

PURPOSE

To assure that patients, companions, visitors, and personnel with speech, vision, or hearing impairments, as well as those who have limited proficiency of the English language, have access to appropriate interpretive assistance and other aids at no cost to patient(s) being served. This is in compliance with Section 504 of the Rehabilitation Act of 1973, Titles II and III of the Americans with Disabilities Act of 1990 (as amended), Title VI of the Civil Rights Act of 1964, and Section 1557 of the Affordable Care Act (ACA) of 2010.

POLICY

All Americans Home Health Care Inc. (All Americans) does not discriminate against any person because of language or sensory impediments. Personnel will treat all patients and companions with respect and dignity and will use forms of communication appropriate to meet the patient's needs.

All personnel will consistently and clearly communicate in a language or form that ensures that such communication is as effective as everyone else's. All Americans will provide, free of charge, any special devices, interpreters, or other auxiliary aids and services necessary for effective communication.

Written materials will be made available in the recognized major languages in the area and state where the organization does business. Written materials will contain the telephone number of the local TDD/TTY telephone relay number.

Definitions

1. ***Hearing Impaired:*** An individual who has difficulty hearing or discriminating verbal conversation either in a face-to-face situation or over the telephone. Such an individual may require auxiliary aids and services such as a hearing aid, telephone amplifier, TDD, or sign language interpreter.
2. ***Communicatively Impaired:*** An individual who has difficulty with expressive or receptive language. Such difficulty may be present after an illness or injury. This may include individuals with voice disorders, laryngectomy, glossectomy or cognitive disorders.
3. ***Limited English Proficiency (LEP):*** A person with Limited English Proficiency is one whose command of the English language is not sufficient to promote meaningful interaction for service.
4. ***Telecommunication Device for the Deaf (TDD or TTY):*** A small, typewriter-style instrument that allows a person to make or receive a telephone call directly without using another person to interpret.

5. **Auxiliary Aids and Services:** Includes (a) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments; (b) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; (c) acquisition or modification of equipment or devices; and (d) other similar services and actions.

Companions: A family member, friend, or associate of an individual seeking access to the services or facilities of All American, who along with such individual, is an appropriate person with whom All American should communicate.

PROCEDURE

1. The initial assessment will determine the patient's communication ability. If there is any question regarding the patient's ability to communicate properly, the assessment should stop, and any necessary auxiliary aid or service, including an interpreter, should be secured as soon as practicable.
2. All patient related forms, such as Consent for Services, Complaint/Grievance Process, etc., will be available in English, and other languages as appropriate. If there is a need to translate these forms to another language, an interpreter will be secured to verbally transmit the information in the form: (The patient will also sign an English language version in the event that the authorization needs to be forwarded to another organization.) For all patients speaking languages other than English, All Americans will secure an interpreter to interpret all organization policies and procedures relevant to the care of the patient. (See "Organization List of Interpreters." Addendum 9-006.A for listing.)
3. For patients and companions with visual impairments:
 - A. The admitting clinician will read aloud all documents normally provided to the patient and ascertain that the person has heard and understands what was read. The admitting clinician will document this in the clinical/service record.
 - B. A clinician will make available large print patient information that may be available applicable to the disease process, i.e., colostomy, diabetic care, heart disease, etc.
4. For patients and companions with hearing impairments:
 - A. The admitting clinician shall ascertain the patient's preferred methods of communication (i.e., paper and pencil, lip reading, sign language or other) as soon as possible and determine what auxiliary aids or services are needed. Any such auxiliary aids or services will be provided free of charge.
 - B. The determination of appropriate auxiliary aids and services, and the timing, duration, and frequency with which they will be provided, must be made by All Americans at the time an appointment is scheduled for a patient who is deaf or hard of hearing. The assessment should be made in consultation with the

person who is deaf or hard of hearing, and must take into account all relevant facts and circumstances, including for example the individual's communication skills and knowledge, and the nature and complexity of the communication at issue.

- C. At the time that All Americans completes its assessment of which appropriate auxiliary aid and services are necessary, All Americans will notify the patient and/or companion of its grievance procedure. See paragraph 7 below.
- D. If the preferred method is sign language, the admitting clinician will contact the resource providing a sign language interpreter and establish a plan for ongoing communications. (See "Organization List of Interpreters" Addendum 9-006.A for listing.)
- E. Obtaining the use of a TDD/TTY:
 - 1. Hearing or communicatively impaired individuals who have access to a TDD/TTY instrument can call the Relay Service to enable them to communicate with personnel of the organization.
 - 2. In the event it becomes necessary for organization personnel to initiate telephone communication with an individual who is hearing or communicatively impaired, Relay Service can be utilized.
 - 3. Direct Access to a TDD/TTY instrument will be available.
 - 4. Local TDD/TTY number: _____(insert telephone number.)
- 5. For patients or companions who have a hearing impairment, or have limited English proficiency (LEP) and require an interpreter:
 - A. All Americans will maintain a list of organization personnel who speak languages other than English. (See "Organization List of Interpreters" Addendum 9-006.A to assign an interpreter to non-English speaking patients.)
 - B. If an interpreter in the required language is not available, a telephone interpreting service may be used. Directions for the use of this service can be accessed by calling that service.
 - C. Face-to-face interactions with a patient or companion who is hearing or communicatively impaired, will be facilitated by utilizing sign language, as listed under "American Sign."
 - D. If a certified sign language interpreter is required, the resource list

should be consulted. As much advance notice as possible is preferred.

- E. Family members or friends of the patient will not be used as interpreters unless specifically requested by the individual and only **after** the patient has understood that an offer of an interpreter at no charge has been made. Such an offer and response will be documented in the patient's record. If the patient chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the patient. Children will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.
 - F. Employees of All Americans will not be used to interpret for patients or companions who are deaf unless that person is a "qualified interpreter" as defined by the ADA, 28 C.F.R. §36.104.
 - G. All language assisted care must be documented in the patient's clinical record.
 - H. If applicable, a copy of the telephone utilization report from the interpreting service will be maintained to substantiate the use of the interpreting service.
6. For communicatively impaired patients:
- A. Patients with speech, expressive or receptive language deficits should have a consult with a speech therapist to determine appropriate, effective use of assistive devices such as flash cards, communication board, etc.
 - B. Physician approval for the consultation will be obtained.
7. Grievance procedure:
- A. All Americans will notify persons who are hearing impaired, visually impaired, communicatively impaired, or LEP, of its grievance resolution process, to whom complaints should be made, and of the right to receive a written response to the grievance.
 - B. A written response to any grievance filed shall be completed within thirty (30) days of receipt of the complaint.
 - C. All Americans will maintain records of all grievances regarding effective communication, whether oral or written, made to it and actions taken with respect thereto. A copy of the responses to any grievance also will be maintained.