



## **Language Assistance Program Services pursuant to California Senate Bill 853**

California has a distinct multicultural multiethnic mix, therefore its population is faced with numerous language and cultural barriers, especially when seeking health assistance and medical services. In 2003, to help its language disadvantaged population the California legislature passed Senate Bill 853 mandating that all California health insurers provide language assistance services to those enrollees who have limited or no English knowledge. This Bill applies to both Health Care Service Plans which are regulated by the DMHC and Health Insurers which are regulated by the CDI. The Department of Managed Health Care (DMHC) is responsible for defining the language assistance program criteria and for controlling the compliance with those regulations. The legislation stipulates that health insurers must create and implement a valid Language Assistance Program that includes:

1. Determining the program language or languages, depending on the percentage of enrollees that need assistance.
2. Appointing a reputable Language Service Provider.
3. Translating all documents into the language with the highest percentage of enrollees.
4. Providing interpretation services to enrollees at all points of contact.
5. Implementing a cultural training program to train those members of staff that might come into contact with any of the non-English speaking enrollees.
6. Establishing a compliance monitoring program for the language assistance plan.

This plan must be filed by December 2008 to be evaluated and accepted by the DHMC, to determine its compliance with the Senate Bill and must be implemented by April 2009. Furthermore, the plan

will also be subject to regular reviews by the DHMC and any problems, violations or deviations by health care plans will be subject to fines or penalties.

## **Language Assistance Plan Creation**

The Language Assistance Plan has to be comprehensive and well detailed. It has to clearly state:

- all methodologies used to determine the program language or languages
- the criteria for choosing the documents to be translated
- the qualifications and availability of the interpreting personnel
- the qualifications and courseware for the cultural training to the members of staff
- the compliance monitoring program and its regular enforcement

### **1. Determining the program language**

There are specific criteria that must be used to determine which language or languages should be chosen for the Language Assistance Program. Such criteria are based on the relationship between the number of total enrollees and the number of enrollees with limited English proficiency.

### **2. Appointing a reputable language service provider**

A reputable language service provider must be appointed during the planning phase. Such language provider must be able to guarantee the quality of the translation service provided and must be able to conduct internal quality assessment at regular intervals and whenever required to do so by the DHMC.

### **3. Determining which documents need translation**

The health plan provider must determine which documents need translation on the basis of which documentation is of absolute relevance to the enrollees with limited English proficiency. This choice is again guided by criteria suggested by the Senate Bill.

#### **4. Providing interpretation services to enrollees at all points of contact**

The health plan provider must ensure that enrollees with limited English proficiency are given interpretation assistance whenever they come into contact with staff members who do not speak their primary language or whenever they require medical services at hospitals or medical facilities.

#### **5. Implementing a cultural training program**

The health plan provider must implement a cultural training program to facilitate any contact between members of staff and enrollees with limited English proficiency. Such training program will have different degrees of depth, depending on the function of the member of staff that comes into contact with enrollees with limited English proficiency.

#### **6. Establishing a compliance monitoring program**

The health care provider must establish a compliance monitoring program that regularly evaluates and assesses its compliance to Senate Bill 853 and its intended purposes.

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Backed by our ISO 9001:2000-certified quality management system, and through our consulting and translation divisions, Translations.com can:

- supply a complete project strategy and benchmark plan to allow your company to comply with Senate Bill 853
- determine the language(s) that will be the focus of your compliance efforts
- identify all content that needs to be translated
- provide translation and interpretation services
- provide cultural staff training, and

- recommend and implement steps for a regular compliance monitoring program, as mandated by Senate Bill 853

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