



6.03 OPERATING POLICY & PROCEDURE

Subject: Limited English Proficiency		Application: All Departments
First Effective 1/01/14	Revised 11/28/16	Review 10/29/2024

PURPOSE

To identify the means by which the Pivotal accommodates individuals with the Limited English Proficiency.

POLICY

Pivotal will provide at no cost, accurate and timely language assistance, and effective communication to persons, including current and prospective customers seeking service through Pivotal, who have Limited English Proficiency (LEP) and do not use English as their primary language for or written communication. Pivotal will not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

PROCEDURE

A. Written Materials

1. All materials provided to service applicants and customers of service will be written in simple language. For persons who are not able to read, arrangements will be made to ensure that materials are read to, and/or explained to them in terms they may understand. The same standard of “understandable” will be used whenever staff are discussing procedures and processes with service applicants and persons served.
2. Pivotal will utilize the most current census data applicable for the geographical area of which we provide services in order to determine language thresholds and safe harbors (threshold for translation: if population reaches 1000 persons or a 5% total of specific language).
 - a. Vital documents will be translated into languages, other than English, as determined by the number or percentage of the affected population needs for services or information in other languages to communicate effectively.
 - b. Forms that have had language translation completed from English will be maintained on the Pivotal website for use by staff of the Pivotal network. Pivotal Customer Services office can provide assistance if network staff have questions about the availability of specific materials.

B. Identification of Need for Accommodation

If staff are unable to identify the language spoken by the person seeking services, they can utilize telephonic interpretation service to identify the language and set up a telephone translation. If the person is presenting in person, they can utilize the “I Speak” posters and cards at Reception Desk to identify the language they speak. In addition, taglines will be posted and disseminated in small/large print based on the 15 most prevalent languages in the state of Michigan.

C. Notification of Access to LEP Accommodations

1. As part of the contract with the interpretation agency, staff will work with the provider to inform the individual of the action to get interpretative assistance for him/her.
2. Staff will notify individuals that all language assistance is provided at no cost to individuals seeking or receiving Pivotal services.
3. Aside from “I Speak” tools, Reception desk will post information regarding the availability of language assistance/accommodations for persons served by the Pivotal network.

D. Provision Of LEP Accommodations

1. Pivotal service providers will utilize bilingual support staff whenever possible for oral language assistance. When no bilingual support staff is available to assist with the present language need, staff will contact a language interpretation agency that can assist the individual needing assistance.
2. Staff will communicate that the use of a family member and/or friend as a language interpreter is not required or recommended, and that a professional interpreter will be provided at no cost. If an individual chooses to utilize a family member and/or friend as a language interpreter, staff will document that choice. Availability and the choice to utilize family and or friends as translator/interpreter will not waive other LEP requirements.

REFERENCES

- MDHHS/CMHSP Contract, Part I, 15.7 Limited English Proficiency
- Office of Civil Right Policy Guidance on Title VI: “Language Assistance to Persons with Limited English Proficiency”
- Balanced Budget Act of 1997 and as amended § 438.206(c)(2)
- Southwest Michigan Behavioral Health Policy
- 6.5 (Limited English Proficiency)
- The Affordable Care Act, Section 1557