

# Language Access Policies to Advance Health Equity in Health Care Reform

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California Pan-Ethnic Health Network

# CPEHN: Together We're Stronger



# Eliminating Health Disparities

**IMPORTANTE:** Puede obtener la ayuda de un intérprete o ayuda de un interprete o preguntar acerca de información XXXX-XXXX-XXXX. Alguien que habla español puede llamar al 1-800-927-4357. (Spanish)

**重要提示:** 您與您的醫生或保險公司交談時，請先致電您的保險公司，電話號碼如左。如需更多協助，請致電保險部熱線 1-800-927-4357。



6. What is this person's race? Mark  one or more races to indicate what this person considers himself/herself to be.

- White
- Black, African Am., or Negro
- American Indian or Alaska Native — *Print name of enrolled or principal tribe.* ➤

- Asian Indian
- Chinese
- Filipino
- Other Asian — *Print race.* ➤
- Japanese
- Korean
- Vietnamese
- Native Hawaiian
- Guamanian or Chamorro
- Samoan
- Other Pacific Islander — *Print race.* ➤

## DATA & RESOURCES

Get the information you need with **customized searches** and more:

- [California Demographics](#)
- [Health Conditions](#)
- [Access to Care/Insurance](#)
- [Cultural/Linguistic Competence](#)
- [View CPEHN's Policy Briefs](#)
- [Mapping the Landscape of Opportunity](#)

## Multicultural Health Issues in the News

- [State Regulators Levy \\$650K in Fines Against 12 Calif. Hospitals](#)
- [Steinberg Pushes Bill To Require Health Plans To Cover Autism Therapy](#)
- [Legislation in Calif. Senate Targets Cost of Compounded Rx Drugs](#)



## Who We Are

CPEHN is a leading voice - and a comprehensive resource - for multicultural health advocacy. [Join our Network!](#)

## VOICE FOR CHANGE

"I would like to be able to walk to the closest grocery store (approximately half a mile from home) without having to walk along a 55 mph road."

- Michelle, Rancho Santa Margarita

What is YOUR Voice for Change?

## WHAT'S NEW

### JOB OPENING

[Administrative Associate](#)

### NEW REPORTS

[Equity Through Implementation](#)

[How Medical Homes Can Advance Health Equity](#)

### POLICY UPDATES

[2011 California State Legislation](#)

### HEALTH CARE REFORM FACTSHEETS

[Translated factsheets available on our Affordable Care Act resources page](#)

### MAPPING THE LANDSCAPE OF OPPORTUNITY

View the social and environmental factors of health on an interactive map.

### WE'VE MOVED

Please note our new address, effective July 22, 2011:

1221 Preservation Park Way  
Suite 200  
Oakland, CA 94612

# Data by race/ethnicity

Adult Diabetes Diagnosis (California, 2005)

← BACK

↻ SEARCH AGAIN

## Statistics for this chart:

- 10% of African American adults have been diagnosed with diabetes.
- 11% of Latino adults have been diagnosed with diabetes.
- 13.3% of Native American and Alaska Native adults have been diagnosed with diabetes, the highest rate of all racial/ethnic groups.
- People of color have higher rates of diabetes than Whites.
- 6.6% of Asian adults have been diagnosed with diabetes.

	<b>African American</b>	<b>Latino</b>	<b>Native American/ Alaska Native</b>	<b>Asian</b>	<b>White</b>
<b>% of CA Adults Diagnosed with Diabetes, 2005</b>	10.0%	11.0%	13.3%	6.6%	5.0%

Source: [Health for California's Adults, Adolescents and Children, Findings from CHIS 2005 and CHIS 2003](#), California Health Interview Survey

# Policy Center



## Policy Center

Make your voice heard during pivotal moments in Sacramento - sign up for our Action Alerts today!

**Action Alerts** - Support CPEHN's policy agenda and to make your voice heard during pivotal moments in the legislative process by signing up to receive [CPEHN's Action Alerts](#).

**CPEHN's Policy Campaigns** - In our fight to achieve health equity CPEHN is engaged in a number of policy campaigns. Click on the links below to learn more about our priority issues, get up-to-date information, and take action.

### [STATE BUDGET](#)

Track the budget process with news about the latest proposals and their impact on California's communities of color.

### [CALIFORNIA LEGISLATION](#)

Learn more about legislation impacting communities of color, the status of bills, and download sample letters of support.

### [THE NEW HEALTH CARE LAW](#)

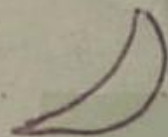
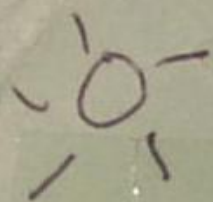
Follow the implementation of the Affordable Care Act (ACA) and its impact on communities of color.

### [PREVENTION](#)

Find out how social and environmental factors lead to disparities and how we can address these to create healthy places for Californians to live, work, and learn.

### [CULTURAL AND LINGUISTIC COMPETENCY](#)

Learn about efforts to ensure that our health care system provides culturally and linguistically appropriate care.



