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Owner Ann Marie Svolos:
DIRECTOR RISK,
ACCRED, REG &
CORP
COMPLIANCE

Area
(Category) Patient Rights

Applicability Hoag Orthopedic
Institute

Communication with Persons with Limited English Proficiency

PURPOSE:

The purpose of this policy is to ensure that all Limited English Proficiency (LEP) (a limited ability or inability to speak, read, write, or understand the English language at a level that permits the person to interact effectively with health care providers or social service agencies) patients and surrogate decision-makers are able to understand their medical conditions and treatment options.

SCOPE:

This policy applies to Hoag Orthopedic Institute (HOI).

POLICY:

1. HOI will take reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access and an equal opportunity to participate in our services and to ensure meaningful communication patients/clients and their authorized representatives involving their medical conditions and treatment.
2. Communication of information contained in vital documents, including but not limited to, waivers of rights, consent to treatment forms, and financial and insurance benefit forms, will be available in languages that are >5% of the admitted or service area demographics.
3. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and patients/clients and their families will be

informed of the availability of such assistance free of charge.

4. Language assistance will be provided through the use of qualified interpreters 24/7. This includes external interpreters provided via arrangements with local organizations that provided interpretation or translation services or technology and telephonic/telehealth interpretation services.
5. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.
6. Forms that have the section "Interpreters Statement" will be completed by the staff to include the interpreter name and staff name as witness.

PROCEDURE:

1. Identifying LEP Persons and their Language

- a. HOI will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card. In addition, when records are kept of past interactions with patients or family members, the language used to communicate with the LEP person will be included as part of the record.

2. Obtaining a Qualified Interpreter

- a. Staff may obtain an interpreter through the outside interpreter service by the following ways:
 - **Video Remote Interpreting (VRI) or Hoag-issued iPhones with AMN App for video and/or audio interpreter for spoken and sign language.** Hoag's primary interpreter service is AMN Healthcare (previously known as Stratus InDemand) that provides Video Remote Interpreting (VRI) via a VRI unit or a Hoag-issue iPhone. Many languages are offered with a video connection, however if a language is not available in video, an audio connection can be made with the same VRI unit for over 200 languages. To use the devices, do the following:
 - Use the touch screen to start, wait for the auto log on, select "Language" (Cart) or tap the AMN video App.
 - Provide the patient's Medical Record Number (MRN).
 - Notify the interpreter if you would like to connect to multiple parties (for example, if you would like to call the spouse/family at home).
 - Privacy can be requested where the interpreter turns off the ability to see the patient momentarily to protect the patient's privacy. If the video interpreter is not available at the moment, use the audio interpreter option on the bottom of the screen. If neither option is available, use the phone interpreter options below.
- Med Surg 2nd Floor and Pre-Op are equipped with VRI units. It is the responsibility of the area borrowing the VRI unit to return it in

good condition.

- **Phone interpreters for audio interpreter for spoken language.** Any hospital employee or physician may use a phone to obtain the outside interpreter service provider.
 - From any phone, dial 800-225-5254 or if busy 503-484-2425
 - From a hospital phone, dial *2.
 - A speaker phone or dual handset phone can be used.
 - The outside interpreter service provider will need the following information:
 - The language requested
 - The customer code is "HOAG"
 - The employee's name requesting the interpreter
 - The facility (HOI)
 - The department's cost center
 - The patient's medical record number, if available
 - Let the interpreter know if you would like to connect to multiple parties

3. Use of Family Members, Minors, or Other Patients

- a. Some LEP persons may prefer or request to use a family member or friend as an interpreter. The Interpreter must first explain to the person in their language, that use of an interpreter is free. If a family member or friend is chosen to interpret, the InDemand Interpreter should remain available to ensure this individual is providing appropriate translation.
- b. The use of minors as interpreters will be avoided unless in emergent or urgent circumstances or where the communication is limited to simple, straightforward matters such as scheduling an appointment or confirming a patient's address and telephone number. Other patients will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

4. Providing Written Translations

- a. When translation of vital documents is needed, each unit in HOI will submit documents for translation into frequently encountered languages to the hospital designated entity. Original documents being submitted for translation will be in final, approved form with updated and accurate legal and medical information.
- b. HOI will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.
- c. HOI will set benchmarks for translation of vital documents into additional languages over time.

5. Providing Notice to LEP Persons

- a. HOI will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, signs will be posted and provided in intake areas and other points of entry, including but not limited to the lobby and outpatient areas.
- b. HOI will also make these policies available on its public website in languages that reflect the surrounding community demographics.

6. Monitoring Language Needs and Implementation

- a. On an ongoing basis, HOI will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, HOI will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from patients and community organizations.

7. Documentation

- a. When interpreter services are declined or used, document such on the following forms:
 - On the Interpreter's Statement at the bottom of the actual form (such as the Consent for Surgery and Procedure form, Conditions of Admission, etc.).
 - On the separate *Interpreter's Statement* form (Form #9664 located on the BackBone > Forms & Order Sets > HOI Medical Records Forms).
 - If the above forms are not used, document the use of interpreter services using the *Document Language Assistance* note in the electronic medical record.

Reference:

1. California Health & Safety Code §1259.
2. <https://www.hhs.gov/civil-rights/for-providers/clearance-medicare-providers/example-policy-procedure-persons-limited-english-proficiency/index.html> (link accessed 8/2019)
3. CHA Consent Manual, 2022.
4. CA Title 22, section 70721.

Approval Signatures

| Step Description | Approver | Date |
|------------------|---------------------------------|----------|
| SVP/CEO Approval | Kim Mikes: VP SR AND CEO HOI | 3/6/2023 |

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| VP/CNO Approval | Alina Miller: VP AND CNO HOI | 2/22/2023 |
| MEC Approval | Bianca Irizarry: DIRECTOR MED STAFF SVCS | 2/17/2023 |
| Policy Management - P & P Committee Approval | Katheryn Von Bargaen: ADMINISTRATIVE SPECIALIST | 1/20/2023 |
| Owner Approval | Ann Marie Svolos: DIRECTOR RISK, ACCRED, REG & CORP COMPLIANCE | 12/19/2022 |