



Limited English Proficiency (LEP) Plan

South Country Health Alliance

1. Purpose

The purpose of this plan is to document the policies and procedures as it applies to providing meaningful access (language access) to individuals with limited English proficiency (LEP) and disabilities while accessing services and information from South Country Health Alliance (South Country) in Medford, MN.

2. Authorities

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964.
- Section 1557 of the Affordable Care Act (ACA) (Section 1557).
<https://www.gpo.gov/fdsys/pkg/FR-2016-05-18/pdf/2016-11458.pdf>
- Office for Civil Rights Policy Guidance, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 68FR 47311 (2003). [Guidance for Federal Financial Assistance Recipients - Title VI | HHS.gov.](#)
- Department of Justice regulation, 28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation. http://www.justice.gov/crt/grants_statutes/corregt6.txt
- Communications Services, Minnesota Statute § 15.441, subd (1), (2), (3), (4).
<https://www.revisor.leg.state.mn.us/statutes/?id=15.441&format=pdf>
- Information for persons with limited English language proficiency, Minnesota Statute §256.01 subd 16. <https://www.revisor.mn.gov/statutes/?id=256.01>
- National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care.
<https://www.thinkculturalhealth.hhs.gov/assets/pdfs/EnhancedNationalCLASStandards.pdf>
- DHS Contract Section 11.5.2(1) (All Contracts); DHS Contract Section 3.8 Families and Children; DHS Contract Section 3.10 Seniors; DHS Contract Section 3.11 SNBC.

3. Definitions

- **Auxiliary aids and services** – Include, for example:
 - Qualified interpreters onsite or through video remote interpreting (VRI) services, as defined in 28 CFR 35.104 and 36.104; note takers, real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible information and communication technology (ICT); or other effective methods of making aurally delivered information available to persons who are deaf or hard of hearing;
 - Qualified readers; taped texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible information and communication technology; or other effective methods of making visually delivered materials available to persons who are blind or have low vision;
 - Acquisition or modification of equipment and devices; and
 - Other similar services and actions.

- **Companion** – A family member, friend or associate of an individual seeking to access a service, program or activity, who along with such individual, is an appropriate person with whom South Country should communicate.

- **Culturally appropriate services** – The utilization or application of services, testing and any other methodology that does not have the effect of subjecting individuals with LEP, and/or their families to discrimination because of their race, color or national origin, or does not have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color or national origin - 45 CFR 80.3(b)(2).

- **Disability** - A physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment, as defined and construed in the Rehabilitation Act, 29 U.S.C. 705(9)(B), which incorporates the definition of “disability” in the ADA, 42 U.S.C. 12102, as amended and adopted at 28 CFR 35.108.

- **Effective communication** – In health care and social services delivery settings, such as a county-based purchasing health plan, effective communication occurs when provider staff have taken the necessary steps to make sure that a person with LEP is given adequate information to understand the services and benefits available and receives the information and services for which they are eligible. Effective communication also means that a person with LEP can communicate the relevant circumstances of their situation to the provider, and for the provider has access to the adequate information to do their job.

- **I speak cards** – “I speak” cards say both in English and the target language “I need a *(target language)* interpreter.”
- **Individual with limited English proficiency (LEP)** – An individual whose primary language for communication is not English and who has a limited ability to read, write, speak or understand English. An individual with limited English proficiency may be competent in English for certain types of communication (e.g., speaking or understanding), but still be limited English proficient for other purposes (e.g., reading or writing).
- **Interpreting** – The oral, verbal or spoken transfer of a message from the source language into the target language. There are different modes of interpreting such as consecutive, simultaneous, sight translation and summarization.
- **Language assistance services** – May include but are not limited to:
 - Oral language assistance, including interpreting in non-English languages provided in-person or remotely by a qualified interpreter for an individual with limited English proficiency, and the use of qualified bilingual or multilingual staff to communicate directly with individuals with limited English proficiency;
 - Written translation, performed by a qualified translator, of written consent in paper or electronic form into or from languages other than English; and
 - Written notice of availability of language assistance services.
- **LEP implementation team** – Individuals appointed by the Director of Community Engagement to review LEP implementation activities within South Country.
- **Meaningful access** – Meaningful access to programs, information and services is the standard of access required of federally funded entities to comply with language access requirements of Title VI of the Civil Rights Act of 1964. To ensure meaningful access for individuals with limited English proficiency, service providers must make available to clients, patients and their families language assistance that is free of charge and without undue delay resulting in accurate and effective communication.
- **Notice of availability/language block** – A block of text that informs readers, in 15 different languages, how readers can get free language assistance or free auxiliary aids and services to provide information in their preferred language or accessible format in a timely manner.
- **Office for Civil Rights (OCR)** – The Office for Civil Rights is the civil rights enforcement agency of the U.S. Department of Health and Human Services. OCR Region V is the regional office that enforces Title VI in Minnesota for health and human services agencies and providers.
- **Primary languages** – Primary languages are the languages other than English that are most spoken by members as identified by South Country’s collection of demographic data. Currently there are two primary languages: Spanish and Somali.

- **Qualified bilingual/multilingual staff** – A member of a covered entity’s workforce who is designated by the covered entity to provide in-language oral language assistance as part of the person’s current, assigned job responsibilities and who has demonstrated to the covered entity that they are:
 - Proficient in speaking and understanding both spoken English and at least one other spoken language, including any necessary specialized vocabulary, terminology and phraseology; and
 - Able to effectively, accurately, and impartially communicate directly with individuals with limited English proficiency in their primary languages.

- **Qualified individual with a disability** – An individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requires for the receipt of services or the participation in programs or activities provided by the covered entity.

- **Qualified interpreter for an individual with a disability** – An interpreter who, via video remote interpreting service (VRI) or an on-site appearance:
 - Has demonstrated proficiency in communicating in, and understanding:
 - Both English and non-English language (including American Sign Language, other sign languages); or
 - Another communication modality (such as cued-language transliterators or oral transliteration);
 - Is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary or terms without changes, omissions, or additions and while preserving the tone, sentiment, and emotional level of the original statement; and
 - Adheres to generally accepted interpreter ethics, principles including client confidentiality.
 - Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

- **Qualified interpreter for an individual with limited English proficiency** – An interpreter who via a remote interpreting service or an on-site appearance:
 - Has demonstrated proficiency in speaking and understanding both spoken English and at least one other spoken language (qualified interpreters for relay interpretation must demonstrate proficiency in two non-English spoken languages).
 - Is able to interpret effectively, accurately, and impartially to and from such languages(s) and English (or between two non-English languages for relay interpretation), using any necessary specialized vocabulary or terms without changes, omissions, or additions and while preserving the tone, sentiment, and emotional level of the original oral statement; and
 - Adheres to the generally accepted interpreter ethics principles, including client confidentiality.

- **Qualified reader** – A person who is able to read effectively, accurately, and impartially using any necessary specialized vocabulary.

- **Qualified translator** – A translator who:
 - Has demonstrated proficiency in writing and understanding both written English and at least one other written non-English language;
 - Is able to translate effectively, accurately, and impartially to and from such language(s) and English, using any necessary specialized vocabulary or terms without changes, omissions, or additions and while preserving the tone, sentiment and emotional level of the original written statement; and
 - Adheres to generally accepted translator ethics principles, including client confidentiality.
- **Relay interpretation** - Interpreting from one language to another through an intermediate language. This mode of interpretation is often used for monolingual speakers of languages of limited diffusion, including select indigenous languages. In relay interpreting, the first interpreter listens to the speaker and renders the message into the intermediate language. The second interpreter receives the message in the intermediate language and interprets it into a third language for the speaker who speaks neither the first nor the second language.
- **Sight translation** – The verbal translation (transfer) of a written document from the source language into the target language.
- **Telehealth** – means the use of electronic information and telecommunications technologies to support long distance clinical health care, patient and professional health- related education, public health, and health administration. Technologies include videoconferencing, the internet, store- and- forward imaging, streaming media, and terrestrial and wireless communications.
- **Translation** – The written transfer of a message from the source language into the target language.

4. **Methods of Providing Services to Individuals with LEP and Effective Communication Procedures**

The primary methods of providing services to individuals with LEP are offering qualified free telephonic interpretive services, video interpretive services, in-person interpreters, sight translation and written translation.

Contracted qualified interpreters: South Country holds contracts with several interpreter service agencies. To request the list of interpreters, contact South Country by email at providerinfo@mnscha.org. Information for staff and county delegates on how to access the contracted interpreter service agencies is available on South Country’s SharePoint site and Partner Portal.

Telephonic interpretive services: South Country contracts for telephonic interpretive Services from CyraCom, LLC, 2650 East Elvira Road Suite 132, Tucson, AZ 85756. Information for staff and county delegates on how to access telephonic interpretive services from CyraCom is available on South Country’s SharePoint site and Partner Portal.

Video remote interpreting (VRI) services: South Country contracts for telephonic interpretive services from CyraCom, LLC, 2650 East Elvira Road Suite 132, Tucson, AZ 85756. Information for staff and county delegates on how to access VRI services from CyraCom is available on South Country's SharePoint site and Partner Portal.

Qualified bilingual/multilingual staff: South Country does not currently have qualified bilingual/multilingual staff.

LEP liaison & coordinator: Contact the Director of Community Engagement at 507-444-7770.

LEP liaison back-up: Contact the Communications Manager at 507-444-7770.

5. Interpreter Services

South Country, without undue delay and at no cost to individuals with LEP and/or their families/companions, provides meaningful access to information and services to all individuals with LEP and/or their families with whom South Country comes in contact.

6. Translation of Documents

South Country contracts with qualified translators or translating agencies to assist individuals with LEP in translating all vital documents, or documents needed to perform services.

7. Dissemination and Mandatory Training to Agency Staff, Volunteers and Others

South Country Health Alliance is committed to providing LEP training to:

- All staff at new employee orientation, and
- At least once a year to all staff, volunteers and contractors, and others.

