

North Country Community Mental Health (NCCMH)  
NORTHERN AFFILIATION

LIMITED ENGLISH PROFICIENCY PLAN

**Introduction**

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", dated August 11, 2000 requires mental health service providers to assess and address the needs of otherwise eligible persons seeking access to services, who, due to Limited English Proficiency (LEP), cannot fully and equally participate in or benefit from services provided by community mental health programs receiving federal funds.

It is the responsibility of NCCMH - Northern Affiliation to ensure all contracted providers take reasonable steps to facilitate meaningful access to the mental health and substance abuse services for persons with limited English proficiency.

**Purpose**

The purpose of this plan is to clarify the responsibilities of NCCMH - Northern Affiliation for providing persons with limited English proficiency meaningful access to mental health and substance abuse programs, services, and other information those entities provide.

**Application**

North Country Community Mental Health is both a Medicaid specialty prepaid inpatient health plan (PIHP) and a service provider. This plan is intended to address both aspects of the organization's operations. It is the intent of NCCMH that the scope of the Limited English Proficiency Plan should promote reasonable, meaningful access to services.

The Northern Affiliation is a division of NCCMH that performs the managed care functions of the PIHP. NCCMH is authorized to perform these functions for a thirteen county area through an Intergovernmental Transfer of Functions and Responsibility Act agreement. The Affiliation Limited English Proficiency Plan applies to all NCCMH services, providers and subcontractors providing services under NCCMH – Northern Affiliation's PIHP.

**General Overview**

It is acknowledged that efforts to maintain reasonable and meaningful access to mental health and substance abuse services for LEP consumer's must be organizational wide and must be ongoing. In order to assure that these efforts are sustained, compliance to the LEP plan is developed from the performance improvement perspective. Assuring this compliance, both prospectively and retrospectively, is best done through a focus on improvement, utilizing objective data, systems analysis, and feedback.

**Administrative Responsibilities**

Primary responsibility for implementing and monitoring compliance to the Affiliations LEP plan shall be assigned to the Regulatory Compliance Coordinator. The Compliance Coordinator will, with oversight of the Director of Affiliation Services, perform the following activities:

- Review and amend the LEP plan, as necessary, based on changes in the laws and regulations that govern LEP standards.
- Develop methods to ensure that employees and provider organization staff are aware of the LEP plan/policies, and are aware of the importance of ensuring meaningful access to persons with limited English proficiency to services.
- Ensure that employees and provider organization staff are educated and trained in the LEP processes.
- Monitor, at least annually, the frequency of LEP individuals in services, the training of staff, and that appropriate data gathering is occurring.
- Initiate corrective actions for identified deficiencies in implementation and maintaining LEP processes.

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- Develop processes to identify the number or proportion of LEP persons eligible to be served or likely to be encountered by the provider or service;
- Develop processes for identifying and reporting data pertinent to tracking LEP needs and future needs.

**Administrative Plan**

Each provider operation shall appoint a representative to serve as the LEP leader for that organization's activity. The LEP leaders will coordinate limited English proficiency activities. (See Northern Affiliation Administrative Manual, Chapter 2 - Policy 2004 for activities to be included.) The Regulatory Compliance Coordinator will have regular contact with the LEP leaders about matters of common interest.

Each provider organization is responsible for the development and implementation of a plan to address LEP compliance efforts. These plans shall, at a minimum, include the following features:

- Written policies and procedures for operational activities undertaken by the organization personnel, including any specialty specific standards that may be relevant to LEP;
- Educational and training programs to ensure staff have a working knowledge of LEP requirements;
- A system ensuring and documenting that all new personnel receive training regarding LEP requirements;
- A process for routine "spot checks" of LEP activities, with the results of such review being reported to the LEP leader and the Affiliation's Compliance Coordinator;
- A system that tracks LEP contacts, as well as issues that have been raised within the organization and the resolution of those issues;
- A process for availability of interpreter services when needed.

**Policy Guidelines**

The LEP policy will be reviewed annually, and revised as necessary. LEP training will be a part of new employee orientation and staff annual training.

***REFERENCES***

The White House: Executive Order 13166 – "Improving Access to Services for Persons with Limited English Proficiency", August 11, 2000

Government Publication: Brochure title "Know Your Rights – Are you limited English Proficient? (LEP)"

Government Publication: Fact Sheet title "Facts About National Origin Discrimination". Web version page updated June 28, 2002

Department of Justice Publication: "Limited English Proficiency (LEP) Access Plan", Office of the Chairman, January 25, 2002. Note: Interpretation of Executive Order 13166

Department of Justice – Civil Rights Division: "Commonly Asked Question and Answers Regarding Executive Order 13166". Web version page updated April 11, 2002

Department of Justice: Departmental Plan Implementing Executive Order 13166". Web version page updated January 10, 2001

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Approved By: North Country CMH Board, May 2005