



7.3.14 SUBSTANCE USE DISORDER (SUD) INFORMING MATERIALS, LANGUAGE ASSISTANCE TAGLINES AND MEMBER NON-DISCRIMINATION NOTICE

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Revision History: 06/20/2025, 06/27/2024; 09/30/2015 SUD 08 Non-Discrimination; 08/30/2015 SUD 01 Threshold Language

References: 42 CFR 438.10, 438.206; 45 CFR Part 92; Section 1557 of the Affordable Care Act (ACA), WIC 14727; BHIN 24-007; MHSUDS INFORMATION NOTICE NO.: 18-010E

Policy Owner: Behavioral Health Division – Quality Assessment and Performance Improvement (QAPI), Quality Assurance (QA) Manager

Director Signature: **Signature on File**

I. Policy Statement

It is the policy of the Sonoma County Department of Health Services, Behavioral Health Division (DHS-BHD) to ensure that all Medi-Cal members (including those with disabilities) are informed about their rights, protections, and accessibility to free language assistance services. The Non-discrimination provision of the Affordable Care Act prohibits discrimination on the basis of race, color, national origin, ancestry, religion, sex, marital status, gender, gender identity, age, or disability. Informing materials, non-discrimination notice requirements, and language assistance taglines, will be displayed in the lobbies of all BHD county- owned/operated programs and contracted provider programs. Electronic versions of informing materials will be available on the DHS-BHD website.

II. Scope

This policy applies to all covered persons, which includes all County of Sonoma employees (full-time, part-time, extra help) and all additional persons who are performing services for DHS, with the exception of Community Based Organization (CBO) staff.

III. Definitions

- A. "Alternative formats" for written materials include, but are not limited to, large print or oral interpretation/audio format. The BHD readily has large print formats available and other formats (e.g., audio, braille) will be provided upon request.
- B. "Informing materials" include, but are not limited to, program literature that is critical to assisting beneficiaries in accessing mental health or Substance Use Disorder (SUD) treatment services, explain the beneficiary problem resolution and fair hearing process, and identify beneficiary rights and protections.
- C. "Language Assistance Taglines" is a notification explaining the availability of written or oral translation and includes the toll-free and TTY/TDY telephone number of the BHD's customer service unit. This notification is written in English, large-print (18-point font), and the top 16 non-English languages spoken by individuals with Limited English Proficiency.
- D. "Non-discrimination Notice" is a notification to comply with non-discrimination and accessibility requirements in employment and services.
- E. "Qualified interpreter" for an individual with a disability is an interpreter who:
 - 1. adheres to generally accepted interpreter ethics principles, including client confidentiality; and,
 - 2. is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary, terminology, and phraseology.
- F. "Threshold languages" in Sonoma County are English and Spanish. This means that these languages have been identified as the primary language of either 3,000 Medi-Cal beneficiaries or 5% of the beneficiary population, whichever is lower, in the county's geographic area. Therefore, the county shall make every effort to assure all written informing materials are available in English and Spanish.
- G. "Translation of Notices" refers to written materials that are critical to obtaining services and include, at a minimum, appeal and grievance notices, and denial and termination notices, which must be made available to beneficiaries in threshold languages and alternative formats.

IV. Policy

- A. Discrimination is against the law. DHS-BHD follows state and federal civil rights laws. DHS-BHD does not unlawfully discriminate, exclude people, or treat them differently because of sex, race, color, religion, ancestry, national origin, ethnic

group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, gender, gender identity, or sexual orientation.

- B. Sonoma County DHS-BHD will take appropriate steps to ensure timely access to linguistically appropriate services and the translation of notices and written informing materials in the beneficiary's primary language. The county will accommodate the communication needs of all Medi-Cal beneficiaries and will provide appropriate auxiliary aids and services to persons with impaired sensory, manual, or speaking skills.

V. Procedures

- A. Informing Materials Provided to all Medi-Cal Members: The following documents must be provided to members at the first face-to-face contact and upon request:

1. Sonoma County DMC-ODS Beneficiary Handbook
2. Sonoma County Drug Medi-Cal Provider Directory (English & Spanish)
3. HIPAA Provider's Notice of County Privacy Practices
4. Client Rights and Grievance/Appeal Process and Form (English & Spanish)-with County addressed envelope
5. An acknowledgement of receipt must be obtained from all members who are offered the identified informing materials SmartCare Consent for Treatment form for all members.