South Country will keep records of those training sessions. Records of this training will be kept for a minimum of five years and readily available during DHS audits, investigations, or any proceeding and as required by law.

This training is to include at least the following:

- Title VI of the Civil Rights Act of 1964;
- How to work effectively with interpreters; and
- Any other cultural issues related to delivery of information and services to individuals with LEP served by South Country.

This policy is added to the Manual of Policies and Procedures (internal Policy Library) of South Country.

8. Dissemination of Language Access Information in Public Areas

South Country makes available to individuals with LEP:

- A notice of language access services by posting in public areas the “Language Poster,” available through the DHS public website (<https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4739-ENG>);
- “I need an interpreter” cards available in 15 languages and from DHS public website (<https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4374-ENG>);
- The catalogue of languages (<https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4059-ENG>); and
- The approved nondiscrimination document with member-facing materials, such as vital documents, grievance and appeals notices, enrollment forms and notices, all coverage decision forms and related forms, and any benefit change notices.

9. Annual Review of LEP Plan

South Country reviews annually its LEP plan to adjust or modify its contingencies based on demographic data collected by South Country during its delivery of information and services to individuals with LEP throughout a timeframe selected by the provider but not to exceed a year. This means that the LEP Plan review must be done at least once a year.

South Country, upon DHS request, will complete and submit a DHS LEP Plan review on an annual basis or as often as requested by DHS.

10. Collection of Data & Its Analysis

South Country is committed to monitor and make reasonable adjustments to comply with Title VI requirements. South Country will collect:

- Demographic data including name, date of birth, gender and preferred spoken language are available in CRM and TruCare.
- Telephonic interpreter monthly data includes county, language and number of calls.

The data will be reviewed annually to look for trends. Member materials will be produced in any language that at least 5% of the enrolled population prefers. Currently, South Country does not have any population that reaches that threshold. South Country may choose to translate materials to have available even when the threshold is not met. Current vital plan documents that are translated into Spanish and Somali include: our member handbooks, formularies (drug lists), provider directories (for all products) as well as the Summary of Benefits for our SeniorCare Complete and AbilityCare products.

11. Complaint Process

Individuals with LEP have the right to file a formal complaint with:

- South Country Health Alliance
Civil Rights/Section 1557 Coordinator
6380 West Frontage Road
Medford, MN 55049

866-567-7242 (voice, toll free) 800-627-3529 (TTY users)
Email: members@mnscha.org

- Minnesota Department of Human Services (DHS), Limited English Proficiency (LEP) Coordinator:
Alejandro Maldonado
P.O. Box 64997
Saint Paul, MN 55164-0997
Email: alejandromaldonado@state.mn.us
Phone: 651-431-4018
Fax: 651-431-7444
MN Relay 711 or 1-800-627-3529
- Office for Civil Rights (OCR), Region V – Chicago, IL
Celeste Davis, Regional Manager
Office for Civil Rights
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Voice Phone: (800) 368-1019
Fax: 312-886-1807
TDD 800- 537-7697
<http://www.hhs.gov/ocr/civilrights/complaints/index.html>

This LEP Plan is available on the South Country website and in public areas of South Country, to all staff, volunteers and contractors, and to members of the community.

Revisions to this LEP Plan

Creation November 2017 By Cea Grass, Director of Communications

No changes made at this time as this is the creation of the LEP plan.

Revision October 2018 By Stephanie Bartelt, Director of Community Engagement

Contact information updates and minor formatting adjustments.

Revision January 2019 By Stephanie Bartelt, Director of Community Engagement

Added Alejandro Maldonado contact information.

Reviewed October 2019 By Stephanie Bartelt, Director of Community Engagement

Revision October 2020 By Stephanie Bartelt, Director of Community Engagement

Updated telephonic interpreter services and added video remote interpreting services to CyraCom, LLC.

Revision October 2021 By Stephanie Bartelt, Director of Community Engagement

Updates to ensure SCHA LEP matched template.

Revision October 2022 By Kelly Braaten, Director of Community Engagement

Minor grammatical and wording updates and updated address for the South Country civil rights coordinator.

Revision October 2023 By Kelly Braaten, Director of Community Engagement

Minor grammatical and wording updates and added additional information to the third bullet point on the top of page 5 to clarify that the nondiscrimination document is provided with member facing materials, such as vital documents, grievance and appeal notices, enrollment forms and notices, all coverage decision forms and related forms, and any benefit change notices.

Revision October 2024 By Kelly Braaten, Director of Community Engagement

Updated the DHS contract references; added the following statement to #10 on page 5: "South Country may choose to translate materials to have available even when the threshold is not met."

Revision June 2025 By Kelly Braaten, Director of Community Engagement

Updated definitions due to Section 1557 changes; added where staff and county delegates can find information on how to access contracted interpreter service agencies, telephonic interpretive services and VRI services from CyraCom under #4 on page 7; added the current vital plan documents that are translated into Spanish and Somali to #10 on page 8; added that the LEP Plan is available on the South Country website on page 10; and other minor grammatical and wording updates for clarification.