

Policy Title: Inclusive Communications	
Policy Owner: Administrative Director of Health Information Management (ADHIM) Policy Originated by: ADHIM	Date Written: 8/17/15
Applicable Programs: All	Date Reviewed and Approved by PLT: 08/26/15, 10/24/17, 7/22/20, 1/27/21, 1/10/2024, 4/2/2026
Statutory or Regulatory Citation: Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act (ADA) and Affordable Care Act (ACA) Section 1557; MN DHS MHCP Provider Requirements	Signature if needed:

Policy

It is the policy of St. David’s to ensure meaningful communication with clients and their authorized representatives involving their services and treatment, and will take reasonable steps to ensure meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. This policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights, consent to treatment forms, financial and insurance benefit forms, etc. All interpreters, translators and other aids needed will be provided without cost to the individuals being served, and they will be informed of the availability of such assistance.

Language assistance will be provided through use of competent bilingual staff, formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpreter services. All staff will be provided notice of this policy and procedure.

As part of our Annual Quality Review, we will assess the language access needs of our client population, including a review of the languages requested for interpretation and translation and a review of feedback about interpreters/interpreter agencies.

This policy includes the following:

- A. Interpreter Guidelines
 - i. Process for identification of individuals in need of assistance

- ii. Methods to inform persons that services are available
- B. Individuals with limited English proficiency (LEP)
- C. Individuals who are deaf or hard of hearing
- D. Individuals who are blind or have low vision
- E. Individuals who have other impaired sensory, manual or speaking skills

Procedure

I. Interpreter Guidelines:

- A. St. David's is responsible for arranging the interpreter service and paying the interpreter.
- B. For sign language interpreter services, the interpreter may be on a video screen when using video remote interpreter services.
- C. For spoken language interpreter services, the interpreter may be in person, on the phone, or video depending on the specific situation.
- D. St. David's staff who are bilingual may interpret for the client, but this will not be billed as an interpreter session in conjunction with another service.
 - i. Example: If the provider delivers a clinical service while communicating in the recipient's language, it is not interpreting and not separately billable as an interpreter service
- E. Minor children will never be used as interpreters.
- F. Clients may request to utilize a family member or friend as an interpreter so long as they are informed and understand that an interpreter at no charge is available.
 - i. If a client chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, ethics, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided.
 - ii. If a client chooses to use a family/friend (declining the offer of an interpreter), this will be documented in the client's medical record.
- G. St. David's partners with a select group of interpreter agencies. All agencies have a signed business associate agreement on file, in addition to meeting quality standards, which include:

- i. Use the appropriate mode of interpreting given the situation (e.g., consecutive, simultaneous, summarization, or sight translation).
 - ii. Have received appropriate “interpreter” training that includes instruction in the skills and ethics of interpreting, and rules of confidentiality and data privacy.
 - iii. Understand their role as interpreters without deviating into other roles, such as counselor or legal advisor.
 - iv. Are culturally sensitive.

- H. St. David’s Staff will inform individuals at the first moment of engagement with our agency, that an interpreter is available to them at no cost. If during the initial call with a client/family, the staff member determines an interpreter is necessary, they will take the necessary steps to obtain an interpreter on the call or schedule a future call with an interpreter to ensure the individual is aware that this service is available and that their needs are met.

- I. Identifying Individuals with Limited English Proficiency (LEP), or those who need sign language interpreters. St. David’s staff will work to promptly identify the communication needs and language needs. St. David’s Electronic Medical Records will include notes regarding the language or assistive services used to communicate with the client/parent/guardian for any formal clients or referrals.
 - i. An interpreter should be called:
 - a. When an individual requests an interpreter.
 - b. When a staff member cannot understand the information being conveyed by the individual.
 - c. When a client prefers to speak and is more fluent in a language other than what the staff member speaks.
 - d. When a client/parent/guardian communicates in sign language or indicates that they cannot communicate verbally.

- J. Translation Device Use:
 - i. Translation Devices are important and useful tools to assist with managing logistics such as scheduling needs, updates on basic health and physical status, communication with transportation drivers, intake document completion, or discussing basic treatment activities in the event that the interpreter is unexpectedly absent from the session or if the need for an interpreter was not identified prior to an initial session.
 - ii. Translation Devices or any other app available via electronic device does not meet the federal requirements for a qualified interpreter through the Affordable Care Act and should only be used as an immediate and brief resource when an interpreter is not available.

II. Individuals with Limited English Proficiency

A. Obtaining a qualified interpreter: St. David's Staff will utilize or schedule an interpreter when necessary.

- i. Directions for how to access a qualified interpreter are available to all staff on the shared drive in the following folder:

St. David's Home/Collaborative Sites/CORE/Agency Interpreter Directions

B. Obtaining Translated Documents

- i. When translation of vital documents is needed, the department will submit documents for translation to the Director of Community Relations and Marketing. If it is determined that translation of documents is not feasible, an interpreter will be provided to verbally review the documents with the LEP individual. St. David's will continue to set benchmarks for translating its top requested languages into critical intake documents.
- ii. There are currently select intake documents translated in Spanish & Somali. They are located in St. David's Home/Collaborative Sites/CORE/Intake Forms/Agency Universal Intake Document Set.

Individuals who are deaf or hard of hearing

A. Providing Interpreters and Auxiliary Services

- i. St. David's Staff will utilize TTY services or schedule an interpreter when necessary.
- ii. Directions for how to access a qualified interpreter are available to all staff on the shared drive in the following folder:
 - a. St. David's Home/Collaborative Sites/CORE/Agency Interpreter Directions

III. Individuals who are blind or have low vision

- A. St. David's staff will communicate information contained in written materials concerning treatment, benefits, services, waivers of rights, and consent to treatment forms by reading out loud and explain these forms to persons who are blind or who have low vision.
- i. Additional information about available auxiliary services is located on the shared drive in the following folder:
St. David's Home/Collaborative Sites/CORE/Agency Interpreter Directions

IV. Individuals who have other impaired sensory, manual or speaking skills

- A. To ensure effective communication with persons with speech impairments or other sensory or manual impairments, St. David's staff will provide aids and / or services in a timely manner.
- B. Additional information about available aids and services is located on the shared drive in the following folder:
St. David's Home/Collaborative Sites/CORE/Agency Interpreter Directions

V. Delegation of Parental Authority

- A. For individuals that wish to delegate authority to another person for the purposes of signing and completing forms, we will request the completion of the "Delegation of Parental Authority" (DOPA) form.
- B. This form will recognize that parents/guardians will allow their signature to be written by another person.
- C. For this form to be valid it will be completed at the request and in the presence of the parent/guardian and a Notary Public. In addition, it must be mailed to any other parent/guardian of the child within 30 days of signing unless the other parent/guardian does not have time rights, has supervised time rights, or there is an Order for Protection in effect against the other parent/guardian.

Violation of this Policy or Procedure

No or only partial adherence to this policy or procedure may result in noncompliance with current regulatory requirements and subsequent penalties to St. David's. Remediation for violators will include, but not be limited to, disciplinary action up to and including termination depending on the circumstances of the situation at the time.

Reference or Attachment: