

Language Access in Health & Human Services

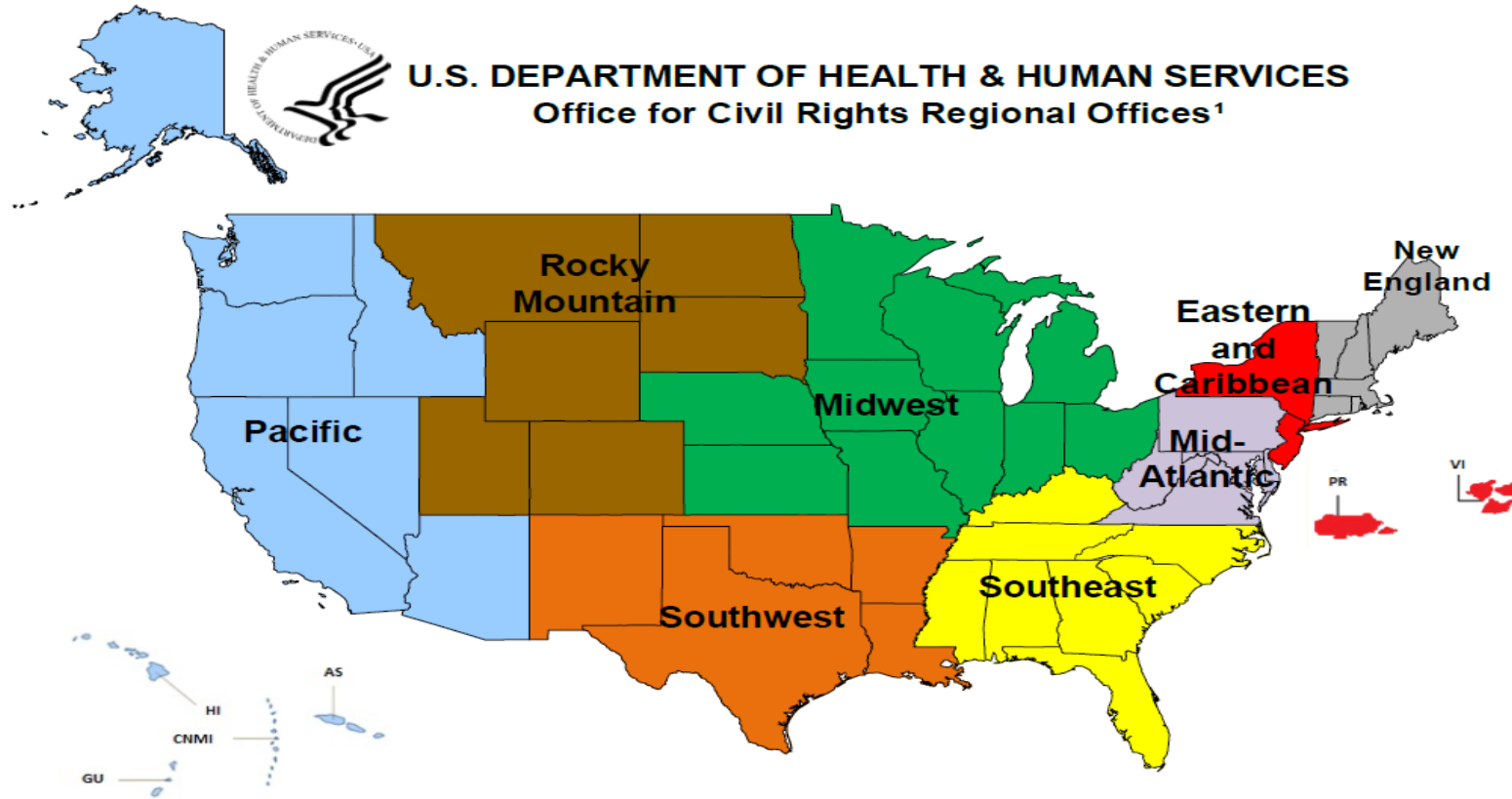
Principal Deputy Director Lauren Jee
Office for Civil Rights

U.S. Department of Health and Human Services



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Regional Map and Offices



¹ U.S. Department of Health and Human Services Regional Offices

New England Region: HHS Region 1
Eastern and Caribbean Region: HHS Region 2
Mid-Atlantic Region: HHS Region 3
Southeast Region: HHS Region 4

Midwest Region: HHS Region 5 and 7
Southwest Region: HHS Region 6
Rocky Mountain Region: HHS Region 8
Pacific Region: HHS Region 9 and 10



