

SUBJECT: NONDISCRIMINATION, NOTICE OF NONDISCRIMINATION, TAGLINES AND FEDERAL NON-ENGLISH LANGUAGE REQUIREMENTS

POLICY:

Under the final rule, “Nondiscrimination in Health Programs and Activities”, contained in Section 1557 of the Affordable Care Act, issued by the U.S. Department of Health and Human Services, the Center makes provisions to ensure individuals are able to receive services and benefits under any of its programs and activities free from discrimination. Individuals are protected from discrimination under local, state or federal law.

The Center does not exclude, deny benefits to, or otherwise discriminate against any person on the basis of race, color, national origin, age, disability and sex, including discrimination based on pregnancy, gender identity and sex stereotyping.

Centers with 15 or more employees will have a compliance officer, known as a Civil Rights Coordinator, appointed by the Governing Body. The role is in conjunction with the duties of the risk manager or risk manager designee.

All employees, providers and associated personnel are responsible to conduct themselves in ways that ensure others are able to receive care in an atmosphere free from discrimination of any kind.

Staff will receive initial and routine training regarding nondiscrimination. This will entail various forms and methods designed to heighten awareness and education on the subject.

PROCEDURE:

The Center will post notices of nondiscrimination and taglines that alert individuals with limited English proficiency to the availability of language assistance services. The Center may elect to utilize the provided resources provided by the Office of Civil Rights (OCR).

<http://www.hhs.gov/civil-rights/for-individuals/section-1557/translated-resources/index.html>

The Center will post taglines (short statements) in at least the top 15 non-English languages spoken in the State in which the Center is located or does business. The following resource provides a list of the top 15 non-English languages by State.

<https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Appendix-A-Top-15.pdf>

Notice of Nondiscrimination

The Center will post a Notice of Nondiscrimination that includes:

1. A statement the Center does not discriminate on the basis of race, color, national origin, sex, age or disability.

2. A statement the Center provides appropriate auxiliary aids and services, free of charge and in a timely manner, to individuals with disabilities.
3. A statement the Center provides language assistance services, free of charge and in a timely manner, to individuals with Limited English Proficiency (LEP).
4. How to obtain these aids and service.
5. Contact information for the associated compliance officer. The designated Civil Rights Coordinator.
6. The availability of the grievance policy and procedure, including how to file a grievance.
7. How to file a discrimination complaint with the Office of Civil Rights.

Significant Publications and Communications

The Center will include a “Statement of Nondiscrimination” (statement instead of the full notice) and taglines in at least the top two non-English languages spoken by individuals with limited English proficiency in the State in which the Center is located or does business, on any small-size significant publications and communications. The English version will be included as well. <http://www.hhs.gov/civil-rights/for-individuals/section-1557/translated-resources/index.html>