



Managed Mental Health Care Organization for Coos, Curry, Jackson, Josephine, and Klamath Counties  
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# Access to Interpreters and Alternate Communication Formats Policy and Procedures

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Revision History:

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## I. POLICY DESCRIPTION

The purpose of this policy is to ensure a consistent method for providing access to interpreters and alternate communication formats for JBH members.

The following procedures set forth in this policy should serve as a tool to assist JBH staff, Participating Provider agency staff, OHP Members and/or their Representatives, stakeholders, and regional and/or allied agencies in implementing an efficient system for providing access to interpreters and alternate communication formats.

## II. APPLICABILITY

For the purposes of this policy, the term Jefferson Behavioral Health (JBH) includes the Jefferson Behavioral Health staff and its authorized representatives. JBH shall follow this policy as it applies to the OHP mental health services governed by the OHP Mental Health Organization Contract between the State of Oregon and JBH. Contractors and subcontractors follow this policy to the extent that it applies to the mental health services that they provide to JBH Members. The responsibilities outlined in this policy shall also include, but not be limited to, the Local Mental Health Authorities (LMHA) in the JBH service area and any agency delegated with the responsibility for managing mental health services for JBH members in the LMHA's county.

## **POLICY:**

### **I. Equal Access to Services**

- a. JBH members shall not be denied or refused services because of a language barrier.
- b. JBH will ensure that mental health professionals are recruited and hired who are proficient in the prevalent non-English languages spoken in the service areas.
- c. JBH will provide equal access to services for all non-English speaking members in its services areas.
- d. JBH and its participating providers shall develop marketing materials and literature in formats that meet the special communication and language needs of its members.
- e. JBH and its participation providers shall have a method of responding to telephone calls from non-English speaking OHP Members and shall make available to these OHP Members and Potential OHP Members interpreters capable of effectively receiving, interpreting and translating routine and clinical information.
- f. JBH and its participating providers shall have a method of responding to telephone calls from hearing impaired OHP Members and shall make available to these OHP Members and Potential OHP Members TDD Service and sign language or oral interpreters capable of effectively receiving, interpreting and translating routine and clinical information.
- g. JBH and its participating providers shall make Reasonable Accommodations to administrative practices and Service approaches for Service access and Continuity of Care for OHP Members with disability.
- h. Interpreter services will be provided at no cost to the Member.
- i. Information on how to obtain interpreter services or alternate formats shall be prominently displayed on all marketing information literature disseminated by JBH and its participating providers.

### **II. Member notification**

- a. JBH shall notify its Members that oral interpretation is available for prevalent non-English language, written information is available in each prevalent non-English language and how to access those services.

### **III. Acceptable Communication Formats and Alternate Formats**

- a. JBH shall inform all OHP Members and Potential OHP Members that written information is available in alternative formats and how, through to access those formats.
- b. JBH and its participating providers shall make available to OHP Members, or Potential OHP Members, in compliance with the requirements of the Americans with Disabilities Act of 1990, information in such alternative formats to allow the individual to effectively receive such information. These alternative formats shall include, but are not limited to; culturally appropriate information, foreign language translations (free of charge to OHP Members and Potential OHP Members) including written information in the prevalent non-English languages in its particular service area, large print

and audio of Braille translations for hearing or vision impaired OHP Members.

- c. JBH and its participating providers will make best efforts to develop and disseminate marketing material and literature that is easily understood and readable to its members. Every attempt shall be made to develop materials that are at sixth grade reading level.

**IV. The use of friends and family as interpreters.**

- a. JBH and its participating providers will follow the U.S Department of Health and Human Services guidelines against using friends and families as interpreters which states:

*Use of Friends, Family and Minor Children as Interpreters* -- A recipient/covered entity may expose itself to liability under Title VI if it requires, suggests, or encourages an LEP person to use friends, minor children, or family members as interpreters, as this could compromise the effectiveness of the service. Use of such persons could result in a breach of confidentiality or reluctance on the part of individuals to reveal personal information critical to their situations. In a medical setting, this reluctance could have serious, even life-threatening, consequences. In addition, family and friends usually are not competent to act as interpreters, since they are often insufficiently proficient in both languages, unskilled in interpretation, and unfamiliar with specialized terminology.

If after a recipient/covered entity informs an LEP person of the right to free interpreter services, the person declines such services and requests the use of a family member or friend, then the recipient/covered entity may use the family member or friend if the use of such a person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The recipient/covered entity should document the offer and declination in the LEP person's file. Even if an LEP person elects to use a family member or friend, the recipient/covered entity should suggest that a trained interpreter sit in on the encounter to ensure accurate interpretation.