



Oregon

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CBC-22-025- Provider Alert

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**TO: Residential Care and Assisted
Living Facilities**

FROM: Safety Oversight and Quality



RE: Translation services for residents

This alert is a reminder of Community Based Care Facilities requirement to provide interpretation services to residents who request assistance.

Residents who come from other countries may have limited English proficiency. Limited English proficiency means that the resident has trouble understanding or communicating in English and prefers to communicate in a language other than English. When a resident requests to speak in a language other than English, facilities should attempt to interpret important matters in the resident's preferred language.

That means the facility may have to engage appropriate interpreter services, which could include in-person or telephone interpretation from a healthcare interpreter. Appropriateness depends on the needs of the resident and the quality of the service. It is not generally appropriate to rely on a resident's family or community members for interpretation unless the resident clearly states that preference.

Failure to appropriately provide interpretation regarding important matters could constitute discrimination based on national origin. Important matters that should be interpreted or translated include, but might not be limited to:

- Service and care planning conferences; and
- Behavioral or safety interventions needed to keep the resident safe; and

- Important notices to resident, including involuntary move-outs notices

Federal and state law prohibit facilities from discriminating against residents based on race, color, or national origin. Authorities for this prohibition include Title VI of the Civil Rights Act of 1964; the Fair Housing Act; the Affordable Care Act; Medicare and Medicaid regulations and Oregon’s Medicaid Provider Enrollment Agreement.

SOQ will be monitoring for compliance. Therefore, facilities should document when a resident has limited English proficiency, the resident’s preferred language, and when and how the facility has offered interpretation/translation services.

For example, before a Notice of Involuntary Move-Out might be approved, SOQ will require a facility to issue the notice translated into the resident’s preferred language. SOQ will also request documentation demonstrating that the facility offered appropriate interpreter services in the resident’s preferred language and did so in a way that explained the issues and interventions to the resident.

SOQ will translate the Involuntary move out notices into several key languages for Oregon residents.

Policies and Rules

- [OHA|DHS Alternate Format and Language Services Policy](#)
- [Oregon legislative findings and policy on Health Care Interpreters ORS 413.552](#)
- [OHA Language Access Service Policy and Health Care Interpreters PowerPoint](#)
- [Title VI of the Civil Rights Act](#)
- [Section 1557 of the Affordable Care Act](#)
- [Americans with Disabilities Act and corresponding amendments](#)

For questions please contact: CBC.team@DHSOHA.state.or.us