

# Language Access Services Policy and Health Care Interpreters



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# Presentation Overview

- Language Access Services Policy
- Definition
- The need for Health Care Interpreters in Oregon
- Legal and policy citations
- Professional vs. ad hoc interpreters
- Keys to quality health care interpretation

# Patient in Distress Due to Language Barrier

- Can this happen to me?
- [http://www.youtube.com/watch?v=twlNuqa\\_cDdY](http://www.youtube.com/watch?v=twlNuqa_cDdY)

# In Oregon

538,368

**Speak a language other than English**

221,023

**Limited English Proficient (LEP) population**

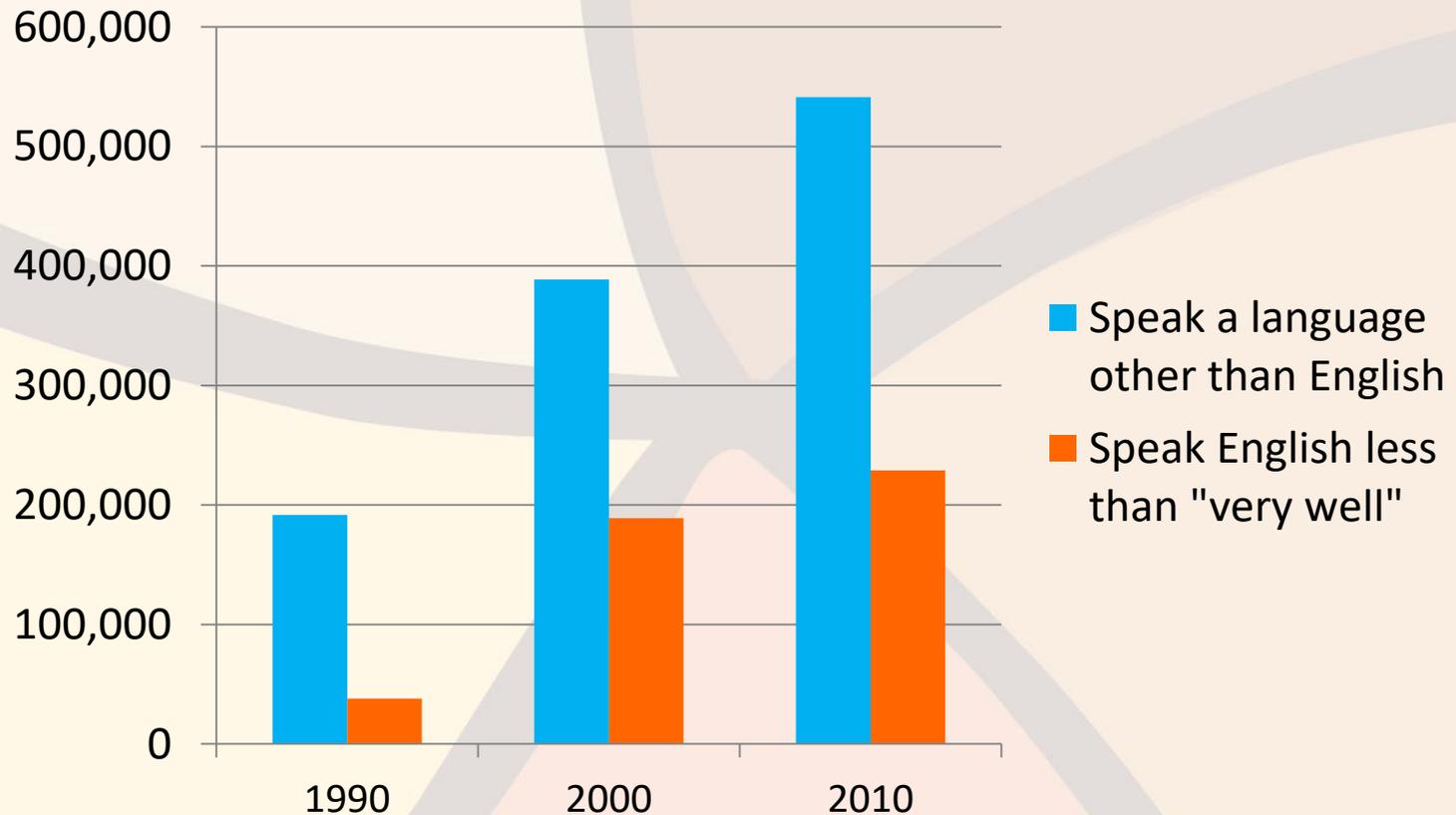
**Top 6 Languages**

**Spanish, Vietnamese, Chinese, Russian, Korean, Ukrainian**



U.S. Census Bureau, 2015, American Community Survey

# Shifting Demographics 1990-2011



Source: "U.S. Census Bureau, 1990, 2000, 2010, American Community Survey

# Alternate and Language Access Services Policy

- Having an Alternate Formats and Language Access Service Policy is a fundamental strategy for any health system organization to ensure equity in the delivery of healthcare.
- Patients with limited English proficiency must be provided meaningful access to the whole medical system.
- Patients who are Deaf, hard of hearing, speech impaired, Blind, BlindDeaf, or who have any other communication disability require that medical systems ensure that communications with individuals with disabilities are as effective as communications with other individuals who do not have disabilities.

# Policy Elements

- Providing culturally and linguistically appropriate care with high quality healthcare interpretation services for spoken and sign languages.
- Translation of documents into multiple languages.
- Signage alerting patients to the right to free interpretation services.
- Bilingual proficiency testing standards for bilingual personnel.
- The provision of auxiliary aids and services such as assistive listening systems and devices; captioning and communication access real-time translation (CART); text telephones (7-1-1 TTY); videophones; captioned telephones; allowing more time to communicate; the use of communication boards; diagrams; digital tablets; picture diagrams or other devices.

