HEALTHWEST

Policy and Procedure

No. 11-006

Prepared by:

Lauren Meldrum
Community Relations Manager

Effective: June 28, 2002
Revised: May 26, 2015

Approved by:

Julia Rupp, Executive Director

Subject: Assuring Appropriate Accommodations

I. POLICY

HealthWest programs and services are equally accessible to all people regardless of disability or the need for an accommodation. This policy also ensures access for people who speak another language or require cultural or ethnic accommodations.

II. PURPOSE

To implement procedures to ensure that no person shall be discriminated against due to mental, physical, cognitive, or sensory disability, primary language, national origin, gender, or the perceived limitations of those characteristics.

III. APPLICATION

This policy shall pertain to all individuals who interact with HealthWest on any level; including, programs and services, sponsored events, facilities, and direct and indirect employment. All accommodations that are required for participation will be offered free of charge. Public education materials will include information about the availability of accommodations and it will be explained to each individual during initial contact so that fear of expense does not impede treatment.

IV. DEFINITIONS

Limited English Proficiency (LEP): Applies to any individual who is unable to speak, read, write, or understand the English language at a level that permits him or her to interact effectively with health and social services agencies and providers. For purposes of this policy, LEP will also apply to individuals whose primary form of communication is something other than the oral English language.

Person with a Disability: Applies to persons who have impairments that substantially limit major life activities such as seeing, hearing, speaking, walking, breathing,

performing manual tasks, learning, caring for oneself, working, and individuals with a record of a disability and individuals who are regarded as having a substantially limiting impairment, even though they may not have such an impairment. (defined in the Americans with Disabilities Act/ADA).

Cultural or Ethnic Competency: A process of agency self-assessment that measures and monitors the knowledge and ongoing development of cultural sensitivity to assure acceptance and respect for diverse populations.

Interpretation: The oral transmittal of a message from one language to another, considering dialect, culture, and nuance.

Translation: The written interpretation of a message from one language to another, conveying the original meaning of text with linguistic precision.

Communication: The effective transmission of messages using spoken language, Braille, American Sign Language, or available technology.

Barrier-free: A safe and accessible route of travel whereby people with disabilities may arrive on the site, approach the building, enter and move about as freely as everyone else. At least one route of travel should be safe and accessible for everyone, including people with disabilities.

ACCESS: Refers to staff that have “first contact” in the eligibility and authorization process.

V. PROCEDURES

A. HealthWest staff will adhere to the following standards:

1. HealthWest will implement policies and procedures that promote equal opportunity for individuals with disabilities and/or limited English proficiency so that they may participate at all levels of programs and services.

2. HealthWest staff will ensure that communications with persons with disabilities or LEP are as effective as its communication with others.

a) When an accommodation is requested, the individual will have a choice of interpretation services and or any necessary assistive technology.

b) Any written materials for individuals served by HealthWest will be provided in the native language of any group constituting more than 10% of the population of Muskegon, or 3,000 persons, whichever is less.

c) Vital documents will be provided in the native language of any population group constituting more than 5% of the population of Muskegon or 1,000 persons, whichever is less.

d) Translation services shall be available for languages with more than 100 speakers in the service area.

3. Required orientation materials will be available in American Sign Language, large print, Braille, audiotape, and other formats when requested by a person with a disability.

4. Customer Services staff will have literature available regarding accommodations.

5. HealthWest will ensure that staff providing services are familiar with communication standards and trained to provide accommodations when a need is identified.

6. HealthWest will assure that contract language/provider manuals include compliance with Title VI of Civil Rights Act of 1964 including non-discrimination relative to limited English language proficiency (LEP). Further, HealthWest will review its network providers' policies and procedures related to LEP, accommodations, etc., using the attached Accommodation Policy Compliance Checklist, (A156).

7. Where possible, facilities will be barrier-free, and at a minimum, all programs and services will be available in an accessible, if alternate, location. Environmental barriers will be identified and addressed in HealthWest's Accessibility Plan.

8. Service animals will be welcomed in all areas.

9. HealthWest staff will inform individuals regarding their right to receive competent oral translation of written materials free of charge.

