.10 (d)(3) and 438.10(d)(4). Additionally, the provider must also ensure that individuals are notified how to access alternative formats as defined in 42 CFR 438.10(d)(6)(iv).

VI. **EXHIBITS:**

None.

VII. **REFERENCES:**

- A. (42 CFR 438.10) information Requirements
- B. MDHHS Customer Service Standards Policy
- C. MDHHS/PIHP Contract