

PROVIDER Update



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Language Assistance Program and Cultural Competency for CalViva Health Members and Providers

The Health Care Language Assistance Regulations require all California managed care health plans to provide language assistance and culturally responsive services to members with limited English proficiency (LEP), limited reading skills, are deaf or have hearing impairments, or have diverse cultural and ethnic backgrounds. To comply with this requirement, Health Net Community Solutions, Inc. (Health Net), on behalf of CalViva Health, created the Language Assistance Program (LAP). The LAP offers interpreter services to ensure that LEP members can obtain language assistance while accessing health care services. The LAP is available to participating physician groups (PPGs), physicians and ancillary providers, including nurses and physician assistants, to support CalViva Health members' linguistic and cultural needs.

Health Net and CalViva Health do not delegate their LAP obligations to PPGs, physicians or ancillary providers, all of which must comply with the health plans LAP.

LANGUAGE ASSISTANCE PROGRAM OVERVIEW

The LAP includes the following:

- Interpreter services for CalViva Health LEP members at all medical points of contact, available 24 hours a day, seven days a week at no cost. All interpreters meet the interpreter quality standards established by the U.S. Department of Health and Human Services 45 CFR 92 and CA Senate Bill 223.
- Translation of vital documents or member-informing materials produced by a PPG on behalf of Health Net and CalViva Health in the threshold languages.
- Taglines to inform members that they can receive an interpreter in their preferred language and nondiscrimination notices must be included in all member mailings.
- Standards to monitor the quality and effectiveness of the LAP.

Members have the right to file a grievance with CalViva Health and the ability to file a discrimination complaint with the Office of Civil Rights if their language needs are not met.

LAP COMPLIANCE REQUIREMENTS

All participating providers are required to follow LAP by using:

- Interpreter services – Use qualified interpreters for LEP members. Health Net and CalViva Health provide interpreter services at no cost. Telephone interpreters are available in more than 150 languages. Advance notice is not required for telephone interpreters.
- Translation services – Translations and alternate formats of utilization and case management materials must be made available to members that have a preferred language. All LEP members may request a translation or alternate format of

THIS UPDATE APPLIES TO MEDI-CAL PROVIDERS:

- Physicians
- Participating Physician Groups
- Hospitals
- Ancillary Providers

PROVIDER SERVICES

1-888-893-1569
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Utilization management (UM) or case management (CM) letters. If a CalViva Health member requests translation or an alternative format of an English document that was produced by a delegated PPG, the provider must refer the member to the CalViva Health Member Services telephone number on the member's identification (ID) card. When Member Services receives the request, they will request the document from the PPG. The PPG must submit the document within 48 business hours.

- Tagline and nondiscrimination notice – Include a CalViva Health-specific tagline and nondiscrimination notice with vital documents going to CalViva Health members (for example, UM denial and delay notices). The CalViva Health-specific tagline and nondiscrimination notice are available on the provider website at provider.healthnet.com under *Working with Health Net > Provider Library > Forms > Nondiscrimination Notice and Taglines*.
- Member complaint/grievance forms – Provide translated member grievance forms to members upon request. CalViva Health Forms are available on the provider website at provider.healthnet.com under *Working with Health Net > Provider Library > Forms > Member Grievance Form*.
- Independent Medical Review (IMR) Application – Locate translated IMR applications on the Department of Managed Health Care (DMHC) website at www.dmhc.ca.gov and make them available to members upon request.
- Medical record documentation – Document the member's language preference (including English) and the refusal or use of interpreter services in the member's medical record.

INTERPRETER SERVICES

To obtain interpreter services, contact CalViva Health Member Services at the telephone number on the member's ID card or the toll-free numbers on the provider website at provider.healthnet.com.

Non-English interpreter services include:

- Qualified interpreters trained on health care terminology and a wide range of interpreting protocols and ethics.
- Telephone interpreters available in more than 150 languages on short notice.
- Support to address common communication challenges across cultures.
- Oral translations of member materials in more than 150 languages.
- Sign language interpreter services are available. Please request a sign language interpreter as soon as the appointment is made, but not less than five business days before the appointment.

A CalViva Health non-English language identification poster is available to print and post in providers' offices on the provider website at provider.healthnet.com under *Working with Health Net > Provider Library > Forms > Language Identification Poster*. Contact the Cultural and Linguistic (C&L) Services Department for a hard copy. Providers are not required to post this information; however, using this tool makes it easier to identify the specific language needs of the patient.