# Race and Ethnicity in California

- Majority is made up of minorities:
  - Hispanic/Latino 37.6%
  - Asian 12.8%
  - African American 5.8%
  - American Indian/Alaska Native 0.4%
  - Native Hawaiian/Other Pacific Islander 0.3%
  - White 40.1%



# Language Needs in California

- 40% of Californians speak a language other than English
  - Spanish 25.8%
  - Chinese 2.6%
  - Vietnamese 1.3%
  - Tagalog 2.0%

# Cultural Competence/Cultural Humility

- Language access is one piece of the big picture of cultural competence.
- Understanding the background, cultural values, and beliefs of patients, and applying that understanding in a health context.
- Cultural competency is the genuine sensitivity and respect given to people regardless of their ethnicity, race, language, culture, or national origin.

# Foundations for Language Access

- Federal
  - ***Title VI, Civil Rights Act 1964***
  - ***Executive Order 13166 and LEP Guidances***
  - Office of Minority Health Cultural and Linguistic Appropriate Services (CLAS) Standards
- California
  - ***Dymally-Alatorre Act***
  - Kopp Act
  - ***Medi-Cal Managed Care Contract Provisions and Policy Letters***
  - Healthy Families Contract Requirements
  - ***Department of Managed Health Care SB 853 (Escutia)***
  - Board of Pharmacy SB 472 (Corbett)

# Title VI, Civil Rights Act of 1964

- Applies to all entities that receive federal funding
- Prohibits discrimination on the basis of race, color, or national origin (“national origin” includes Limited English Proficient persons)
- [www.lep.gov](http://www.lep.gov)

# Guidances by HHS and DOJ

- Applies to Federal agencies
- Written translations
  - Threshold: 5% or 1,000, whichever is less, of persons eligible to be served
  - Fewer than 50 persons that reaches 5% - written notice of right to receive oral interpretation of written materials free of cost
  - Vital documents
- Oral interpretation
  - Meaningful access where oral services are needed and reasonable

# Dymally-Alatorre Bilingual Services Act

- Applies to state and local agencies
- Requirements
  - Employ sufficient numbers of bilingual personnel
  - Translate materials explaining their services
  - Translate notices that may affect individual rights
- Written translations
  - 5% of people served

# Medi-Cal Managed Care

- Applies to Medi-Cal managed care health plans
- Requirements
  - Provide 24 hour free interpretation at all points of service
  - Translate key materials in threshold languages
  - Assess linguistic capabilities of interpreters and bilingual provider
  - Maintain Community Advisory Committee
  - Conduct group Needs Assessment

# Medi-Cal Managed Care *(continued)*

- Written translations
  - Threshold: 3,000 in service area, 1,000 per ZIP code, or 1,500 per two contiguous ZIP codes
  - List of informing materials
  - Timeline
  - Recommended process for quality assurance
- Oral interpretation
  - Comply with Title VI, plans must ensure access to interpreters for all LEP members
  - No unreasonable delays
  - Cannot require or suggest that member provide interpreter
  - Services at no cost to member



# SB 853

- Applies to all health plans and insurers
- Requirements
  - Collect race, ethnicity, and language data
  - Provide access to interpreter at all points of contact
  - Translate vital documents
- Monitored by the Department of Managed Health Care and the California Department of Insurance

# SB 853 *(continued)*

- Written translations
  - Thresholds
    - >1,000,000 members ➡ top two languages and at 0.75 percent or 15,000
    - >300,000 members ➡ top languages and at 1 percent or 6,000
    - <300,000 members ➡ 5 percent or 3,000
  - Provides examples of vital documents and exempts member specific materials
- Oral interpretation
  - No cost to member
  - Outlines interpreter proficiency qualifications

# ACA: Benefits for California's Communities of Color

- 2.78 million low-income uninsured people of color will be newly eligible through Medicaid or subsidies in the Exchange
  - 81% uninsured African Americans
  - 60% uninsured Latinos
  - 60% uninsured Asian/Pacific Islanders
  - 750,000 Californians with limited-English proficiency

# Implementation of ACA

- Basic Health Plan (SB 703)
- Centralized Consumer Assistance Center (AB 922)
- Single application form (AB 1296)

# Lessons Learned: Written Translations

- Define Limited English Proficient – people who speak *less than very well*
- Develop threshold formula
  - Consider population
  - Need numeric and percentage
- Define vital documents
- Taglines in at least 15 languages
- Timeline for translations
- Quality assurance process

# Lessons Learned: Oral Interpretation

- Continue to clarify that thresholds **only** apply to translated documents – **all** languages for oral interpretation
- No unreasonable delays due to language services
- Require use of certified and appropriately trained interpreters
- Discourage use of minors as interpreters
- Notices about interpreter services in at least 15 languages

# Lessons Learned

- Translated materials and interpreter services provided at no additional cost
- Require collection of race, ethnicity, and language data using IOM standards
- Balance of federal government setting minimum standards and encouraging states to develop what's appropriate for them

# CPEHN

## Contact us

- (510) 832-1160
- [info@cpehn.org](mailto:info@cpehn.org)
- [www.cpehn.org](http://www.cpehn.org)