

SAN MATEO COUNTY
HEALTH DEPARTMENT

Effective Date: October 1, 2008

HEALTH POLICY NO.: HS A-25

SUBJECT: Client's Right to Language Services Notification Policy

SUPERCEDES: New Policy

PURPOSE:

To ensure that Limited English Proficient (LEP) clients are informed, in their primary language, that they have the right to free language assistance services and that such services are available to them.¹

BACKGROUND:

In May 2004, under the leadership of the Board of Supervisors and with support from the San Mateo County Health Department (SMCHD), the community came together at the first *Healthy Communities Summit* to begin identifying local health disparities and developing a plan of action to reduce them. Community members recognized that differences in quality health care and health outcomes in populations are often a result of social and economic factors, and summit participants voiced a commitment to eliminating these differences. One of the issues prioritized for initial focus of *Healthy Communities San Mateo: A Community Health Improvement Initiative to Eliminate Health Disparities* was improving access to healthcare services for LEP populations.²

The SMCHD serves a significant population of LEP clients. Many LEP clients access healthcare services without knowing that free language assistance is available to them.³ Notifying LEP clients of available language assistance services not only helps them better utilize services, but also helps them participate as informed consumers. When LEP clients are empowered with the tools necessary to take advantage of language assistance services, they are able to truly provide informed consent, more clearly communicate their health conditions, concerns, and preferences, and play an active role in their own healthcare decisions. Effective communication contributes to quality care and overall improved health.

POLICY:

- 1) SMCHD shall notify clients and their families of
 - a) the availability of free language assistance services (including sign language),
 - b) the procedure for obtaining these services, and
 - c) the telephone numbers where complaints may be filed concerning language assistance service problems, including, but not limited to, a California Relay Service number for the hearing impaired.

Notifying the LEP community about language assistance services involves multiple strategies aimed at educating the broader community including, but not limited to, posting signs in central locations of the SMCHD buildings, notice of available services printed on health education materials, community outreach, and using non-English media. Without

thorough notification, some LEP clients will not request certain services, because they will be unaware that language assistance services exist or that they have a right to those services. In addition, clients may delay or avoid seeking necessary services due to a perception that language barriers would impede the quality of services they receive.

The SMCHD shall post notices in areas of buildings that serve the highest volumes of LEP clients. At a minimum, notices shall be posted in points of entry/intake including, registration desks, front desks, waiting areas, screening areas, and areas where direct service is performed. In circumstances where services are provided in the community, a client's home, or other settings, clients shall be notified through other means (e.g. notice on intake forms, health education materials and in person).

- 2) Notification shall be made available in at least the threshold languages for the service area or population (primary language of 3,000 residents or 10% of the population, whichever is fewer). Threshold languages vary based on the setting or service area; programs are encouraged to consider concentration languages as well, where appropriate and necessary (primary language of 1,000 residents or 5%, whichever is fewer).⁴
- 3) If the client refuses the language assistance services, SMCHD staff shall document that;
 - a) the client has been notified about these rights, and
 - b) that the client preferred to decline assistance.Each SMCHD Division will determine appropriate protocol and process for documenting refusal of language services.

As awareness grows within the community that health services are linguistically accessible, SMCHD staff will need to anticipate increasing numbers of clients requesting these services. SMCHD is committed to provide the necessary tools, skills and knowledge to support, improve and evaluate language services including 24-hour availability of interpreter services.

San Mateo County Health Disparities Initiative Oversight Group, March 2008

References:

¹ Limited English Proficient refers to those residents who speak English "not well" or "not at all." In San Mateo County, Spanish-speakers make up the majority of LEP individuals, followed by Chinese (Mandarin and Cantonese), Tagalog, Russian and Tongan speakers.

² *Healthy Communities San Mateo: A Community Health Improvement Initiative to Eliminate Health Disparities* (2004). Retrieved February 26, 2008, from San Mateo County Health Department Health Policy and Planning Web site: <http://www.smhealth.org/hpp>

³ Wendy Siegel, *Building Linguistic and Cultural Competency: A Toolkit for Managed Care Organizations and Provider Networks That Serve the Foreign-Born* (Chicago, IL: Mid-America Institute on Poverty: Heartland Alliance for Human Needs and Human Rights, 1998)

⁴ 2006 threshold languages for San Mateo County were identified as Spanish and Chinese (Mandarin and Cantonese) and concentration languages included Tagalog, Tongan and Russian. Threshold and concentration languages will vary among divisions and organizations based on clientele and service area demographics.



Charlene A. Silva, Director
Health Department