Providers are asked to make accommodations to use telephone interpreters as that may be the only service that is available for the appointment time or language. Allow adequate time before the appointment to get the telephone interpreter on the line.

Business Hours and After-Hours Interpreter Services

Providers can contact the Provider Services Department at 1-888-893-1569. Interpreter services are available 24 hours a day, seven days a week.

Interpreter services contact information is also available in the provider website at provider.healthnet.com under *Working with Health Net > Provider Library > Contacts > Access to Interpreter Services*.

PROVIDER RESPONSIBILITIES

Participating providers may use interpreter services to provide interpreters to members who require or request them. Participating providers must ensure that language services meet the established requirements as follows:

- Ensure that interpreters are available at no cost to members at the time of the appointment.
- Ensure that LEP members are not subject to unreasonable delays in the delivery of services, including accessing providers after hours.
- Extend the same program and activity participation opportunities to all members regardless of language preference.
- Provide services to LEP members that are as effective as those provided to non-LEP members.
- Record the member's language needs, request or refusal of interpreter services, in the member's medical record.

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- Provide translated CalViva Health member grievance forms to members upon request.
 - Provide translations or alternate formats to CalViva Health members in a timely manner.

Providers are prohibited from:

- Requesting or requiring an individual with LEP to provide his or her own interpreter.
- Relying on staff other than qualified bilingual/multilingual staff to communicate directly with LEP individuals.
- Relying on a minor or accompanying adult to interpret or facilitate communication except:
 - In an emergency where there is no qualified interpreter for the LEP individual immediately available. The emergency must be noted in the member's medical record. A parent cannot give permission for a minor child to interpret in any other circumstance.
 - When the LEP individual specifically requests that the accompanying adult interpret, that adult agrees to provide such assistance, and reliance on that adult is appropriate. Providers are encouraged to document in the member's medical record the circumstances that resulted in the use of an accompanying adult as an interpreter.

PROVIDER RACE AND ETHNICITY

Providers should consider providing Health Net and CalViva Health with physician race or ethnicity information. The information is voluntary. CalViva Health and Health Net use the information in health disparity reduction efforts. Providers can provide this information on the Quarterly Active Physician Listing Report available on the provider portal at provider.healthnet.com under *Provider Reports > Available Reports > Administrative > Active Physicians Listing*.

THRESHOLD LANGUAGES AND LANGUAGE ASSISTANCE

The languages that are required for translation for Medi-Cal counties are determined by the Department of Health Care Service (DHCS).

PPGs have access to CalViva Health members' preferred spoken and written languages via the CalViva Health Eligibility Report. Individual and ancillary providers can obtain members' language preferences, and participating providers may request interpreter services, by contacting the Provider Services Center at 1-888-893-1569 24 hours a day, seven days a week.

CULTURAL COMPETENCY TRAINING

All CalViva Health participating providers are required to take cultural competency training. Cultural competency training may be met through various programs; however, CalViva Health recommends the Office of Minority Health (OMH) modules. The HHS OMH offers a computer-based training (CBT) program on cultural competency for health care providers. This program was developed to furnish providers with competencies enabling them to better treat California's increasingly diverse population. For more information, refer to the OMH Think Cultural Health website at <https://cccm.thinkculturalhealth.hhs.gov>. CalViva Health or Health Net does not sponsor or maintain the OMH CBT or website.

Cultural competency resources are available for use in providers' offices through the provider operations manuals on the provider website at provider.healthnet.com under *Working with Health Net > Provider Library > Operations Manuals > Quality Improvement > Quality Improvement Program > Cultural and Linguistic Services > Industry Collaboration Effort (ICE): Provider Tools to Care for Diverse Populations*. The C&L Services Department can create customized cultural competency training upon request.

ADDITIONAL INFORMATION

If you have questions about information contained in this update, contact the C&L Services Department via email at cultural.and.linguistic.services@healthnet.com or by telephone at 1-800-977-6750.

Providers are encouraged to access the provider portal online at provider.healthnet.com for real-time information, including eligibility verification, claims status, prior authorization status, plan summaries, and more.

If you have questions regarding the information contained in this update, contact CalViva Health at 1-888-893-1569.