



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Touching Lives Every Day"

COMPLIANCE ALERT 10-37

OIG Assesses Compliance with Language Access Services

The Office of Inspector General (OIG) for the Department of Human Services (DHS) announced recently the results of its review of language access services provided by Medicare providers. This study was mandated by the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA).

The purpose of the study was to examine Medicare provider compliance with the Office of Civil Rights (OCR) Guidance and the Office of Minority Health (OMH)'s standards for providing language access services to Limited English Proficient (LEP) persons. The study also reviewed costs or savings related to the provision of language access services.

The OCR Guidance recommends adoption of the four-factor assessment of language access services recommended by the "Culturally and Linguistically Appropriate Services in Health Care" (CLAS) standards on language access services. The four factors are the:

1. number or proportion of LEP persons eligible to be served or likely to be encountered in the provider's service population;
2. frequency with which LEP persons come in contact with the provider
3. importance, nature, and urgency of the program, activity, or service to people's lives;
4. resources available to the provider and costs for offering language access services

Findings: The highlights of the study's findings are:

- 69% of providers conducted the four-factor assessment when determining what language access services to offer. 84% completed at least three of the four factors and 97% completed at least one of the factors
- Only 33% of the providers offered services consistent with all four CLAS standards on language access services
- 73% of providers reported benefits to providing language access services and 50% reported obstacles
- Few providers reported data on the costs of providing language access services and the data provided were not comparable.

Recommendations: The OIG recommended that:

- OCR inform providers about OMH's CLAS standards
- OMH increase outreach to providers to familiarize them with CLAS standards
- OMH offer model translated written materials and signs to providers.

The OCR and OMH concurred with the recommendations. HHSC facilities should continue to assess and monitor language access services to LEP. Materials when needed should be developed.

Source: OIG, OEI-05-10-00050, July 2010