

# Limited English Proficiency (LEP) Training

Created 2019 for The Right Door for Hope, Recovery and  
Wellness Providers



# What does LEP mean?

- A person who does not speak English as their primary (first) language
- A person who has a limited ability to speak, write or understand English.

**LEP clients may need special help in order to access services or to benefit from services.**

# English as a Second Language (ESL)

- Many LEP people are learning English, but they are not yet fluent
- It can be hard to communicate in a non-native language, especially when a person is in a crisis or is very upset.
- It can be hard to understand “specialized” language, such as legal or medical communications.
  - For example: If all communication is in English, an LEP client may not give accurate health information, or may not understand treatment options.
  - An LEP client may not fully understand paperwork they are asked to sign.

# Why do we need to accommodate other languages?

- The United States government has never declared official language for this country, so we must accommodate all languages.
- Individuals who are deaf or hard of hearing may be unable to verbally communicate, or may prefer to use American Sign Language.

Section 601 of Title VI of the Civil Rights Act of 1964 (42 USC Section 2000d et. seq. states): “No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

If an LEP client cannot receive services in their native language when necessary, the federal government views that as discrimination on the basis of national origin. This would violate the Civil Rights Act cited above.

## **Federal Requirements**



# Federal Requirements Continued

- The federal government requires that agencies receiving federal funds (such as Medicaid) take the following steps. The State of Michigan also includes these requirements in the community mental health contracts.
  - 1. Identify people in the area you serve to identify non-English languages that are commonly spoken.
  - 2. Assess how often your agency serves LEP clients.
  - 3. Assess the importance of the services your agency provides, and whether those services are available elsewhere.
  - 4. Ensure the resources are available at your agency to implement services that would support LEP clients.
- After completing these steps, your agency should create a policy and procedures for serving LEP individuals.

# Federal Requirements Continued

- Each person has a legal right to the services of a translator at no cost to them.
- “Interpretation Services Available” notices should be posted in area where consumers can easily and clearly see them (i.e. lobby, front desk, front door)
- “I Speak” cards should be available in the entrance area
- Never suggest that a consumer bring their own translator or that they allow a minor or another consumer to translate for them- doing so is a clear violation of their civil rights and may subject both you and your organization to legal action.

# The Right Door for Hope, Recovery and Wellness LEP Policy RR 993

**POLICY:** This policy shall apply to The Right Door for Hope, Recovery and Wellness and all services operated by or under contract with it.

## **1.0 Policy/Standards/General Practice:**

Persons who are Limited English Proficient (LEP), visually and/or hearing impaired, will have meaningful and equal access to programs, services, and benefits throughout the operations of The Right Door for Hope, Recovery and Wellness and its provider network. Monitoring of language assistance services will occur annually and, at minimum, assess the following:

- the current LEP, visually and/or hearing impaired makeup of its service area
- the current communication needs of LEP, visually and/or hearing impaired applicants and recipients
- whether existing assistance is meeting the needs of such persons
- whether staff is knowledgeable about policies and procedures and how to implement them, and
- whether the sources of and arrangements for assistance are still current and viable

Monitoring will include feedback from recipients and advocates.



# The Right Door for Hope, Recovery and Wellness LEP Policy RR 993

## **2.0 Definitions**

Limited English Proficient (LEP): An LEP individual is a person who is unable to speak, read, write or understand the English language at a level that permits him or her 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.

## **3.0 Compliance Monitoring**

Compliance with this policy and all related procedures is ensured by The Right Door for Hope, Recovery and Wellness Quality Improvement Council.

## **4.0 References**

Office of Civil Rights, LEP Appendix A, August 29, 2000

Executive Order 13166 of August 11, 2000

AFP, DHHS Contract Requirements

# The Right Door for Hope, Recovery and Wellness Procedure RR 993.1

## Procedure 993.1 Cultural Competency

1.2 The Right Door for Hope, Recovery, and Wellness shall maintain a list of bi-lingual staff and community interpretation resources for reference regarding service delivery needs.

1.2.1 The Right Door for Hope, Recovery, and Wellness shall provide language interpretation services at no cost to individuals needing assistance. With the inclusion of the contractual after-hours crisis service, language interpretation services are available 24 hours a day, seven days a week.

1.2.1 “I speak” cards are available at the front desk to assist in determining an individual’s language interpretation needs. (I speak posters are also stationed at each clerical location)

1.2.3 The Right Door for Hope, Recovery, and Wellness shall seek to employ staff who are multi-lingual, primarily those who are bilingual in English and Spanish, and those knowledgeable of sign language.

# **The Right Door for Hope, Recovery and Wellness Procedure RR 993.1**

1.2.4 The Right Door for Hope, Recovery, and Wellness shall also maintain contractual providers of interpretation and translation services for use when needed.

1.2.5 The Right Door for Hope, Recovery, and Wellness shall make available general agency informational and consumer orientation materials in both English and Spanish. Other written materials shall be translated upon request or as needed. Said written materials will be printed, as necessary, at a 4<sup>th</sup> grade reading level to ensure clarity and ease of understanding.

1.2.5.1 Provider Directories, enrollee handbooks, appeal and grievance notices, and denial and termination notices will be made available in prevalent non-English languages.

1.2.5.2 Consumers/Enrollees will be informed that any electronic information that is required to be provided is available in paper format for no charge. Paper information will be provided within 5 business days of the request. This will be tracked by the Recipient Rights Officer.

1.2.5.3 All print documents will be at least 12 point font and large print documents will be at least 18 point font.

# Accessing LEP Services

- If you're working with someone who needs interpretation or translation services in order to receive our services, please call and request to speak to our **Contracts Department** for assistance.
- If you have questions or concerns about compliance with LEP requirements please call and ask for the **Director of QI and Compliance**

Call us at: 1(616)527-1790