



Language Access Plan

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Introduction

As part of ensuring meaningful access to programs and services, the California Health and Human Services Agency (CalHHS) adopted a Language Access Policy on May 22, 2023, which requires each CalHHS department or office's programs to develop a Language Access Plan. The goal of this work is to ensure that CalHHS and its departments and offices provide meaningful access to information, programs, benefits, and services to people with limited English proficiency (LEP) and ensure that language is not a barrier to accessing vital health and social services.

This document is the Department of Managed Health Care's (DMHC) Language Access Plan (LAP or Plan). In developing this Plan, we have reviewed our programs and services for the public, the way we communicate with members of the public and the people we serve, and how we currently provide information and services in languages other than English.

Department Programs and Services

The mission of the DMHC is to protect consumers' healthcare rights and ensure a stable health delivery system.

The programs and services the DMHC provides to the public through the Help Center include:

- Educating health plan members about their health care rights.
- Helping members understand their coverage.
- Assisting in getting timely access to appropriate health care services.
- Resolving member complaints against their health plan.

Language Access Requirements

In planning a strategy for ensuring meaningful language access moving forward, the DMHC Help Center reviewed the following four factors for each program:

1. Demographics of LEP persons eligible to be served or likely to be encountered by the program or service;
2. Frequency with which LEP individuals come into contact with the program;
3. Nature and importance of the program, activity, or service; and
4. Resources available to the DMHC and costs of language services.

The specific requirements in the CalHHS Language Access Policy and any other program-specific laws or requirements were also considered.

The Knox-Keene Health Care Service Plan Act of 1975, which establishes the framework for the regulation of health care service plans, was reviewed for language access requirements. There were no language access requirements identified.

Please note that this plan does not address the DMHC's process for conducting or reporting on the biennial language survey required under the Dymally Alatorre Bilingual Services Act.

Providing Notice to People with LEP and Identifying Language Preference

This section includes how the DMHC will notify the public about available language access services. Below is a check list of tools the DMHC may use to notify the public of these services.

- Translated notices in public waiting areas in the following languages:
 - Spanish, Chinese, Korean, Vietnamese and Tagalog.
- Translated taglines on English language forms.
- Translated taglines on the DMHC website.

The DMHC identifies and documents a member's language preference upon contact with the DMHC Help Center. Public facing call center employees ask members for and document language preference during the intake. If the member provides their language preference, this information is stored in the Help Center's Customer Relationship Management (CRM) system.

Language Services

This section includes the actions the DMHC Help Center will take to provide information and services in languages other than English.

Direct In-Language Communication

LEP members who contact the DMHC Help Center and require language assistance can be transferred to a DMHC employee who is certified in the needed language. The DMHC has a limited number of certified bilingual staff so the determination to transfer a member to a DMHC employee will be based on availability (see the Interpretation section below for the alternative option).

Only certified bilingual DMHC staff are permitted to communicate with the public in languages other than English. An employee who is fluent in another language and in a position that requires them to use their language skills ten (10) percent of their time may request Language Proficiency Testing with a third-party vendor. Once the employee passes the proficiency testing, they may submit the STD 897 Bilingual Pay Authorization to the EEO Office. Once the Bilingual Pay authorization is completed and the duty statement is confirmed as bilingual duties, the employee will then be certified. The employee is required to retest every five (5) years.

Interpretation

The DMHC uses a third-party vendor for telephonic, or other remote spoken and sign language interpretation services when a certified bilingual DMHC employee is not available. LEP members contact the DMHC over the telephone and the public facing employee then connects to the third-party vendor for direct interpretation services.

Translation

In addition to the four-factor analysis, the DMHC utilizes the definition for vital documents provided by CalHHS Language Access Policy “vital to program access and include outreach materials explaining the availability of services; program application; notices regarding eligibility or benefits; notices about participant rights and responsibilities; information about the availability of free language assistance services; critical information regarding a declared state of emergency; and hearing notices.” Through its interpretation of the language, the DMHC adopted the following principles in determining vital documents for LEP persons:

- Outreach materials regarding legal rights and obligations.
- Information regarding language access services.
- Language access complaint forms and procedures.
- Written notices of rights and responsibilities.
- Letters requiring a LEP person to respond.

The DMHC has reviewed all documents provided to the public to assist in accessing DMHC services or notice of member’s rights. It was determined that the vital documents needing translation are, “Independent Medical Review (IMR)/Complaint Form”, “Authorized Assistant Form”, “Timely Access to Care Fact Sheet”, “Fact Sheet”, “Surprise Medical Bills Fact Sheet”, “Language Assistance Fact Sheet”, “Behavioral Health Care Fact Sheet” and “Health Plan Assistance for Enrollees Impacted by Natural Disasters.” These documents assist the public in accessing the services provided by the DMHC.

