

Statement to:

Department of Managed Health Care
SB 853 Regulation Hearing
2/16/2006, Oakland

Good morning/afternoon Director Ehnes and DMHC staff –
Thank you for the opportunity to speak to you today on the implementation of the Language Assistance Programs contained within Title 28.

My name is Verónica Montoya –
I currently serve as Policy Director for LCHC – the Latino Coalition for a Healthy California.

LCHC was originally formed by healthcare advocates, consumer groups and practitioners that in 1992 that identified a need to advocate more fully on issues related to Latino health. For over ten years, LCHC has worked to serve as the leading voice on policies, services and conditions that improve the health of California's Latinos.

In that time, however, our community continues to face language-related obstacles when accessing our health care system – a fact that continues to have grave implications for a population particularly prone to diabetes and other long-term illnesses. Continuing disparities in health care treatment and outcomes for Latinos only serve to emphasize the need to provide accessible healthcare.

As a result, the appropriate implementation of these regulations is of utmost priority to us and to our community.

We have three specific recommendations that will further strengthen the Department's ability to provide effective oversight and guidance to relevant health care plans:

- 1 Require collection of race and ethnicity on an individual enrollee basis.**
Research continues to point to increasing health disparities for Latinos. According to the most recent National Healthcare Quality Report (2005), disparities are not only continuing but are, in fact, widening particularly in treatments for diabetes, mental illness as well as dental and preventive care.

In order to fully begin to address these disparities, it is critical that we understand the communities we are serving. In order to best accomplish this, it is insufficient to simply collect and review sample populations. Individual health needs are tantamount to reducing disparities and collection of this information on an individual basis will only strengthen this objective.

- 2 All health plans must meet or exceed the minimum language service standards established in the regulation without used of deemed compliance mechanisms.**

Currently, under section sub-section a), the statute states that the Department may deem plans to be in compliance with these regulations if they comply with the requirements of the Medi-Cal plan. We would recommend that this statement specify that all health plans must meet or exceed the minimum language service standard and remove reference to any 'deemed compliant' process.

We believe that any integration of a 'deemed use' process would only create redundancy of effort for DMHC staff in terms of oversight when, in fact, all plans should be making like efforts.

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Provide appropriate training of all those involved with providing language services

As it stands, the regulations, under subsection (c) (3), only specify that it is necessary to establish minimum requirements for plans to provide training for plan staff who have routine contact with enrollees who need language assistance. Additionally, the regulations state that use of family members, friends or minors as interpreters, except in cases of emergency, is discouraged. We would recommend augmenting the scope of those trained to include management and other relevant personnel to truly affect change in disparate health care treatment. Additionally, as family members, friend or minors are not generally trained in providing language assistance, the regulations should protect these individuals from providing these services except in cases of emergencies as currently outlined in the regulations.

Again, our interest lies in ensuring that individual race, ethnicity and primary language is collected to better reducing growing disparities, removal of a 'deemed compliant' process as well as sufficient and appropriate training.

Thank you again Director Ehnes and DMHC staff for the opportunity for us to address you on these important matters for the betterment of California's Latino community.