

2018 Cultural Sensitivity and Meaningful Access Training

(Alternate Access)



September 2018

Your GOAL

Upon completion of this course, you will be able to:

Define terms associated with cultural sensitivity.

- List the cultures with the highest populations in the United States.
- Recall the guidelines for demonstrating cultural sensitivity.
- Describe the interpretation services available for non-English speaking customers.
- Explain your role in ensuring our compliance with Non-Discrimination and Meaningful Access (Section 1557 of the Affordable Care Act).
- Successfully complete an assessment at the end of this course.

People from around the world come to live in the United States. They bring with them unique customs, languages and cultural differences.

The goal of this training is to increase your cultural awareness by embracing these differences as well as the importance of cultural sensitivity in every

Do you know these terms?

CULTURE

The shared values, norms, traditions, customs, art, history, folklore and institutions of a group of people.

CROSS-CULTURAL

One culture interacting with another.

CULTURAL COMPETENCY

The communications bridge that enables organizations and practitioners to respond appropriately to, and serve the unique needs of, populations whose culture may be different from the prevailing culture.





So what is **cultural sensitivity**?

Cultural differences and similarities exist and have an effect on **values, learning and behavior**.

Being aware of that consists of:

- Valuing and recognizing the importance of one's own culture.
- Valuing diversity.
- Realizing that cultural diversity will affect an individual's communication and participation in education in various ways.
- A willingness to adapt one's communication and behaviors to be compatible with another's cultural norms.
- A willingness to learn about the traditions and characteristics of other cultures.

Top 15 LEP Languages in the U.S.

Spanish	19,144,102
Chinese	1,665,066
Vietnamese	837,959
Tagalog	485,841
Russian	413,523
Korean	401,139
Arabic	366,513
French Creole (Haitian Creole)	316,821
French	233,915
Polish	207,138
Portuguese	198,225
Italian	151,380
Japanese	140,984
German	131,683
Persian (Farsi)	115,171
Hindi	95,866

(Source: Resource for Entities Covered by Section 1557 of the Affordable Care Act, from <https://www.hhs.gov/sites/default/files/resources-for-covered-entities-top-15-languages-list.pdf>)

KNOWLEDGEcheck 1

Which term is described by the following definition? *“Being aware that cultural differences and similarities exist and have an effect on values, learning and behavior.”*
(Choose the single best answer.)

- Cultural Sensitivity
- Cross-Cultural
- Cultural Competency
- Culture

Cultural Sensitivity is being aware that cultural differences and similarities exist and have an effect on values, learning and behavior.

Within these cultures there are many languages spoken.

While the last U.S. Census data listed English as the number one spoken language in the United States, there are many other languages spoken in the U.S. of which we should be aware.

The **Affordable Care Act (Section 1557)** identifies the top 15 languages spoken by people with **Limited English Proficiency (LEP)** in the United States, the District of Columbia, Puerto Rico and each U.S. territory.

← This chart shows the totals for the Top 15 languages from this data.

Language Use in the United States

HISPANIC

The largest and fastest growing minority in the U.S. is the Hispanic population. Currently, 10% of Americans speak Spanish.

Although 36% of the U.S. Hispanic population lives in California, other states have large Hispanic populations, including Texas, New York, Illinois, and Florida.

(Source: Language Use in the United States: 2011, from census.gov)

Most Hispanics see themselves in terms of their individual ethnic identity, as Mexican American, Puerto Rican, Cuban, etc. (instead of larger, more ambiguous terms like Hispanic or Latino). This is an example of retaining cultural identity.

For Low English Proficiency (LEP) speakers, Spanish is number one among the top 15 languages.

ASIAN

Asians or Asian-Americans represent about 4% of the U.S. population.

The largest Asian population in America is Chinese, followed by Filipino, Japanese-Americans, people from Thailand, Vietnam and Korea.

Chinese is the most widely spoken Asian language in the United States, followed by Tagalog (the language of the Philippines) Vietnamese and Korean.

(Source: Language Use in the United States: 2011, from census.gov)

For Low English Proficiency (LEP) speakers, Chinese is the most widely spoken Asian language, followed by Vietnamese, Tagalog, Korean, and Japanese.

SOUTH ASIAN

South Asia includes the Indian subcontinent, and is home to a host of cultures, ethnicities, and languages. People from South Asia are commonly referred to as Indian Americans or Asian Indians.

India is a vast country, with cultural and geographical diversities. This has resulted in a number of different languages spoken across the country. There are 23 languages spoken in India, including English. English is the commonly used official language of India.

The U.S. states with the largest Indian American populations are California, New York, New Jersey, Texas, and Illinois

(Source: Language Use in the United States: 2011, from census.gov)

For Low English Proficiency (LEP) speakers, Hindi is among the top 15 languages.

LEP Source: Resource for Entities Covered by Section 1557 of the Affordable Care Act, from <https://www.hhs.gov/sites/default/files/resources-for-covered-entities-top-15-languages-list.pdf>

MIDDLE EASTERN

The Middle East (or West Asia) is a transcontinental region and sits where Africa, Asia and Europe meet. The countries of the Middle East are all part of Asia. The Middle Eastern population includes people from Afghanistan, Iran, Iraq, Israel, Saudi Arabia, Turkey and Egypt.

