

Title of Manual: Mid-South Substance Abuse Commission Policy and Procedures		Page 1 of 3	
		History	
Policy Number: T004	Subject/Title: Limited English Proficient Persons		Replaces: 10/2006
			Last Reviewed: 4/2009
Issued By: Executive Director	Approved By: Board of Directors Date: 4/27/2009	Scope: All Treatment Providers	Effective: 4/27/2009

1. **POLICY**

Mid-South is required, under contract with the Michigan Department of Community Health (MDCH), to assure its contracted substance use disorder (SUD) treatment providers provide, at no cost, accurate and timely language assistance and effective communication to Limited English Proficient (LEP) persons, including current and prospective clients, family, and other interested persons to ensure them equal access to services. LEP translation services are to be provided by a qualified interpreter. This policy maintains standards that ensure compliance with the Title VI Civil Rights Act of 1964. Information regarding federal LEP requirements is found at <http://www.hhs.gov/ocr/civilrights/understanding/race/laws/>.

A LEP person is a person whose primary language or dialect is other than English and who has difficulty speaking and/or comprehending the English language. A qualified interpreter is a person fluent in English and the required language of the client who can accurately speak, read, and readily interpret the necessary second language, who possess fundamental knowledge in both languages of any specialized terms or concepts peculiar to the client's program or activity, has sensitivity to the LEP client's culture, and has a demonstrated ability to convey information in both languages accurately.

2. **PURPOSE**

The procedures outlined below will ensure that information is communicated to LEP persons in a language which they understand.

3. **PROCEDURE**

- 3.1. When a LEP person calls into the Care Coordination Center, (CCC) for a SUD screening to determine appropriate services, CCC conducts a three-way call with the language line, Voices for Health, and the LEP person to perform the screening. For deaf and hard-of-hearing persons, CCC also works with Voices for Health to ensure equal access to services.
- 3.2. When a LEP person calls the SUD treatment providers to access SUD treatment services, the SUD treatment providers are to have the capability to gather sufficient information from the LEP person to schedule an assessment either by having an interpreter on staff or by having an agreement with a language line.
- 3.3. CCC and the SUD treatment providers which have an agreement with a language line will have a signed confidentiality agreement with the language line on file for review by Mid-South.
- 3.4. Any language line is to be considered the option of last resort for SUD treatment providers to use in the actual ongoing therapeutic session.
- 3.5. When a qualified interpreter is needed for ongoing SUD treatment; the SUD treatment provider is responsible for contacting qualified interpreters in their local area. Signed confidentiality agreements between the provider and the interpreter will be kept on file and updated on an as needed basis. The confidentiality agreement will include a statement of the language interpreter's competency and qualifications.

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- 3.6. As the SUD treatment providers develop LEP resources, they will contact CCC to provide the name, language, phone number, and hours of availability of the qualified interpreter. This will ensure the development and maintenance of a region-wide foreign language and language accommodation qualified interpreter directory.
- 3.7. If a SUD treatment provider has difficulty in locating appropriate qualified interpreters within their county, CCC may be contacted for further assistance.
- 3.8. Mid-South ensures that in each SUD treatment provider's contract there is a requirement about the use of qualified interpreters. Payment will be arranged on a case-by-case basis. Reimbursement requests may be submitted to the CCC by using the Limited English Proficiency/Hearing Impaired Interpreter Reimbursement Request Form (T101) within seven (7) days of initiation. Upon completion, whether approved or denied, the T101 form will be returned to the provider. Mid-South requires that the service is at no cost to current and prospective clients, family, and interested persons for receiving SUD treatment services in their native language most commonly encountered other than English.
- 3.9 Family members or friends of the LEP person shall not be used as interpreters unless specifically requested by that individual after the SUD treatment provider or Mid-South has made an offer of a qualified interpreter. Such an offer and the response of the individual to that offer must be documented in the client's case record in the progress notes section. Whenever an LEP client refuses the offer of a qualified interpreter supplied by the SUD treatment provider or Mid-South and prefers to use a family member or friend, a progress notes must document the LEP client's interpreter's name, relationship, and confirmation that the individual is not a minor. The progress note must be completed in an LEP client's file for each individual offer. Note: there is no reimbursement if the interpreter is family or friend.
- 3.10. If an LEP client elects to use a family member or friend, but the SUD treatment provider, CCC, and/or Mid-South suspects that the use of this family member or friend could compromise the effectiveness of services or violate the LEP client's confidentiality, Mid-South may still suggest that a qualified interpreter sit in on the SUD treatment sessions to ensure accurate interpretation. Mid-South or its SUD treatment providers' staff shall under no circumstances ask a client to bring his or her own interpreter or use another client to interpret.
- 3.11. CCC and the SUD treatment providers are to keep a contact log for those LEP persons served. Refer to the sample LEP Log at www.mssac.com.

4. Expectations

- 4.1. It is Mid-South's expectation that all contracted SUD treatment providers will provide staff training to all front office staff and clinicians regarding the necessary procedures working with LEP clients. This training needs to be on an annual basis and to be completed for new hires within the first six (6) months of hire. Refer to the LEP Training Material for Trainer, Sample LEP Training Log, LEP Quiz, and LEP Answers to Quiz at www.mssac.com.
- 4.2. Signage in the primary non-English languages within the SUD treatment provider's service area will be located in high visibility areas and will inform the LEP Person of their recipient rights and that there will be no cost to them for interpreter services. Required LEP material may be found at <http://www.macmhb.org/BookstoreOrder/ww10.htm>.

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4.3. Mid-South’s written materials will be translated for a LEP group of 10% or 3000 (whichever is less of the eligible population within each county of the region.) Vital documents are translated for each LEP groups of 5% or 1000 (whichever is less) of the eligible populations, e.g. consent forms, confidentiality forms, letters or notices about eligibility or any change in level of care and medical or discharge information as needed. For each language group with fewer than 100 persons, the SUD treatment provider gives written notice of the right to receive oral interpretation of written materials in the primary language of the group.

References:

LEP Training Material for Trainer

LEP Quiz

LEP Answers to Quiz

LEP Training Log

LEP Log

Form T101 –Limited English Proficiency/ Hearing Impaired Interpreter Reimbursement Request