B. HealthWest will use the following procedures to assure equal access and full participation:

1. All staff of HealthWest will receive cultural competency training that includes:

a) Accessibility regulations and standards.

b) Attitudinal barriers to full participation.

c) Processes for identifying and providing accommodations.

2. HealthWest will assure that its access and authorization staff and other designated employees will have the ability to obtain appropriate interpretation services or technical equipment to meet the needs of individuals in our community. Individuals will be offered a choice for interpretation services and their preference will be documented in the clinical record.

a) If the person being served chooses to use a friend or family member as an interpreter, a credentialed interpreter will attend all interactions to assure accuracy.

b) The initial assessment will determine if the individual requires any additional accommodation to facilitate treatment services.

3. Requests for specific physical plant accommodations will be referred to HealthWest for coordination with the appropriate agency personnel. All requests will be monitored and evaluated by HealthWest.

4. HealthWest will determine if a requested accommodation requires the modification of a treatment practice and if that modification fundamentally alters the nature of the program.

5. HealthWest will assure that written materials (including vital documents) are provided in the native language of the individual with Limited English Proficiency. Clinical documents presented and completed in a language other than English will be translated into English and included in the chart to facilitate communication.

6. HealthWest will identify and provide any accommodations required at intake. After the initial contact, ongoing needs will be coordinated with the clinical program or case management staff as necessary.

7. To effectively communicate with an individual whose native, language is other than English, HealthWest staff will follow these steps:

a) An individual who has limited English proficiency will be referred to the access and authorization center where staff will determine the individual's native language.

b) HealthWest will call the contractual language interpretation service and follow the operator's instructions.

c) The interpreter will assist the HealthWest staff in determining eligibility and immediate needs.

d) Initial communication with the individual served by HealthWest should inform them that the interpretation service will be free of charge to them.

8. Individuals with hearing impairments will be able to contact HealthWest's access and authorization centers in one of two ways:

a) The individual may use the Michigan Relay Center Text Telephone.

b) HealthWest will have a telephone line and the necessary equipment to communicate with the caller. The number will be

published in the newspaper, telephone book and on the Accommodations brochure.

9. HealthWest will monitor the use of alternative communication to determine a need for direct treatment services in languages other than English, or the appropriate assistive technology to achieve effective communication.

C. HealthWest will continually evaluate access standards to ensure non-discrimination and will modify its Accessibility Plans or other pertinent documents to address community needs.

1. Individuals who have concerns or suggestions regarding accommodations will be encouraged to complete a Customer Satisfaction Survey, outlining their ideas or methods for improvement.

2. Employees or contract staff with suggestions will submit their suggestions for improvement to HealthWest administration.

3. HealthWest will use the attached Events Checklist or similar document, (A157), to assure activities that are presented to/for the community will be presented in accessible locations and will provide any accommodations needed to ensure participation of people with the most significant disabilities.

a) Checklist addresses the need for redundancy of format and presenter training to promote equal access.

b) Information about event opportunities will be distributed through a variety of media.

c) Promotional materials will inform the public of available accommodations.

4. HealthWest will implement an annual cultural competency plan.

5. HealthWest will ensure that its attending mental health or substance abuse professionals are competent and sensitive to the cultural context of treatment.

6. HealthWest shall monitor policies related to LEP and other accommodations annually to assure compliance with regulating standards and guidelines.

7. If at any time an individual believes there has been a violation of a person's rights under the Michigan Mental Health Code, the ADA, the Balanced Budget Act, or HIPAA, such violations will be reported to the Recipient Rights Office.

8. The attached Accommodation Policy Compliance Checklist (A156) will be used to monitor all related polices internally and within the provider network. Further, the checklist will serve to document compliance or indicate where and when a Plan of Correction is required.

VI. REFERENCES

A. Title VI of the Civil Rights Act of 1964
B. Americans With Disabilities Act of 1990
C. Rehabilitation Act of 1973
E. Accommodation Policy Compliance Checklist (A156)
F. Events Checklist (A157)
G. 42 USC § 2000D ET SEQ

/lm