# How to Create a Language Access Services Policy

1. Gain commitment and authority from your appropriate staff.
2. Gather data of the population you serve or should be serving (Race, ethnicity, language and disability).
3. Hire staff to serve as language access services coordinators or project managers who understand language access, Title VI of the Civil Rights Act of 1964, and the Americans with Disabilities Act.

# How to Create a Language Access Services Policy

4. Conduct a “Self Assessment Evaluation” to understand how your employer interacts with people with limited English Proficiency and people with disabilities.
5. Write a policy, a fiscal impact analysis, and an implementation plan.
6. Prepare strategies for monitoring progress and/or yearly evaluation.
7. Periodically review and update as needed.

# Oregon's approach to Health Care Interpretation

- Health Care Interpreters
- Overview of the Oregon Health Care Interpreter Program
- Qualification and Certification
- Challenges of Delivering Language Access Services in Rural counties in Oregon

# Difference Between Interpretation and Translation



- Interpretation**
- oral
  - Sign language

**Translation -  
written**



# What is a Health Care Interpreter?

“Health care interpreter” means a person who is readily able to communicate with a person with limited English proficiency and to accurately translate the written or oral statements of the person with limited English proficiency into English, and who is readily able to translate the written or oral statements of other persons into the language of the person with limited English proficiency.

- ORS 413.550

# Language as a Barrier to Care

Patients with Limited English Proficiency (LEP):

- ✓ Have difficulty accessing care;
- ✓ Receive fewer preventive services;
- ✓ Are less likely to understand and follow medication directions;
- ✓ Have poorer health outcomes.

Qualified and Certified interpreters play a vital role in helping LEP patients access the care they need.

Source: New England Journal of Medicine

# Key Citations in Law and Policy

## Federal

- Federal Civil Rights Act (1964)
- 2004 Policy Guidance regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons
- Section 1557 of the Affordable Care Act.

“No person in the United States shall, on the ground of race, color or national origin, be ... subjected to discrimination under any program or activity receiving Federal financial assistance.”



President Johnson signs the Civil Rights Act  
July 2, 1964

# Key Citations in Law and Policy

## **Oregon Health Care Transformation Legislation**

- SB 1580
- OAR 410-141 (August 2012)

## **Oregon HCI Statute and Rule**

- ORS 413.550 (2001)
- OAR 333-002 (March 2011)

# Professional vs. Ad Hoc Health Care Interpreters

- Trained, certified interpreters facilitate timely and accurate communication between patients and providers, which improves health outcomes and prevents errors.
- *Ad hoc* interpreters include family members, nurses, social workers and others without healthcare interpreter training or certification.
- Use of *ad hoc* interpreters compromises confidentiality, leads to mistakes, and is ethically troublesome. In many cases, patients with family members acting as interpreters omit essential information due to embarrassment.

# Health Care Interpreters (HCI)

## HCI

### Training:

- Anatomy/physiology
- Medical terminology
- Privacy/ethics
- Standards of interpretation practice
- Other standards
- Language proficiency
- Credentialed as qualified or certified interpreters

Health Care Interpreters need to be trained as either a Qualified or Certified Interpreter.

# Keys to Quality Health Care Interpretation

- Systems accurately identify the client's primary language for health services, and communicate that information to providers
- Adequate pool of trained and competent health care interpreters (in Oregon - Qualified or Certified)
- Policies and systems to assure that interpreters are accessible and available when needed.
- Health care providers who are familiar with the role of health care interpreters and skilled in working with them.
- Client confidence in the quality and confidentiality of interpreter services

# Oregon Health Care Interpreter Certification Program

Oregon's Health Care Interpreter Certification Program includes a registry and two levels of credentialing (qualification and certification)

Qualification

Certification

**Registration** At least 18, high school diploma, fluent in English and another language, review and agree to follow ethics and practice standards .

## Qualified Interpreter Requirements

**Meet all of the requirements for registration plus:**

- At least 64 hours of formal health care interpreter training.
- At least 40 hours of interpreting experience.
- Demonstrate proficiency in English and the target language by passing a language proficiency evaluation test from an Oregon approved testing center – or having met equivalent language proficiency requirements.

## Certified Interpreter Requirements

**Meet all of the requirements for qualification plus:**

- At least 40 hours of interpreting experience
- Pass an oral and written national certification test from either the National Board of Certification for Medical Interpreters (NBCMI) or the Certification Commission for Health Care Interpreters (CCHI)

# Important Points to Remember:

## Data

- To better serve your community you need to know it.
- Data on race, ethnicity and language.

## Service

- Language Access Policies
- Human Resources (Bilingual staff and providers)
- Translations
- Health Literacy

## Operations

- Electronic Health Records
- Provider Education – Cultural Competency
- Risk Management

## Community

- Building coalitions
- Looking for talent outside of the healthcare scope
- Best Practices

# Resources

- **OHA OEI Language Access Resources:** <https://www.oregon.gov/oha/OEI/Pages/Section-1557-ACA.aspx>
- **Planning for Language Access Services** <http://www.lep.gov/>
  - Language Access planning tools, sample materials, “I speak” cards” free foreign language fonts, citations, etc.
- **OHA Approved Language Proficiency Testing Centers**
  - Language Line Services, Inc. [www.languageline.com](http://www.languageline.com)
  - Language Testing International [www.languagetesting.com](http://www.languagetesting.com)
- **OHA Approved HCI Certification Testing**
  - The National Board of Certification for Medical Interpreters
  - The Certification Commission for Healthcare Interpreters
- **OHA Approved HCI Training Programs**
  - <https://www.oregon.gov/OHA/OEI/Pages/HCI-training.aspx>

# Thank You!

- Time for Q & A



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