The DMHC’s website contains information and services to assist members who have questions about access to their healthcare providers, concerns they have been denied care or if they desire to file a complaint. The website contains the following essential links:

- Common Questions
- Call the DMHC Help Center
- Submit an Online Complaint
- Your Health Care Rights
- Request for Public Records
- DMHC Reports

- Health Plan Dashboard

The DMHC uses a third-party vendor for translation services. When LEP members correspond with the DMHC via mail or email, the public facing employee then contacts the third-party vendor for translation services. Document translations will be provided in the five (5) languages required by CalHHS Language Access Policy. These five (5) languages are: Spanish, Chinese, Tagalog, Vietnamese and Korean

The DMHC is in the process of preparing videos with essential web content for those who communicate by American Sign Language (ASL).

Training Staff

This section includes information on how the DMHC Help Center staff are trained to provide language access services to the public. Employees go through a month-long classroom training course which includes articles, quizzes and practice calls. The Help Center's Knowledge Management System articles provide specific directions on how to assist LEP members by connecting to a third-party interpretation service as well as how and when to transfer a call to a certified bilingual employee. New employees also shadow experienced staff on calls during this training.

Training Plan

Public Facing Employees

Language access training will be provided to all current public-facing employees no later than December 1, 2024, and at least annually thereafter. New staff hired into public contact positions will receive language access training within their first six (6) months of employment. Training topics will include:

- CalHHS Language Access Policy;
- How to identify a member's language preferences;
- Process and Procedures for providing language assistance services;
- How to work effectively with interpreters; and
- How and where to document contact language preference in Spotlight System.

Non-Public Facing Employees

This section describes the DMHC's plan for training employees who are not in public contact positions. The DMHC will provide a brief language access training to non-public facing employees within the first six months of employment and annually thereafter. Training topics will include:

- CalHHS Language Access Policy;
- Developing public facing documents;

- Identifying vital documents as part of onboarding/new employee training; and
- Resources available for interpretation and translation.

Monitoring and Updating LAP

This section describes how the DMHC will monitor language access services and update this Language Access Plan every two years or as needed. This information will ensure that the DMHC is compliant with the CalHHS Language Access Policy and addresses processes and procedures being used to deliver meaningful language access to members of the public and recipients of services.

The DMHC will create a monitoring program or process to ensure implementation of details included in the Language Access Plan. This process will entail:

- ☒ Assessing training effectiveness
- ☒ Identification of training needs
- ☒ Assessing employee awareness of language access policies and procedures
- ☒ Assessing effectiveness of interpretation and translation services
- ☒ Data collection
 - Identifying amount and type of language services (interpreter services, sight translations) available to members, by program.

Every two years, CalHHS will generate and update the list of minimum threshold languages for the translation of vital documents and essential web content. Consistent with CalHHS Policy, the DMHC Language Access Plan will be reviewed, revised if necessary, and resubmitted to CalHHS every two years. Revisions will address any changes in the Title VI four-factor analysis; whether existing policies and procedures are meeting the needs of LEP individuals; whether staff is sufficiently trained; and whether identified resources for assistance are up-to-date, available, accessible, and viable.

Reevaluations will incorporate, as appropriate, new programs, new legal requirements, additional vital documents, and community input on the Language Access Plan.

Complaint Process

Members of the public or recipients of services should direct complaints regarding language access to:

Complaint Process Contact Name: EEO Office
 Phone / Email: EEO@DMHC.CA.GOV

Document List

The following is a list of the DMHC's vital documents. Included are the five languages required by the CalHHS Language Access Policy. Included are any others identified as threshold languages pursuant to analyses under Title VI, Dymally-Alatorre and any program-specific language access laws.

Program or Service Name	Form #	Form Name	Spanish	Chinese (traditional)	Chinese (simplified)	Tagalog	Vietnamese	Korean	Additional Languages
Help Center	APL 18-013	Independent Medical Review (IMR)/Complaint Form	✓	✓	✓	✓	✓	✓	Arabic Armenian Farsi Hindi Hmong Japanese Khmer Lao Punjabi Russian Thai
Help Center	DMHC 20-160	Authorized Assistant Form	✓	***	***	***	***	***	
Director's Office	N/A	Fact Sheet		***	***	***	***	***	
Director's Office	N/A	Surprise Medical Bills Fact Sheet	✓	***	***	***	***	***	
Director's Office	N/A	Language Assistance Fact Sheet	✓	***	***	***	***	***	
Director's Office	N/A	Behavioral Health Care Fact Sheet	✓	***	****	***	***	***	
Director's Office	N/A	Health Plan Assistance for Enrollees Impacted by Natural Disasters	✓	***	***	***	***	***	
Director's Office	N/A	Timely Access to Care Fact Sheet	✓	***	***	***	***	***	

*** (Pending Translations)