



**JEFFERSON
BEHAVIORAL
HEALTH**

Managed Mental Health Care Organization for Coos, Curry, Douglas, Jackson, Josephine, and Klamath Counties

PART I: POLICY
**Access to Language Interpreters and
Alternate Communication Formats**

Policy Number:	Effective Date: June 26, 2006	Supersedes: None
-----------------------	---	-----------------------------------

Approved by:	Date:
---------------------	--------------

I. POLICY DESCRIPTION

The purpose of this policy is to ensure that all non-English speaking Members and Members with Limited English Proficiency (LEP) receive equal access to services in the language of their choice.

This policy will serve as a standard for JBH staff, Provider agency staff, OHP Members and/or their Representatives, stakeholders, and regional and/or allied agencies in providing equal access to services and interpreters, alternative communication formats, and the right to complain for Members with communication challenges related to English not being the Member’s native language or a Member’s communication disability.

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 Mental Health Organization Agreement between the State of Oregon and JBH. Participating Providers shall 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 non-inpatient mental health services for JBH members in the LMHA’s county.



PART II: PROCEDURES
**Access to Language Interpreters and
Alternate Communication Formats**

Policy Number:	Effective Date: June 26, 2006	Supersedes: None
-----------------------	---	----------------------------

Approved by:	Date:
---------------------	--------------

I. DEFINITIONS

The following key terms that relate to and/or support this procedure have been included below:

- 1) Culturally Competent:** The capacity to provide services in an effective manner that is sensitive to the culture, race, ethnicity, language and other differences of an individual. Such services may include, but are not limited to, use of bilingual or bicultural staff, provision of services in culturally appropriate alternative settings, and use of bicultural paraprofessionals as intermediaries with professional staff.
- 2) Interpreter Services:** Language translation services to assist non-English speaking persons to receive information and communicate when such information and communication is otherwise available only in English. Interpreter services also include sign language services to persons with hearing impairments or deaf-blind interpreter services to persons with visual impairments.
- 3) Member:** An individual found eligible by a program of the Oregon Department of Human Services (DHS) to receive health care services under the Oregon Health Plan (OHP) Medicaid Demonstration Project or State Children’s Health Insurance Program (SCHIP) and who, for purposes of this procedure, is assigned to JBH for mental health services.

- 4) Participating Provider:** An individual, facility, corporate entity, or other organization credentialed by JBH as a Provider of non-inpatient MH services and approved by JBH's Board of Directors as a sub-contractor to provide MH services to JBH Members. Participating Providers must enter into a formal contract with JBH and agree to bill and/or submit encounter data in accordance with that contract.

For purposes of this procedure, the responsibilities listed for Participating Providers shall also apply to the LMHAs in JBH's Service Area, to each of which JBH has delegated responsibility for managing non-inpatient MH services for JBH Members in the LMHA's county. In this capacity, the LMHA may make service authorization and utilization management decisions that require issuance of a Notice of Action.

II. PROCEDURES

1. 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.

2. Training and Education

- a. JBH will provide training at least annually to providers in the use of interpreter services for staff that have direct Member contact.
- b. Brochures and other forms of literature will be made available for the predominant threshold languages spoken in the service areas.

3. Access to Interpreter Services

- a. JBH and its Provider agencies shall ensure that Members have 24-hour, 7-day a week access to interpreter services through the AT&T Language Line Services.
- b. JBH and its Participating Provider agencies shall offer Text Telephone (TTY) and/or Telecommunications Device for the Deaf (TDD) services for the hearing impaired.
- c. JBH and its Provider agencies shall communicate to its Members and potential Members through whatever

communication format that is predominant and helpful to Members.

- d. JBH and its Provider Agencies shall maintain an internal roster of staff proficient in non-English languages who are able to serve as interpreters.
- e. In the event that services cannot be sufficiently obtained through JBH and its Provider Agencies, then a referral for services to an agency that is determined to be similar but more culturally or language-appropriate may be made if the services meet the Member's needs and it is in the Member's best interests.
- f. Interpreter services shall be made available at **no cost** to a Member.
- g. Information on how to obtain interpreter services or alternate formats shall be prominently displayed on all marketing and information literature disseminated by JBH and its Participating Provider agencies.

4. Acceptable Communication Formats and Alternate Formats

- a. JBH and its Participating Providers shall 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 marketing material and literature at a sixth-grade reading level.
- b. Marketing material and literature shall be printed in an easy-to-read font (e.g. 14-point) with frequent headings, and short, simple explanations of key concepts.
- c. Technical or legal language shall be avoided or kept to a minimum in JBH marketing materials and literature.
- d. JBH and its Participating Providers shall make available upon request its basic marketing material and literature in the following alternate formats, which may include but not be limited to large print, Braille, or recorded media.
- e. JBH and its Participating Providers shall make readily available its basic marketing material and literature in the predominant non-English language(s) for its service areas.
- f. JBH and its Participating Providers shall ensure that any material translated into an alternate format or into any non-English language format reflects the appropriate culture of its Members.

5. Use of Friends and Family Members in the Interpreting Process

According to Title VI of the Civil Rights Act, friends and family members shall not be expected to provide interpreter services because this practice may violate the client's right to privacy. In addition, the accuracy of the translation must be assured in order for proper treatment to be obtained. When the situation places a child in imminent risk of harm, the service worker must take whatever action is necessary to ensure the child's safety. Therefore;

1. If a Member insists on using a family member or representative as an interpreter, the Member may do so only after JBH or its Provider Agencies inform the Member of the availability of free interpreter services.
2. Minor children shall only be used as interpreters in extenuating circumstances.

6. Right for a Member to Complain

- a. If a Member becomes dissatisfied with not being able to access adequate language interpreters, alternate formats or marketing materials and literature in an easy-to-read format, he/she has the right to initiate a complaint with JBH or the Participating Provider.
- b. Complaints shall follow the guidelines set forth in JBH's Client Notices, Grievances, Appeals and Hearing Process.
- c. A Member needing assistance in filing a complaint shall contact JBH or its Participating Providers.