

Translations key to keeping coverage

By [Emily Bazar](#) | September 23, 2014



Photo Credit: Ian Lamont, in30minutes.com

[Covered California \(http://www.coveredca.com/\)](http://www.coveredca.com/), the state's health insurance exchange, has taken a lot of heat for its communication – or lack thereof – to consumers who don't speak English well.

To its credit, the agency has improved in the past year, especially in its Spanish-language offerings and enrollment-related materials.

Unfortunately the news isn't so great when it comes to important notices sent after enrollment.

Consumers complain they can't understand some letters they receive about their coverage, whether from Covered California, Medi-Cal (the state's Medicaid program) or health plans themselves.

The stakes are high. Covered California, for instance, [recently contacted nearly 100,000 families \(http://news.coveredca.com/2014/09/covered-california-reaches-out-to.html\)](http://news.coveredca.com/2014/09/covered-california-reaches-out-to.html) to let them know they have until the end of September to submit documents verifying their immigration status.

If they don't comply, they risk losing their coverage.



(<http://centerforhealthreporting.org/sites>

[/centerforhealthreporting.org/files/media/DSC_0023.JPG](http://centerforhealthreporting.org/files/media/DSC_0023.JPG))

Q: I received a letter about my health insurance that I don't understand because it's not in my language. What should I do?

A: Qiuhua Wu, an energetic and athletic Chinese immigrant, owns the [USA International WuShu Kung Fu Academy](http://www.qiuhuawushu.com/) (<http://www.qiuhuawushu.com/>) in Sacramento.

Wu speaks Mandarin Chinese and a little English. She enrolled in a Covered California plan through Anthem Blue Cross, but didn't pay her premiums for several months, thinking that auto-pay had her covered. It didn't.

Wu received several warning letters from Anthem, all in English. She didn't understand them, so she called a phone number included in the letters offering language assistance in Spanish, Chinese, Korean, Vietnamese and Tagalog.

The person who answered told Wu she could not provide help in Mandarin, Wu says. At that point, she contacted [Evette Tsang](http://www.shinewellnessins.com/) (<http://www.shinewellnessins.com/>), the Sacramento insurance agent who enrolled her in her plan, but it was too late. Wu's plan had been canceled, leaving her uninsured until she signs up for a new plan for next year.

Wu certainly bears responsibility for not paying her premiums. But Tsang and others say that critical communications should be translated into other languages.

If they're not, they should at least include a tagline in other languages that says something like "Failure to respond may result in the loss of your coverage," they say.

“It would have made a difference,” says Wu in Chinese. “I would have taken more action.”

About 95 percent of Tsang’s clients speak Chinese as their primary language, she says.



http://centerforhealthreporting.org/sites/centerforhealthreporting.org/files/media/DSC_0057_0.jpg

There’s a spot in the Covered California application that asks consumers what language they prefer to be contacted in. Tsang checked Chinese for most of her clients.

But, “our clients still receive letters in English,” she says.

Federal and state laws prohibit discrimination based on language, but these laws govern Medi-Cal, Covered California and health plans differently.

Not every document is required to be translated, says Claudia Menjivar, an attorney at the [Western Center on Law and Poverty](http://www.wclp.org/) who specializes in language access.

Instead, she says, translation is required for “vital documents,” those carrying information that may impact or reduce a person’s benefits. Even then, they only have to be translated into some languages based on the demographics of the affected population.

Health plans and government agencies often try to meet this requirement by providing telephone numbers to interpretation services, Menjivar says, such as the one Wu tried to call.

“The result is that people are falling through the cracks and potentially losing their coverage,” she says.

Menjivar notes the laws also govern oral interpretation services, giving consumers even more rights than for written translations.

Cary Sanders, director of policy analysis for the [California Pan-Ethnic Health Network](http://cpehn.org/) (<http://cpehn.org/>), says key documents routinely aren't translated. She heard from Covered California, for instance, that upcoming annual renewal notices will only go out in English and Spanish.

Covered California spokesman Dana Howard says a final decision has not been made on the translation of the renewal forms.

He also notes that while the recent mailings on immigration documents went out in Spanish and English, a follow-up email was sent in English, Spanish, Korean, Chinese and Vietnamese.

"This is a new organization," Howard says. "We do communicate in both English and Spanish. We are building on the Asian languages. We hope to include all languages as we grow."

Here are some tips on what to do if you – or someone you know – receives a letter or email about health coverage that isn't in the recipient's primary language:

- Don't ignore it. If a certified insurance agent or enrollment counselor who speaks the primary language helped you enroll in your plan, ask him or her for translation help.
- Click on the "[find help near you \(http://www.coveredca.com/enrollment-assistance/\)](http://www.coveredca.com/enrollment-assistance/)" link on [Covered California's home page \(http://www.coveredca.com\)](http://www.coveredca.com) to connect with free resources nearby.
- If you believe that a health program that receives federal money (including Covered California and Medi-Cal) engaged in language discrimination, file a complaint with the U.S. Department of Health and Human Services. Find [the complaint form \(http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf\)](http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf) at [www.hhs.gov/ocr \(http://www.hhs.gov/ocr\)](http://www.hhs.gov/ocr). In general, the complaint must be filed within 180 days from the time of the alleged discrimination.
- If language access issues contributed to a loss of or change in benefits, consider

filing an appeal with Covered California, Menjivar says.

- Call the state Department of Managed Health Care's [Help Center](http://www.dmhc.ca.gov/FileaComplaint/ConsumerIndependentMedicalReviewComplaint/IndependentMedicalReviewComplaintForm.aspx#.VBnebi5dXfg) (<http://www.dmhc.ca.gov/FileaComplaint/ConsumerIndependentMedicalReviewComplaint/IndependentMedicalReviewComplaintForm.aspx#.VBnebi5dXfg>) at 888-466-2219 if you believe your health plan violated language access laws.

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