



Cultural & Linguistic Services

California Language Assistance Program Regulations

Peggy Payne, MA, CDE
CIGNA

Diana M. Carr, MA
Health Net of California

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Objectives

- Familiar with SB853 Language Assistance Regulation requirements from the DMHC and CDI
- Familiarity with the resources that ICE workgroups have produced to meet the requirements of SB853

What does SB 853 Require?



- The law and its accompanying regulations require that health plans establish and support a language assistance program (LAP) for enrollees that are limited English proficient (LEP)

Basic Requirements are:

- Standards to assess the language needs of enrollees
- Standards for providing language assistance services
- Standards for staff training
- Standards for monitoring compliance

ICE Response to LAP Regulations



- Identified topic areas that providers and health plans could collaborate on to implement the regulations
- Produced timeline to guide production of information and materials
- Approximately 21 health plans and 10 provider groups collaborated to provide consistency for the implementation

ICE Response to LAP Regulations (cont'd)

- Collaboration with DMHC, CDI and CPEHN on the Language Assistance program notices
- Focus on shared understanding of the requirements of SB853
- Create standardized resources to maintain consistency across health plans and provider groups
- Produced over twelve public domain documents
- Pre-approval of documents prior to posting from the DMHC



California Language Assistance Program

**DMHC/CDI
Timeline**

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ICE Deliverables

January 2009

Interpreting / Language Codes	Translation/Doc. Standardization	Education & Training	Compliance & Monitoring	Contracting & Compliance
Created race, ethnicity, spoken and written language categories and code lists for health plans to use internally and on eligibility reports to providers	Standardized notice of language assistance to accompany vital documents into threshold language for plan use	Standardize training outline for education program for health plan staff with education resources for training	Standardize check list of standards for monitoring delegated provider organizations	Delegated provider contract amendment
Standardize guidance statements and proficiency standards of translators/ interpreters	Review policy and proficiency standards of translators/ interpreters	Created FAQ document for distribution to providers explaining the language assistance regulations	Standardize check list of standards for ensuring cooperation and compliance with non-delegated prov.	Non-delegated provider contract amendment.
Timeliness standards for interpreter services	Maintain threshold language list by plan	Created power point resource for provider training and education on the LAP	Standardize essential QA program elements for Plans, delegated prov.	Pre-delegation assessment tool
Created guidance documents for working with LEP enrollees and interpreters	Created standardized notice on language assistance for provider groups to use	Created health plan contact matrix for interpreter and translation requests for provider use	Standardize checklist regarding assessment of point of contact interpreter services	Policy and procedure template for use with UM delegated & non-delegation of language assistance services

Other ICE deliverables

- Language capability verification form for specialty health plans
- Tips for documenting refusal of interpreter services by enrollees



LANGUAGE CAPABILITY VERIFICATION FORM

To ensure that patients will have accurate information on physician's and office staff language capability, please fill out this document and fax it back to [Plan's Fax Number]. Please make sure to SIGN this document. **This document will not be valid without a signature.** Language information will be printed in a provider directory.

PROVIDER NAME:	
LICENSE:	
PRIMARY SPECIALTY:	
CLINIC NAME:	
OFFICE ADDRESS:	
PHONE:	
FAX:	
LANGUAGE(S) FLUENTLY SPOKEN BY PROVIDER:	English,
LANGUAGE(S) FLUENTLY SPOKEN BY OFFICE STAFF:	English,

ICE Team Structure for SB 853 Activities

- ICE Cultural and Linguistics (C & L) Services Main Team Co-leads
 - Health Plans: Diana Carr and Peggy Payne
 - Provider Groups: Jennifer Jackman and Keith Pugliese
- Language Assistance Steering Committee
 - All C&L workgroup co-leads and relevant ICE workgroup leads

ICE Team Structure for SB 853 Activities (cont.)

