

**CENTRA WELLNESS NETWORK
PROCEDURE 03.04 LIMITED ENGLISH PROFICIENCY**

I. APPLICATION:

Agency Wide, including employees, affiliated providers and interpreters.

II. POLICY:

The Centra Wellness Network (CWN) Governing Board shall establish policies with related procedures to ensure clients are offered the rights afforded them pursuant to obligations under the Mental Health Code, Administrative Rules, contractual obligations with the Michigan Department of Health and Human Services (MDHHS), and the Inter-local agreement with Manistee and Benzie Counties, any other state and federal regulations, and pertinent accreditation criteria.

III. DEFINITIONS:

Limited English Proficient (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.

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

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

Reasonable Accommodations: Modifications or adjustments, which are not unduly burdensome, that assist clients or staff members to access benefits and privileges that are equal to those enjoyed by others. Examples taken from the American with Disabilities Act include making existing facilities readily accessible to and usable by persons with disabilities; acquiring or modifying equipment or assistive devices; adjusting or modifying examinations; and providing qualified readers or interpreters.

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

Vital Documents: Documents that include, but are not limited to, applications, consent forms, releases of information regarding participation in a program, treatment plans, notices pertaining to the reduction, suspension, denial, or termination of services or benefits, notice of the right to appeal such actions or that require a response from beneficiaries, notices advising of the availability of free language assistance, and other outreach materials.

IV. PROCEDURE:

- A. The Clinical Director, or designee will ensure that clients who are LEP, visually and/or hearing impaired receive reasonable accommodation and can effectively communicate the relevant circumstances of their situation, are given adequate information about services and benefits, and are able to receive those services and benefits for which they are eligible.

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- B. The Director of Customer and Provider Services (CAPS), or designee will ensure that written materials will be translated for each eligible LEP demographic group that constitutes ten percent (10%) or 3,000 people, whichever is less, of the current census population.
- C. The Director of CAPS, or designee will ensure that, at a minimum, vital documents will be translated for LEP demographic groups that constitute five percent (5%) or 1,000, whichever is less, of the current census population.
- D. The Director of CAPS or designee will ensure that LEP demographic groups not meeting population standards of (B) or (C) receive written/oral notice of their right to receive competent oral translation of written materials.
- E. Outside contract agencies used for interpretation/translation services will sign a confidentiality agreement binding the organization and its employees to observe and protect the confidentiality rights of CWN clients.
- F. CWN will notify clients who are LEP, visually, and/or hearing impaired, of their right to language assistance and the availability of such assistance free of charge. This notification may include, but is not limited to:
 - 1. language identification cards; and
 - 2. posting and maintaining signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of entry; and
 - 3. right to free language assistance services, in appropriate non-English languages, in brochures, booklets, outreach and recruitment information.
- G. Employees of CWN should not use friends, minor children, or family members as interpreters. If, after informing the LEP person of the right to free interpreter services, the client declines such services and requests the use of a family member or friend, CWN employees may use the family member or friend if the use of such a person would not compromise the effectiveness of services or violate the client's confidentiality. If the client elects to use a family member or friend, the CWN employee should suggest that a trained interpreter should be present during the contact to ensure accurate interpretation. CWN employees should document the offer and declination in the client's record.
- H. The Director of CAPS and The Clinical Director, or designees will ensure that designated staff are provided training relevant to accessing appropriate interpretation services in an expedient and professional manner, as well as where and how to obtain materials and equipment that will assist in other forms of communication.
- I. CWN staff will ensure that the identified language/communication needs of a client who is LEP, visually and/or hearing impaired will be documented in the client's clinical record.

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V. DISCUSSION OF INTENT:

The purpose of this procedure is to reduce barriers for clients with LEP of Centra Wellness Network and ensure meaningful and equal access to programs, services and benefits.

Authority and Related Directives Trace	
Federal	Social Security P.L. 88-352 of 1964 Title VI Non Discrimination in Federally Assisted Programs; Federal Register 65, No. 159 Order 13166 65 Improving Access to Services for Persons with LEP
State	MDHHS/CMHSP Prepaid Inpatient Health Plans and Community Mental Health Services Programs 3.3.2; Michigan Mental Health Code 330.1708
NMRE	Administrative Manual, Chapter 6
County	
CARF	CARF 2016 Standards 1L, 2B, and 3B.
Other	