

POLICIES AND PROCEDURE MANUAL

Chapter:	Customer Service		
Title:	Information Accessibility/Limited English Proficiency (LEP)		
Policy: <input checked="" type="checkbox"/>	Review Cycle: Annually	Adopted Date: 07.01.2014	Related Policies: Customer Service Policy
Procedure: <input type="checkbox"/>	Author: Chief Compliance Officer, Customer Service Committee	Review Date: 07.07.2020	
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Purpose

Mid-State Health Network (MSHN) and its provider network will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) due to literary or impairment reasons have meaningful access and an equal opportunity to participate in the services, activities, programs and other benefits.

Policy

- A. MSHN delegates the responsibility for ensuring meaningful communication with LEP consumer/customer and their authorized representatives involving their medical conditions, benefits, and supports/services to the Community Mental Health Services Program (CMHSP) Participants and Substance Use Disorder (SUD) providers, with oversight and monitoring by MSHN. This includes client specific and/or general information about:
 - 1. Managed care;
 - 2. Excluded populations;
 - 3. Covered benefits;
 - 4. Cost sharing (if any);
 - 5. Service area;
 - 6. Availability of interpreters
- B. CMHSP Participants/SUD Provider Network, to ensure sufficient resources for persons with LEP, shall:
 - 1. Identify the proportion of LEP beneficiaries likely to be served in their service area;
 - 2. Determine the frequency that LEP persons may come in contact with their programs;
 - 3. Estimate the available resources required to meet the identified needs;
 - 4. Develop procedures for timely and effective communication between staff and persons who are LEP
- C. CMHSP Participants/SUD Provider Network will ensure all materials are available:
 - 1. In language(s) appropriate to the people served within the PIHP's area for specific Non-English language that is spoken as the primary language by more than 5% of the population in the PIHP's region. Such materials shall be available in any language alternative to English as required by the Limited English Proficiency Policy Guidance (Executive Order 13166 of August 11, 2002 Federal Register Vol. 65, August 16, 2002);
 - 2. In alternative formats in accordance with the Americans with Disabilities Act (ADA);
 - 3. All written materials for potential enrollees must include taglines explaining the availability of written translations or oral interpretation along with the toll-free telephone number of the entity providing services as required by 42 CFR 438.71(a);
 - 4. Beneficiaries may access materials in a font size with a minimum font of 12pt and in large print in a font size no smaller than 18 point.
- D. The CMHSP Participants/SUD Provider Network shall ensure that beneficiaries are notified that oral interpretation is available for any language and written information is available in prevalent languages and how to access those services.

- E. The CMHSP Participants/SUD Provider Network shall also ensure beneficiaries are notified how to access alternative formats.
- F. The CMHSP Participants/SUD Provider Network shall assure that designated employees and members of its provider network are able to obtain appropriate interpretation, translation, and/or communication services or technical equipment to meet the needs of beneficiaries in their service areas. This includes written materials and face-to-face or phone communications.
- G. All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the person being served, and consumers/customers and their families will be informed of the availability of such assistance.
- H. The CMHSP Participants/SUD Provider Network shall have a local procedure in place which is in compliance with Michigan Department of Health and Human Services (MDHHS) Information Accessibility for Beneficiaries with LEP requirements, as well as the ADA.

Applies to:

- All Mid-State Health Network Staff
- Selected MSHN Staff, as follows:
- MSHN's Affiliates: Policy Only Policy and Procedure
- Other: Sub-contract Providers

Definitions:

ADA: Americans with Disabilities Act.

CMHSP: Community Mental Health Service Program

Communication: The effective transmission of messages using spoken language, Braille, American Sign Language, or available technology as necessary

Consumer/Customer: Refers to individuals who are eligible to receive specialty mental health and substance use disorder services, as well as those currently receiving such services and their families/guardians. For the purpose of MSHN policy, these terms are used interchangeably

Interpretation: The oral transmittal of a message from one language to another, considering dialect, culture, and nuance

MDHHS: Michigan Department of Health and Human Services

Persons with Limited English Proficiency (LEP): A person who is unable to speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies. For the purposes of this policy, LEP will also apply to individuals whose primary form of communication is something other than the oral English language.

Population/Service Area: Includes any Medicaid beneficiary who may potentially receive services from MSHN and its provider network.

SUD Provider Network: Refers to a SUD Provider that is directly under contract with PIHP MSHN to provide services and/or supports

Translation: The written interpretation of a message from one language to another, conveying the original meaning of the text with linguistic precision

Other Related Procedures:

N/A

References/Legal Authority:

1. 42 CFR 438.10 Information Requirements
2. 42 CFR 438.400 Appeals and Grievances
3. MDHHS Medicaid Contract, Section 18.1.6, Limited English Proficiency
4. MDHHS Medicaid Contract, Section 6.3.2, Information Requirements
5. Limited English Proficiency Policy Guidance (Executive Order 13166 of August 11, 2002 Federal Register Vol. 65, August 16, 2002).
Office of Civil Rights Policy Guidance on Title VI “Language, Assistance to Persons with Limited English Proficiency”

Change Log:

Date of Change	Description of Change	Responsible Party
07.01.2014	New policy	Chief Compliance Officer
04.2016	Annual Review/Update	Customer Service & Recipient Rights Specialist
11.21.2016	Updated according to MDHHS/PIHP contract	Customer Service Committee
12.18.17	Annual Review	Customer Service Committee
12.03.18	Annual Review, additional language added	Customer Service Committee
03.16.2020	Annual Review, additional language added, edit to conform to definitions	Customer Service Committee