

Network Provider Update

To: Medi-Cal Network Providers

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Subject: **All Plan Letter 21-004, Standards for Determining Threshold Languages, Nondiscrimination Requirements, and Language Assistance Services**

The Department of Health Care Services (DHCS) recently issued All Plan Letter (APL) 21-004, "Standards for Determining Threshold Languages, Nondiscrimination Requirements, and Language Assistance Services." We are sharing a summary of this APL with you to ensure you are aware of the information, and you can apply the information to your practice or facility operations, where appropriate.

Threshold and concentration languages

In accordance with federal and state law, DHCS requires managed care plans (MCPs), such as Blue Shield of California Promise Health Plan, to translate written member information into non-English member languages when the patient population of a service area meets the numeric threshold of 3,000 or five-percent (5%) of the eligible beneficiary population, whichever is lower, and when it meets the concentration standards of 1,000 in a single ZIP code or 1,500 in two contiguous ZIP codes.

APL 21-004 includes an updated [dataset of the threshold and concentration languages](#) for all California counties as of July 2019.

Nondiscrimination notice

MCPs are required to comply with all federal and state nondiscrimination requirements, and to include a nondiscrimination notice in all member information. They must also designate a discrimination grievance coordinator to investigate and report grievances to DHCS.

APL 21-004 provides a [nondiscrimination notice template](#) for MCPs to follow.

Language assistance taglines

DHCS requires MCPs to inform members, prospective members and the general public of the availability of no-cost language assistance services, including assistance in non-English languages and the provision of free auxiliary aids and services for people with disabilities.

APL 21-004 includes a [taglines template](#) to help MCPs inform people about the availability of language assistance.

Language assistance guidelines

Oral, American Sign Language (ASL) and written language assistance must be provided free of charge to all members with limited English proficiency. Oral interpretation must be provided in every language (regardless of threshold or concentration standards) by qualified interpreters, either in person or by telephone or internet. The APL includes guidance regarding the quality of interpretive services and who should provide them. MCPs must inform individuals with limited English proficiency of their right to free interpreter services and avoid using family members as interpreters except in cases of emergency or if

the patient specifically requests that their adult family member interpret for them. Written translations must be provided at minimum in the area's threshold and concentration languages.

Communicating with people with disabilities

To support people with various disabilities, "MCPs must provide interpretive services and make member information available in the following alternative formats: Braille, audio format, large print (no less than 20 point font), and accessible electronic format (such as a data CD)," plus additional aids and services. This would include American Sign Language (ASL) interpretation. The APL includes guidance regarding the quality of these interpretive services and who should provide them. MCPs must inform disabled members of their right to free interpreter services and avoid using family members except in cases of emergency or if the patient specifically requests that their family member interpret for them.

This summary is only meant as a brief description of the APL. Please see the APL itself for additional background and the complete requirements. The full text of APL 21-004 may be found at this URL: <https://www.dhcs.ca.gov/formsandpubs/Documents/MMCDAPLsandPolicyLetters/APL2021/APL21-004.pdf> (Links to the DHCS.ca.gov website will take you off of the Blue Shield Promise website.)

Blue Shield Promise will be updating its member materials in the next few months to align with the requirements of APL 21-004.

If you have questions about applying any of the information in this notice to Blue Shield Promise members, please call our Provider Services Department at **(800) 468-9935** from 6 a.m. to 6:30 p.m., Monday through Friday.