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| Health Care Agency Mental Health and Recovery Services Policies and Procedures | Section Name: | Client's Rights |
| | Sub Section: | Cultural Competency |
| | Section Number: | 02.01.07 |
| | Policy Status: | <input type="checkbox"/> New <input checked="" type="checkbox"/> Revised |

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| | SIGNATURE | DATE APPROVED |
| Director of Operations Mental Health and Recovery Services | <u>Signature on File</u> | <u>2/14/2023</u> |

SUBJECT: Meeting Deaf and Hard of Hearing Language Needs at Key Points of Contact

PURPOSE:

To ensure that all Deaf and Hard of Hearing Medi-Cal beneficiaries receiving services in Orange County Mental Health and Recovery Services (MHRS) within the Mental Health Plan (hereby referred to as Orange MHP) and Drug Medi-Cal Organized Delivery System (DMC-ODS) have access to linguistically appropriate services through staff or interpreters proficient in beneficiary's primary language, e.g., American Sign Language (ASL). This policy also applies to non-Medi-Cal clients receiving services within MHRS.

POLICY:

All MHRS beneficiaries/clients shall have access to linguistically appropriate services.

SCOPE:

This policy apply to all functions of MHRS County and County contracted programs involved in the linkage and treatment of beneficiaries/clients receiving services.

REFERENCES:

[Code of Federal Regulations \(CFR\), Title 28, Part 35, ADA of 1990](#)

[California Code of Regulations \(CCR\), Title 9, Chapter 11, Section 1810.410 \(a\) \(2\) \(b\) \(e\) \(3\)](#)

[DMH Information Notice No. 02-03 Addendum for Implementation Plan for Phase II Consolidation of Medi-Cal Specialty Mental Health Services-Cultural Competence Plan Requirements](#)

Dymally-Alatorre Bilingual Services Act 1973

PROCEDURE:

- I. As defined in the Orange MHP and in the DMC-ODS, each service site is considered a key point of contact for Orange County.

- II. Auxiliary aides must be made available to Deaf and Hard of Hearing beneficiaries/clients. Aides to be used will be determined in consultation with the beneficiary/client to determine what aide(s) is (are) the best fit. These aides may include but are not limited to the following:
- A. Qualified sign language interpreter
 - B. Note takers
 - C. Screen readers
 - D. Written materials
 - E. Telephone handset amplifiers
 - F. Assistive listening systems or devices
 - G. Hearing aid-compatible telephones
 - H. Communication boards
 - I. Open or closed captioning, including real-time captioning
 - J. Video remote interpreting services (VRI)
 - K. voice, text and video-based telecommunication products and systems
 - L. Videotext displays
 - M. Description of visually presented materials
 - N. Exchange of written notes
 - O. Video relay services
 - P. Other effective methods of making orally delivered materials available to the Deaf and people who are hard of hearing.
- III. For Non-Emergency Sign Language Interpreting Service, the MHRS County staff shall contact the MHRS contracted interpreting agency (current agency information available at HCA Forms under MHRS [Forms-Language Service ASL Interpretation - Instructions](#)) with requests for ASL interpreters during routine clinic hours. The Deaf Services Coordinator may be contacted for assistance with the request procedure if needed. A short notice fee will be applied by the contracting agency, if a request is made in less than 72 hours for non-emergency counseling services. County Contracted providers will need to contract with an interpreting agency to arrange for Non-Emergency Sign Language Interpreting Services.

- IV. For Emergency Sign Language Interpreting Service when the primary MHRS contracted agency is unable to provide services or is unavailable, if the immediate need arises during the day, on a weekend, or after hours, the staff shall contact a secondary interpreting agency. (Secondary interpreting agency information available at HCA Forms under MHRS [Forms-Language Service ASL Interpretation-Instructions](#)). The Deaf Services Coordinator may be contacted for assistance with the request procedure during business hours, if needed. The higher fees are applied to all emergency cases. County Contracted providers will need to contract with an interpreting agency to arrange for Emergency Sign Language Interpreting Services.
- V. Each key point of contact in MHRS shall be provided with a roster of linguistically proficient staff/interpreters throughout the Health Care Agency (HCA). This language roster shall be updated annually.
- VI. Clinics with deaf or hard of hearing staff are familiar with and able to utilize Video Relay Services (VRS) in order to take calls or make calls to deaf or hard of hearing beneficiaries/clients in Orange County. Any caller using the deaf or hard of hearing's videophone numbers will be automatically connected to VRS.
- VII. Initial access logs maintained at the service sites shall indicate whether an interpreter was needed and the response to offers of interpreting services.
- VIII. Signage shall be posted at each MHRS County and County Contracted clinic indicating interpreting Services for the Deaf and Hard of Hearing are available free of charge to each beneficiary.
- IX. Staff shall not expect that family members will provide interpreter services.
 - A. A beneficiary may choose to use a family member or friend as an interpreter after being informed of the availability of free interpreter services.
 - B. Minor children should not be used as an interpreter.