Discrimination on the Basis of Race, Color, National Origin and Disability

- **Title VI of the Civil Rights Act of 1964**: prohibits discrimination on the basis of race, color, or national origin in **all programs** assisted by Federal money.
- **Section 1557 of the Affordable Care Act**: prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain **health programs or activities**.
- **Section 504 of the Rehabilitation Act of 1973** and **Section 1557 of the Affordable Care Act**, and their implementing regulations: prohibit **recipients of federal financial assistance** from discriminating on the basis of disability.
- **Title II of the Americans with Disabilities Act**: prohibits discrimination on the basis of disability by **state and local governments**.

Communication Needs Vary

- 21.5% of people in the U.S. speak a language other than English at home
- Up to 1 in 4 adults have some type of disability
- Higher rates of disability and Limited English Proficiency (LEP) in certain communities of color and among low-income persons
- Racial and ethnic minorities are more likely than non-Hispanic whites to report experiencing poorer quality patient-provider interactions

Impacts of Communication Barriers

- Challenges making appointments
- Longer hospital stays
- Limited ability to comprehend diagnoses
- Lack of adherence to medical plans
- Increased financial strain due to readmission
- Increased risk of surgical delays
- Potential development of secondary conditions and infections
- Permanent disabling conditions or death

Following the Law

- The law requires covered entities to take **reasonable steps** to ensure **meaningful access** for limited English proficient individuals.
- The law also requires covered entities, such as hospitals, clinics, and child welfare programs, to ensure that communications with individuals with disabilities, and companions with disabilities, are as **effective as communications** with individuals without disabilities.

Language Access Best Practices

- Train staff to effectively work with interpreters.
- Ensure individuals serving interpreters and translators are qualified.
- Write documents in plain language.
- Adequately fund and staff call centers to ensure they are accessible without prolonged delays.
- Have translated materials drafted, reviewed, proofread, and edited by qualified translators rather than machine translation applications or software.

Prioritizing Language Access



Language Access at HHS

- HHS launched a Language Access Steering Committee in 2022 to improve meaningful communication and ensure that all HHS agencies reassess and update plans in 2024
 - LASC annual report available here: [2023 Language Access Annual Progress Report](#)
- HHS Divisions Prioritizing Language Access:
 - CDC
 - CMS
 - HRSA
 - HHS Office of Minority Health

Language Access Annual Progress Report (May 2023)