- B. Informing Materials Postings for Medi-Cal Provider Lobbies: The following documents must be readily available in the lobbies of all Medi-Cal certified provider sites:

1. Sonoma County DMC-ODS Beneficiary Handbook
2. Sonoma County Behavioral Health Division Drug Medi-Cal Provider Directory
3. HIPAA Provider's Notice of County Privacy Practices
4. Client Rights and Grievance/Appeal Process and Form with County addressed envelopes
5. Free Language Assistance Services (Taglines)
6. Point to Your Language Poster
7. Consumer Notification of Licensing Boards
8. SUD 400 Client Rights Poster

9. Request for Change of Service Provider

10. Non-Discrimination Notice (English & Spanish)

C. Translation of Written Materials: DHS-BHD staff and contractors will provide to Medi-Cal beneficiaries, informing materials in Sonoma County's threshold languages (English and Spanish) and in accessibility large print (18-point font) format.

1. When applicable, SCBH staff will also ensure that other SCBH documents are translated into threshold languages, or provided in standard alternative formats upon request:
 - a. Audio CD: Provides the ability to hear notices and information. Files in the CD are not encrypted.
 - b. Data CD: This allows for the use of computer software to read notices and other written information. Files in the CD are not encrypted.
 - c. Braille: Uses raised dots that can be read with fingers.
2. For this purpose, SCBH contracts with a language interpretation and translation service.
3. Requests for written translation of formal SCBH documents are to be e-mailed to the Quality Assurance Manager (QA Manager) for review and authorization.
 - a. Less formal document translation, such as a single letter to a client during the course of treatment, may be translated by SCBH bilingual staff without going through the QA Manager (SCBH maintains a list of certified bilingual staff).
 - b. In these cases, review of the document by at least one other bilingual staff person is recommended before distribution of the document.
4. Either the contracted language service or the identified bilingual staff person provides translation into Latin American Spanish, the type of Spanish that is most relevant to the County's Spanish-speaking clients.
5. To ensure both accuracy of translation and cultural appropriateness, upon receipt of a translated document, the QA Manager will request review of the document by at least one bilingual SCBH staff member, who will notify the MHP QA Manager of any recommended edits.
 - a. Any edits will be made by Quality Assurance (QA) staff before the document is released for use by SCBH and/or contracted provider.

6. With previously published SCBH documents, if an error in translation is identified; or if content is deemed culturally insensitive for any reason; or if a document must be adapted to be accessible to persons with limited reading proficiency, the QA Manager will make necessary modifications / edits by adhering to the above-mentioned review and approval process prior to re-release of the document.
7. When a revised document becomes available, QA staff will inform all applicable SCBH staff and/or contracted providers of the change and request that any outdated documents be discarded and replaced by the revised version.
 - a. QA staff will save the current document in a shared folder on the SCBH network for all staff to access and archive the outdated document.
 - b. QA staff will update the SCBH website with the revised document.

VI. Forms

- A. Sonoma County DMC-ODS Beneficiary Handbook
- B. Sonoma County Behavioral Health Division Drug Medi-Cal Provider Directory
- C. HIPAA Provider's Notice of County Privacy Practices
- D. Client Rights and Grievance/Appeal Process and Form with County addressed envelopes (BHD 406)
- E. Language Assistance Taglines (BHD 162)
- F. Point to Your Language Poster
- G. Consumer Notification of Licensing Boards (BHD 402)
- H. Client Rights Poster (SUD 400)
- I. Request for Change of Service Provider (BHD 109)
- J. Member Non-Discrimination Notice (BHD 158)
- K. Consent for Treatment (SmartCare)

VII. Attachments

Attachment #1: Medi-Cal Informing Materials are available online at:
<https://sonomacounty.ca.gov/health-and-human-services/health-services/divisions/behavioral-health/contractor-resources/medi-cal-informing-materials>