- Language Assistance workgroup
 - Jean Diaz & Diana Carr
- Education and Communication
 - Jill McGougan & Peggy Payne
- Compliance and Monitoring
 - Lucinda Casillas & Angela Ross



ICE C & L Language Assistance Workgroup

Diana Carr, Health Net

Jean Diaz, UnitedHealthcare /
PacifiCare

Reina Galanes, Aetna

Joy Burkhard, CIGNA

Language Assistance Workgroup Produced

- Created race, ethnicity, spoken/written language categories/code lists for health plans to use internally and on eligibility reports to providers
- Standardize guidance statements and proficiency standards of translators/ interpreters
- Timeliness standards for interpreter services
- Created guidance documents for working with LEP enrollees and interpreters

Language Assistance Workgroup Produced (cont'd)

- Standardized notice of language assistance to accompany vital documents into threshold language for plan use.
- Review policy and proficiency standards of translators/ interpreters
- Maintain threshold language list by plan
- Created standardized notice on language assistance for provider groups to use

Translation Checklist - sample

The purpose of this checklist is to provide Plans with suggestions to help in the development of internal translation policies, procedures and standards. This document is meant to offer an organized collection of information and does not recommend a specific course of action. This information is not meant to replace education or experience and should be used in conjunction with professional judgment. Not all aspects of this checklist can be applicable in all circumstances. This checklist is not exhaustive and every item may not apply to your situation.

Translator Screening:

- Proficiency evaluation ranks translator writing proficiency of near native speaker or better
- Experience in translating documents at literacy level relevant to the target audience
- Familiar with health care terminology and health care field as demonstrated through work history or references

Notice of the Availability of Language Assistance

- DMHC/HMO Notice for provider groups will accompany non-standardized vital documents (with enrollee-specific information)
- CDI notice will accompany all vital documents (including VS translated into threshold languages)
- Reading level considered during text development

Notice of the Availability of Language Assistance (cont.)

- DMHC Notice:

IMPORTANT: Can you read this letter? If not, we can have somebody help you read it. You may also be able to get this letter written in your language. For free help, please call right away at XXX-XXX-XXXX. (English)

CDI Notice of Language Assistance

- Sample:

No Cost Language Services. You can get an interpreter. You can get documents read to you and some sent to you in your language. For help, call us at the number listed on your ID card or XXX-XXX-XXXX.

- English, Spanish, Chinese, Vietnamese, Korean, Tagalog, Armenian, Russian, Japanese, Persian, Punjabi, Khmer (Cambodian), Arabic, and Hmong

Goals for Timeliness of Interpretation


- Telephone Interpretation – For emergent, urgent, and routine clinical services (includes same day/next day access for routine/urgent care) and for administrative points of contact with the Plan = 10 minutes maximum

Goals for Timeliness of Interpretation (cont.)

- Face-to-Face Routine Office Visit – Five (5) business days advance notice is preferred; every attempt will be made to accommodate requests for face-to-face interpreters in a timely manner

Education and Training Workgroup

Jill McGougan, Molina
Peggy Payne, CIGNA




Education and Training Workgroup

- Standardize training outline for education program for health plan staff with education resources for training
- Education Resource Matrix for health plan and provider groups
- Created FAQ document for distribution to providers explaining the language assistance regulations

Education and Training Workgroup

- Created power point resource for provider training and education on the LAP
- Created health plan contact matrix for interpreter and translation requests for provider use.

Education Matrix- Sample

	A	B	C	D	E	F	G	H	I
1		ICE C & L Language Assistance Program Health Plan Staff Training Recommendations							
2	Organization/Agency	Source	Program Type	Target Audience	CME	Price	Length of Training	Req't covered 1. Cultural sensitivity 2. Working with LEP 3. Working with Interpreters	Review
3	Transcultural Nursing http://www.culturediversity.org/basic.htm http://www.culturediversity.org/assessmnt.htm	Online	On-line Transcultural Nursing Assessment and series of CC courses	Nurses	No	Free	Self-paced	1,2,3	Good resource for training
4	Culture Advantage http://www.culture-advantage.com/etraining/login.php	Online	Series of CC courses focusing on building awareness and communication skill building	Nurses	Yes 4-6 hrs	\$0-\$20	1-2 hrs.	1,2,3	This is a good fit for LAP e and training focusing on is related to cultural sensitivi
	Fanlight Productions www.fanlight.com	Video	Worlds Apart-A video library: Worlds Apart provides a balanced yet penetrating look at	Health Plan or Provider Staff	No	\$369 for VHS \$399 for DVD	1 to 2 hours	Deals with issues related to health care access, treatment, and outcome. It's a tool that can be used	This is a good fit for LAP education/training focusing issues related to cultural s and navigating the cultural evident in the health care

