**Woods Mill Orthopedics, Ltd**

**Prohibition against Discrimination of Limited English Proficient Persons**

**Implementation Plan & Policy & Procedures effective October 1, 2016**

**Policy & Purpose:**

The U.S. Department of Health and Human Services has published revised Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affection Limited English Proficient (LEP) Persons. The revised LEP Guidance issue pursuant to Executive Order 13166. It is effective immediately and replaced guidelines issued in August of 2000.

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English may be a LEP person and may be eligible to receive language assistance with respect to medical care. Woods Mill Orthopedics (WMO) is required to take reasonable steps to ensure meaningful access and understanding to medical care provided to LEP patients by offering and utilizing speech and/or language interpreters at no charge to the patient. WMO is also required to make available written translations of vital documents for each eligible LEP language group.

**Implementation of Policy:**

According to the Missouri Economic Research and Information Center & Missouri Department of Economic Development the five most common non-English languages spoken in Missouri homes are Spanish, Chinese, Vietnamese, Serbo-Croatian and German. In an effort to be compliant with U.S. Department of Health and Human Services(HHS) Office of Civil Rights (OCR) Finale Rule implementing Section 1557 of the Affordable Care Act (ACA) we will post in our waiting room notices of nondiscrimination and taglines in the top 15 non-English languages spoken in Missouri.

WMO will contract services with Certified Languages International for our patients which will provide telephone interpreting services, video remote interpreting and document translation services at no cost to a LEP patient and/or for the hearing impaired. Some LEP patients may feel more comfortable when a trusted family member or friend acts as an interpreter. However, when WMO encounters a LEP person requesting medical care we will make the LEP person aware that he or she has the option of having an interpreter without charge. WMO will provide translated vital documents to LEP patients. Vital documents include but are not limited to: consent and complaint forms; written notices of eligibility criteria, rights, denial, loss, or decreases in benefits or services; and notices advising LEP patients of free language assistance.

All WMO employees will receive training on the purpose and implementation of this policy and will receive information on how to determine which language the LEP patient is speaking and how to access services for a LEP patient when the service is required. Employees will have access to all pre-translated documents to distribute to LEP patients and can request that any documents that are vital to the LEP patients care be translated by a representative of Certified Languages International.

Procedure for a LEP patient that arrives to our office for an appointment:

1. The WMO employee will determine which language the LEP patient is speaking through verbal communication or the language identification flashcard located in one of the three LEP patient binders located at the front desk, in the manager’s office or the medical assistant’s office.
2. If the language is one of the top five languages spoken in Missouri give the patient the appropriate Financial Policy and the Signature Page for review while we are arranging for interpreting services with Certified Languages International.
3. Bring the patient to an exam room and connect via Ipad with Certified Languages International video remote interpreting services.
4. A staff member will complete the registration paperwork, health history, Medicare documents if they apply with the assistance of the interpreter. The staff member will also request insurance cards and a driver’s license to make copies.
5. The physician then will examine the patient and communicate the diagnosis utilizing video remote interpreting services. A medical assistant will need to stay in the exam room to hold the IPad so that the patient and physician can see and hear what the interpreter is saying throughout the exam.
6. The medical assistant will make any follow up appointments with the LEP patient and/or direct care based on the physician’s recommendations while the interpreter is still available to translate to the patient.

Procedure for a LEP patient that calls into the office or that we need to call with information:

1. The WMO employee will determine which language the LEP patient is speaking through verbal communication or whatever information was noted in the patient chart during a previous office visit. If you are unable to determine the language ask them to hold. While the patient is on hold start the process of a conference call to Certified Languages International.
2. To make a conference call on our telephone system: While connected to the call, press Trans/Conf. This places the first caller on hold. Then dial the number for Certified Languages International 9-1-800-225-5254. When they answer give them our company code and the language information (if you can’t determine the language let the operator know and they will help you). Then press the Trans/Conf button again to bring the parties together.
3. After all parties are connected the interpreter will assist with communicating with the LEP patient. Remember to document in appointment notes when scheduling appointments that an interpreter was used and what language the patient speaks which will speed the process up at the appointment. Allow 20 minutes for the appointment slot. If you are scheduling a test or surgery you will want to let the hospital know the patient is LEP so they can have appropriate assistance available for the patient and may want to consider documenting the information on the order sent to the facility.
4. Create a telephone encounter in the patient encounter and document any information given to the patient as per our typical patient care protocols.

**LEP Grievance Process**

A limited English proficiency complaint is a complaint that is filed to the civil rights coordinator/office manager when a person or patient feels that Woods Mill Orthopedics discriminated against them due to limited English proficiency. The civil rights coordinator is authorized to advise patients regarding their rights and to investigate complaints based on a violation of reasonable access to medical care. Woods Mill Orthopedics will consult the “Four Factor” test, as issued by the US Department of Justice in 2002 to determine the “reasonable steps” they should implement in order to be Title VI compliant. Per Executive Order 13166 of the Civil Rights Act of 1964 Woods Mill Orthopedics will ensure access to meaningful medical care to limited English proficient patients who are five percent of the total population or 1000 individuals, whichever is less.

A written complaint must be submitted by the patient to the office manager, the office manager will not process anonymous complaints. The patient must write the exact basis for filing the complaint and it must be submitted within one year of the allegation. It is requested that the patient include the desired remedy that is sought as a result of filing the written complaint.

Processing of Complaint:

1. The civil rights coordinator/office manager will seek to gather documentation pertaining to the complaint in order to identify, request, retrieve, and collect all relevant, factual evidence pertaining to the filed complaint.
2. The civil rights coordinator/office manager will advise all interested parties that the investigation should be treated confidentially in order to maintain the credibility.
3. The civil rights coordinator/office manager will identify witnesses and prepare witness statements.
4. The civil rights coordinator/office manager will prepare a final report in which he/she analyzes the unbiased findings of fact as they pertain to the complaint.
5. Based on the conclusion of the report the physician owners of Woods Mill Orthopedics will determine if the complaint is valid and determine the steps that Woods Mill Orthopedics needs to take to be compliant.
6. A final letter of action and closure of the complaint will be sent to the patient.

All documents will be kept in the office of Woods Mill Orthopedics under the supervision of the civil rights coordinator permanently. When the law requires Woods Mill Orthopedics will submit the documents to the U.S. Department of Health and Human Services.