



POLICY AND PROCEDURE MANUAL

SUBJECT LEP/Accessibility	ACCOUNTABILITY	Effective Date: July 22, 2015	Pages: 3
REQUIRED BY	BBA Section: 42 CFR 438.10, 42 CFR 438.400 PIHP Contract Section: 6.3.2, 18.1.6 Other:	Last Review Date: January 15, 2022	Past Review Date: May 16, 2016 April 23, 2020
Policy: <input checked="" type="checkbox"/> Procedure: <input type="checkbox"/>	Review Cycle: Annual Author: Customer Services Specialist	Responsible Department: Customer Services	Reviewers: Customer Services

Definitions

Americans with Disabilities Act (ADA): A civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

Beneficiary: A person served by the publicly funded behavioral health and substance use disorder system or his/her representative.

Community Mental Health Services Program (CMHSP): For the purposes of this document, a CMHSP member is one or more of the following: AuSable Valley Community Mental Health Authority, Centra Wellness Network, North Country Community Mental Health, Northeast Michigan Community Mental Health Authority, and Northern Lakes Community Mental Health Authority.

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

Consumer/Customer: Refers to individuals who are eligible to receive specialty mental health and substance use disorder services, as well as those currently receiving such services and their families/guardians. For the purpose of NMRE policy, these terms are used interchangeably.

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

MDHHS: Michigan Department of Health and Human Services

Network Provider: Any provider that receives Medicaid funding directly or indirectly to order, refer, or render covered services as a result of the state's contract with the NMRE, its member CMHSPs, and the

Substance Use Disorder provider panel.

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

Population/Service Area: Includes any Medicaid beneficiary who may potentially receive services from NMRE and its provider network.

SUD Provider Network: Refers to a SUD Provider that is directly under contract with PIHP NMRE to provide services and/or supports

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

Purpose

Northern Michigan Regional Entity (NMRE) and its Network Providers will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in all services, activities, programs, and other benefits.

Policy

- A. The supports and services provided through contracted providers and administrative functions of the NMRE will assure timely access and demonstrate accommodations in working with individuals with disabilities or limited English proficiency;
- B. To ensure sufficient resources for persons with LEP, the NMRE and its Network Providers will:
 - 1. Identify any languages that are prevalent among the population in the NMRE region,
 - 2. Identify available resources for providing LEP materials and services,
 - 3. Identify primary language of each member at the time of enrollment.
- C. The NMRE and its Network Providers will ensure all materials are printed in at least 12-point font and are available:
 - 1. In language(s) appropriate to the people served within the NMRE's area for any non-English language that is spoken as the primary language by more than 5% of the population in the NMRE region. Such materials will be available in any language alternative to English as required by the Limited English Proficiency Policy Guidance (Executive Order 13166 of August 11, 2002 Federal Register Vol. 65, August 16, 2002);
 - 2. In alternative formats in accordance with the Americans with Disabilities Act (ADA);
 - 3. With taglines explaining the availability of written translations or oral interpretation along with the toll-free telephone number of the entity providing services in all written materials that are critical to obtaining services as required by 42 CFR 438.71(a);
 - 4. In large print in a font size no smaller than 18-point.
 - 5. In electronic format so long as it:

- a. Is in a form that is readily accessible;
 - b. Is prominently and readily accessible on the NMRE's or Network Provider's website;
 - c. Is able to be electronically retained and printed;
 - d. Is consistent with the context and language requirements of 42 CFR 438.10 and;
 - e. Is available in paper form without charge upon request and provide it upon request within 5 business days.
- D. The NMRE and its Network Providers will ensure that beneficiaries are notified that oral interpretation is available for any language and written information is available in prevalent languages and how to access those services
- E. The NMRE and its Network Providers will ensure beneficiaries are notified about how to access alternative formats.
- F. The NMRE and its Network Providers will ensure that beneficiaries are able to obtain appropriate interpretation, translation, and/or communication services or technical equipment, including written materials and face-to-face or phone communications
- G. All interpreters, translators, and other auxiliary aids needed to comply with this policy will be provided at no cost to the person being served; potential members/existing members and their families will be informed of the availability of such assistance.

REFERENCES

- 42 CFR 438.10 Information Requirements
- 42 CFR 438.400 Appeals and Grievances
- MDHHS Medicaid Contract, Section 18.1.6, Limited English Proficiency
- MDHHS Medicaid Contract, Section 6.3.2, Information Requirements
- Limited English Proficiency Policy Guidance (Executive Order 13166 of August 11, 2002 Federal Register Vol. 65, August 16, 2002).
- Office of Civil Rights Policy Guidance on Title VI "Language, Assistance to Persons with Limited English Proficiency"

Approval Signature



NMRE Chief Executive Officer

2/22/22

Date