FAQ- Sample

Provider Group Frequently Asked Questions

Health Plan Implementation

of the Department of Managed Health Care's (DMHC) Language Assistance Program

1. What are the DMHC Language Assistance Program Regulations (previously referred to as SB853)?

Effective January 1, 2009, in accordance with Section 1367.04 of the California Knox-Keene Act, the Department of Managed Health Care regulations – Section 1300.67.04, Title 28, California Code of Regulations -- require that health plans establish a Language Assistance Program (“LAP”) for enrollees who are Limited English Proficient (“LEP”). (Similarly, the California Department of Insurance promulgated its own LAP regulations, in accordance with Sections 10133.8 and 10133.9, California Insurance Code – see Section 2538, Title 10, California Code of Regulations.) Note this regulation only applies to Knox-Keene licensed plans, such as Healthy Families & Healthy Kids, and not Medi-Cal or Medicare.

A Limited English Proficient (LEP) enrollee is “an enrollee who has an inability or a limited ability to speak, read, write or understand the English language on a level that permits that individual to interact effectively with health care providers or health plan employees.”

Each health plan's Language Assistance Program (LAP) must include the following:

- Written policies and procedures
- Assessment to identify enrollees' spoken and written language needs
- Demographic profile of the health plan's enrollee population, including enrollee race and

Health Plan Contact Matrix (sample)

	A	B	C	D	E	F	G	
1	Health Plan Name	Plan LAP Threshold Languages (Other than English)	Plan Interpreter Access	Plan Translation Access (Vital Non-Standard Documents)	Special Instructions for Translation Documents	Plan Contact For Questions related to Interpreter/Translation	Additional Resources	Lat Cap Ver For
2	Aetna (Sample)	Spanish, English	Phone Number/E-mail/Other	Phone Number/E-mail/Other	i.e. document in PDF, word, etc., Embedded document or link to website template. Send encrypted documents to.....	John Doe at 555-5555	Plan Website	E-n
3								
4								
5								
6								
7								
8								

ICE Compliance Monitoring Workgroup

Angela Ross, Aetna

Lucinda Casillas, Aetna

Compliance Workgroup Produced

- Standardize check list of standards for monitoring delegated provider organizations
- Standardize check list of standards for ensuring cooperation and compliance with non-delegated provider
- Standardize essential QA program elements for Plans, delegated provider
- Standardize checklist regarding assessment of point of contact interpreter services

Collaboration with Other ICE Teams



Other ICE Teams

- Provider Contracting
- QI/UM
- Service Denial
- Contracting and Compliance

Q&A Possibilities

- Next steps- where do we go from here?
 - Develop best practices list
- Review developed tools/materials
 - Contact matrix, pre-delegation assessment tool
- Compliance monitoring and oversight
- Applicability to the national agenda
 - NCQA patient centered care standards sharing our experience
 - Health disparities projects and requirements

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- Joann Sulfaro, Sharp Rees-Stealy Medical Group
- Gary Masumoto, UnitedHealthcare/PacifiCare
- Veronica Orrick, UnitedHealthcare/PacifiCare

Resources

- **ICE approved document list:**
 - DMHC Language Assistance Program
 - <http://www.iceforhealth.org/library.asp?sf=&scid=1618#scid1618>
 - Provider Contract Amendments
 - <http://www.iceforhealth.org/library.asp?sf=&scid=1704#scid1704>
 - Cultural and Linguistics Provider Toolkit
 - <http://www.iceforhealth.org/library.asp?sf=&scid=1284#scid1284>