25 Operating and Staff
Divisions have their own
Language Access Plans

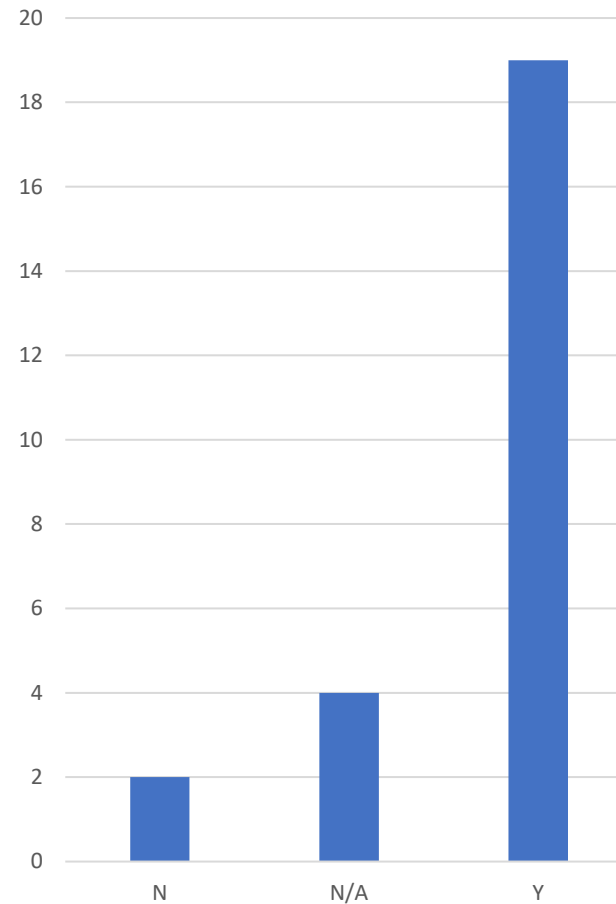
UNITED STATES

Department of
Health and Human
Services

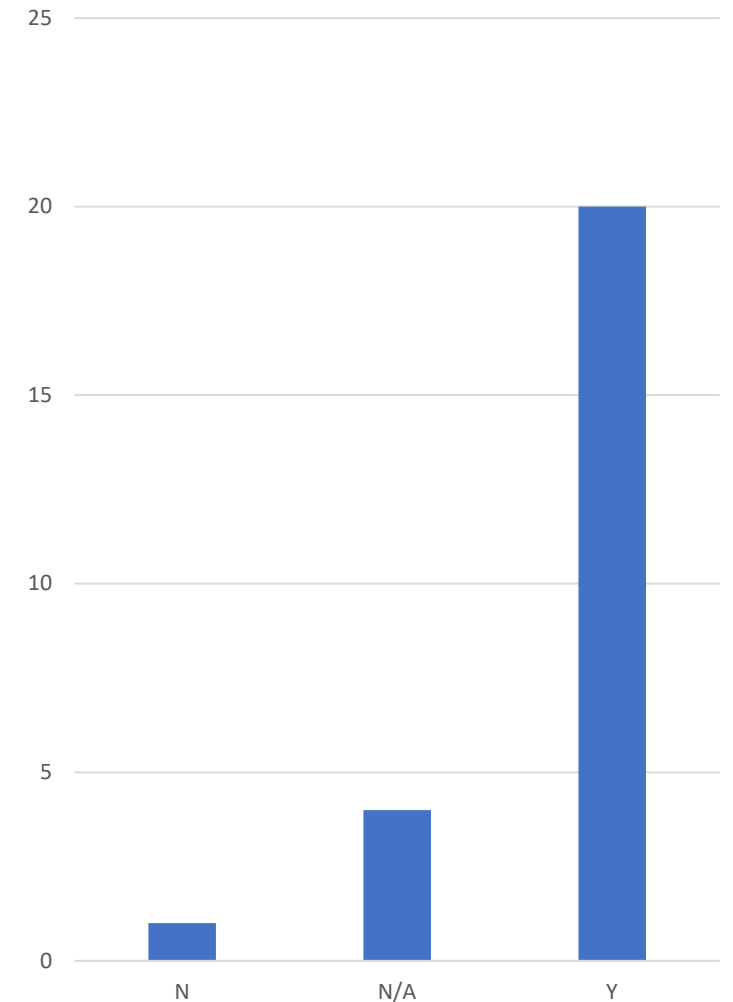


U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

19 component plans
include provisions for in-
language content through
webpages, listserv
announcements, and public
outreach content



20 component plans include
provisions for telephonic
interpreter services



Language Access Objectives

**Announce HHS Language Access Plan in
November 2023**

**Updating 25 HHS component-level Language
Access Plans**

Hired a Language Access Coordinator

UNITED STATES

Department of
Health and Human
Services



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

OCR Enforcement

Maricopa Superior Court (Nov. 2022)

- OCR investigated Maricopa Superior Court after receiving complaints that it failed to provide individuals and families with Limited English Proficiency, specifically Spanish speakers involved in the child welfare proceedings with language services.
- OCR identified issues with the availability of translated vital documents such as **court orders, pleadings, and minute entries** for individuals and families.
- Maricopa Superior Court agreed to take steps to make sure people with LEP have access to the Court. They agreed to notify individuals with LEP that free language services are available and that audio and video recordings of hearings in the top 3 languages encountered by the Court are available to anyone who needs them.

19 State COVID Compliance Review

- OCR initiated a joint compliance review with DHS and FEMA when 19 states failed to provide meaningful access to their COVID testing, vaccines, and treatment programs. For example, some states had automated contact tracing messages weren't translated at all or had glaring errors.
- OCR stepped in to train these states on their obligation to provide meaningful access for people with LEP. We published a webinar on our website, so that other states know that they can't leave people out of their COVID vaccine and testing programs just because they have LEP.



Medicaid Unwind

- Medicaid provides critical care to millions of Americans.
- Renewal process after COVID-19 Pandemic
- April 2023 Letter to States - [OCR Medicaid Unwind Letter](#)
- OCR is actively evaluating incoming complaints related to civil rights violations associated with Medicaid Unwinding.



Connect with Us

Office for Civil Rights

U.S. Department of Health and Human Services



www.hhs.gov/lep

Language Access Coordinator

LanguageAccess@hhs.gov



Civil Rights Listserv

<https://www.hhs.gov/ocr/list-serv/index.html>



File a Complaint: <https://ocrportal.hhs.gov>



@HHSOCR



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights