

 <b>STANISLAUS COUNTY</b> <b>BEHAVIORAL HEALTH AND RECOVERY SERVICES</b>	<b>Developed by/Date:</b> C. Moreno-Peraza, LCSW D. Souza, LCSW 10/20/00	<b>Page:</b> 1 of 6	<b>Number:</b> 90.1.106
	<b>Reviewed by/Revised Date:</b> M.Schlaepfer, Ph.D./ 6/19/01 C. Golden 10/12/15, 1/23/17, 08/17/18	<b>Replaces:</b> 10/20/00	<b>Subject:</b> Client Services  <b>Distribution:</b> All Programs
<b>Title:</b> <b>LANGUAGE ASSISTANCE SERVICES TO LIMITED ENGLISH SPEAKING CLIENTS AND FAMILY MEMBERS</b>		<b>Approved:</b>	

## POLICY

It is the policy of Stanislaus County Behavioral Health and Recovery Services to provide language assistance to beneficiaries and families who are limited English proficient. Assistance will be provided through bilingual staff, certified interpreters and the Language Line. Such assistance will be available free of charge, twenty-four hours a day, seven days a week depending on the business hours of the facility or program.

## PURPOSE

Culturally competent services will be provided by this Department as identified in the Mission Statement, Welfare & Institutions Code Section 5600.2 (g), (1), (2), (3), Title VI of the Civil Rights Act of 1964 Executive Order 13166 of August 11, 2000 and the Mental Health Services Act, Proposition 63; Limited English Proficient (LEP) clients/customers will have meaningful and equal access to benefits and services.

The following procedures will be used in order to access the different resources available to assist limited English proficient and culturally diverse clients and their family members to receive services and benefits of this Department.

## DEFINITIONS

Contracted Employee (previously Personal Service Contractor): An employee on an independent agreement that is renewed annually through Human Resources.

Independent Contractor: An independent contract for services, renewed through the Contracts Office.

Interpreter: A person who provides oral translation.

Translator: A person who interprets written text.

## PROCEDURE

### A. General Information

1. Bilingual staff and service providers are the preferred and expected method of providing language assistance to persons who are limited English proficient, especially those languages identified as threshold languages. After attempts to locate bilingual staff have not been successful, the use of trained interpreters is the next preferred method of providing language assistance. If the language needed is one not available from the list of trained interpreters or no bilingual staff or trained interpreters are available, staff should implement the procedure below for use of the Language Line.
2. A list of interpreters (staff, contracted employees, or independent contractors) is maintained by Human Resources and updated as necessary. A copy can be obtained

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by going to the BHRS Intranet. Click the Human Resources tab, and then click on Resources. Under Resources you will find the Interpreters List. This list can then be printed, posted and shared with staff.

3. Children and adolescents are prohibited from being used as interpreters for their families. Generally, adults should not be used as interpreters for members of their family. It is recognized there may be occasions when an adult family member prefers and requests that another adult family member be used as an interpreter. If such a request is made, the Department's policy on the use of trained interpreters to provide language assistance is to be explained to the client or family member. If the request is still to use an adult family member, then a trained interpreter is to be obtained to monitor the accuracy of the oral translation and the request, along with a reason or justification, shall be well documented in the Electronic Health Record (EHR).
4. Staff are to document the need for interpreters, the use of interpreters and the name of interpreters whenever used. In addition, the individual's response to the offer of an interpreter shall be noted.
5. Assessments, including current episode intakes and crisis sheets, are to identify the need for department certified and if a trained interpreter if such a need is identified.
6. Whenever an interpreter is used, a progress note (or the crisis sheet) of that contact is to include documentation of the use of an interpreter and the name of the interpreter.
7. Interpreters should be instructed to provide literal oral translation. The role of the interpreter is to be explained prior to each episode of interpretation by the service delivery staff.
8. Staff using interpreters should be aware of the following limitations in using interpreters:
  - a. The nature of the client/therapist relationship is altered with the presence of a third party. Bonding with the therapist by a client may be altered or different because of a third party interpreter.
  - b. Feelings of distress may arise on the part of all participants regarding the accuracy of the interpretation or the ability to convey what is intended. This is because neither the client nor the therapist can totally verify the accuracy of what is being interpreted. There may always be an element of doubt on the part of all parties because they are not able to speak and communicate directly.
  - c. There are limitations to the use of interpreters compared to direct communication. These include the fact that there is a third party, feelings cannot always be conveyed effectively, eye contact may not be direct between the therapist and the client, and therapist and client may not be positioned in the session as they would if they did not have a third party interpreter.
9. Following each episode of interpretation, staff are to provide a period of time for debriefing with the interpreter. This time should be used to respond to any issues related to the interpretation, problems noted during the session related to interpretation, and any feelings the interpreter may have that could not be expressed during the

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session. Staff can also use this time to raise any questions they may have about this interpretation with the interpreter.

10. Our Training Unit will regularly calendar training for interpreters. Training will also be periodically scheduled for persons using interpreters. Note: All linguistically proficient bilingual staff and contract interpreters are required to successfully demonstrate competency in interpretation.
11. All organizational providers who operate as key points of contact will also provide language assistance to clients and families who are limited English proficient in order to link them to appropriate services. This language assistance will be provided for all languages, including those that are not considered threshold languages.

#### B. Bilingual Staff

1. All key points of contact will have bilingual staff that is linguistically proficient in threshold language available during business hours to ensure ease of access and quality services to persons who are limited English proficient and who speak Spanish. Key points of contact will be defined by Department Leadership. All linguistically proficient bilingual staff are to provide, when needed, language assistance to persons who are limited English proficient.
2. To identify the staff that is linguistically proficient, they must pass the county-approved competency test for language interpreters and shall attend the Principles and Practices and Linguistically Appropriate Services, Including Interpreting and the Use of Interpreters training
3. Twenty-four (24) hour programs will make every effort to ensure that bilingual staff are assigned on all shifts and that on-call replacement staff for these positions are also bilingual.
4. Annually, the Ethnic Services Manager and System of Care leaders will assess the language assistance needs, including the need for linguistically proficient bilingual staff at all work-sites. This assessment will include an analysis of the community that the system and program serve, demand for interpretation by linguistically proficient bilingual staff, the need for bilingual staff to deliver culturally competent services and the amount of usage of contract interpreters by language. The assessment will result in the identification and recruitment of linguistically proficient bilingual staff necessary to meet the language assistance needs of those systems and programs.

#### C. Language Interpreters

1. When linguistically proficient staff and bilingual service delivery staff are not available to someone who is limited English proficient, staff will provide language assistance through a Department trained interpreter. The Department trained interpreter could be someone on staff other than the service delivery person or someone from the Department's list of Department trained contract interpreters.

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2. To confirm and identify the interpreters that are linguistically proficient, they must pass the county-approved competency test for language interpreters and shall attend the Principles and Practices and Linguistically Appropriate Services, Including Interpreting and the Use of Interpreters training.
3. Human Resources will maintain a list of Department trained linguistically competent bilingual interpreters whose skills are in the following languages:
  - Spanish
  - Hmong
  - Vietnamese
  - Lao
  - Cambodian
  - Assyrian
  - Portuguese
  - American Sign Language

The list will be continuously and sufficiently large enough to ensure 24-hour availability of these interpreters. Human Resources will monitor the orientation and compliance training for the interpreters who have been placed on the Interpreter List.

4. When a limited English proficient client or family member's primary language is a language other than English or those listed above, supervisory service delivery staff will authorize Human Resources to recruit an interpreter for that language and add that person to the Interpreter List.
5. All contracted employees or staff who provided interpretation services will submit their signed time records to Human Resources for processing at the time all time cards are due, which is typically Mondays at 10:00 AM, unless otherwise specified as an Early Payroll Close due to Holidays, etc.

Independent contracted interpreters will submit an invoice for services..

#### D. The Language Line

1. When no bilingual staff or trained interpreters are available, the Language Line may be used until such time as bilingual staff or an interpreter is available. It is recognized that the Language Line is not the first choice in providing services to persons who are limited English proficient, but it is available when no other resource can be obtained. Staff must first attempt to locate Department certified and trained bilingual staff or a Department certified and trained interpreter.
2. When receiving a call from or when with a client who is limited English proficient first try and locate an interpreter in-house before calling the Language Line.
3. When using the Language Line, maintain a log which includes the following information:
  - a. Program
  - b. Client's Name and/or Medical Record Number
  - c. Staff Name
  - d. Language Needed
  - e. Time Call Began
  - f. Interpreter's Number

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- g. Time Call Ended
4. Ensure that the client/customer is near a telephone. If a client is calling on a phone, ask the client to hold while you connect to the interpreter.
5. On same line, dial interpreter service (do not conference until interpreter comes on line).
  - a. Dial:
    - 9-1-800-523-1786
  - b. They will answer:
    - Language Line (The Answer Point Person)
  - c. Give language needed:
    - Be specific if language of the client/customer is known or, if guessing, let the Answer Point know we are not sure of the client's/customer's language but think it may be . . .
  - d. Give client ID number:
    - 201277
  - e. Give Organization Name:
    - Stanislaus County Behavioral Health and Recovery Services
  - f. Give Personal Code:
    - Department 809004
6. Connect the caller or client to the line with you and the Answer Point letting them know we are waiting for the interpreter. If the client is present, use second phone to connect client to you and Answer Point person.
7. Stay on the line to direct and control communication between the Language Line interpreter and the client.
 

NOTE: If, for some reason, the client hangs up his/her telephone while you are waiting to connect to Language Line, the Language Line Answer Point can place a "dial-out" call to the client to reconnect. Have the client's number handy.
8. When the interpreter joins the line he/she will say, "This is (language) interpreter number (#)".
9. Introduce yourself to the interpreter. Explain what you would like to accomplish. For example, if you want to obtain a Consent for Treatment, tell the interpreter and request word-for-word translation. If you are not sure what the client has called about, tell the interpreter you do not know and ask him/her to find out what the client needs.
10. The interpreter will relay information back and forth between you and the client.
11. Tips for a successful call:

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- a. Use easily understood words and simple sentence structure. Avoid using jargon.
  - b. Keep the call as brief as possible by preparing in advance, being concise and specific.
  - c. Take the lead. The interpreter will repeat what you say.
  - d. Some questions can be grouped effectively, such as demographic information, questions that can be answered “yes” or “no”, and questions that cover only one thought/concept.
  - e. To ensure information is correct, confirm as you go instead of asking for the information again.
12. Continue to direct and control the exchange until you have all of the information you need and the call is completed. When the call is completed, ask the interpreter to “end the call.” The interpreter will say, “end of call.” Write down the approximate time services ended. Charges will stop accruing.

Should you need assistance in translating written material, please refer to the Translation of Written Materials Policy.