The most popular Middle Eastern languages spoken in the U.S. are Arabic, Persian and Hebrew. For Low English Proficiency (LEP) speakers, Arabic and Persian are among the top 15 languages.



KNOWLEDGEcheck²

Which state has the highest population of Spanish-language speakers in the United States? (Choose the single best answer.)

- Texas
- Florida
- California
- New York

California has the highest population of Spanish-language speakers in the U.S.

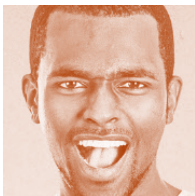
Cultural VARIATIONS

Not all people within a culture share beliefs even though they may share a language.

Beliefs may vary:

- Across cultural lines
- Within cultures
- Within different generations of a culture
- Across geographic boundaries

Membership in a particular culture does not mean any individual member will necessarily reflect the customs, traditions, and beliefs generally associated with their culture.



MINDSET: What is it?

A mindset is a set of beliefs or a way of thinking that determines one's behavior, outlook and mental attitude.

As we interact with diverse cultures, we must first examine our own beliefs and prejudices.

We must be culturally open each time we connect with a customer

- Over the phone
- In e-mails
- In our day-to-day mindset

Can you identify the culturally sensitive behaviors? (Select all that apply.)

- ☐ Provide consistent customer service regardless of accent, ethnicity or cultural differences.
- ☐ Remain non-judgmental.
- ☐ Stereotype based on a person's name or accent.
- ☐ Make assumptions (about a person's concepts of health, illness or means to prevent or cure).
- ☐ Laugh or joke about the beliefs of others.

Remaining non-judgmental and providing consistent customer service regardless of accent, ethnicity or cultural differences is culturally sensitive.

Do you know these terms?

RESPECT *The competent professional has a non-judgmental attitude of respect, interest and inquiry.*

CULTURAL AWARENESS *Superficial knowledge of cultures other than our own can sometimes lead to stereotyping and to inaccurate perceptions. Deeper knowledge and an open mindset are needed to combat inaccurate perceptions.*

IDENTIFY YOUR ASSUMPTIONS *Cultural sensitivity and cultural competence requires an honest assessment of our positive and negative assumptions about others.*

Mindset begins with YOU!



When assisting customers, remember to provide consistent customer service regardless of accent, ethnicity or cultural differences. Remain non-judgmental.

Do not:

- Talk louder if someone does not understand
- Stereotype based on a person's name or accent
- Make assumptions (about a person's concepts of health, illness or means to prevent or cure)
- Laugh or joke about the beliefs of others



You are speaking with a customer named Sonia Rodriguez. She speaks and understands English, but has a thick accent. Which of the following will you do when speaking with Ms. Rodriguez?

(Choose the single best answer.)

- Ask if she has ever been to Mexico in an effort to relate to her culture.
- Provide the same service you would give any other customer.
- Ask if she wants an interpreter because she may not like speaking English.
- Speak loudly when answering her questions because she may not understand.

Provide Ms. Rodriguez the same service you would give to any other customer.

Available Interpretation Services

As a culturally sensitive company, OptumRx provides customers with many translation options.

- Bilingual or multilingual telephone prompt systems
- Provider directories which indicate languages spoken by physicians
- AT&T language line (for assistance speaking a language other than English)
- We also accommodate our customer's language preferences in letters and other communications.

OptumRx provides customers an election form to indicate their preferred language. The election form, evidence of coverage, letters, and surveys are written in multiple languages.

California Language Assistance

The state of California requires us to provide both **written and spoken** language assistance when members need to access health care services.

We provide this assistance through **CA LAP**, the **California Language Assistance Program**.

Written Translation - The program offers eligible members written translation of certain vital documents at no cost upon request. Written translation is available in Spanish and Chinese.

Vital Documents - Vital Documents are comprised of (but not limited to):

- Applications
- Consent forms
- Letters regarding eligibility and participation
- Notices of denial, reduction, modification, termination
- Language assistance notices
- Plan benefit explanations
- Claim processing information including co-payment, coinsurance and deductible requirements when requesting information from member

Spoken Interpretation - Spoken interpretation is available at no cost for any language.

Turn Around Times - All written translation requests must be fulfilled within 21 calendar days, or we risk penalties / fines from the state.



Non-Discrimination and Meaningful Access

Section 1557 of the Affordable Care Act

Source: U.S. Department of Human Services Office of Civil Rights

What is Section 1557?

Section 1557 is the non-discrimination law in the Affordable Care Act (ACA). Section 1557 builds upon longstanding nondiscrimination laws and provides new civil rights protections.

Section 1557 is important to achieving the ACA's goals of:

- Expanding access to health care and coverage
- Eliminating barriers
- Reducing health disparities

Section 1557 prohibits discrimination based on:

- Race
- Color
- National origin
- Sex - The definition of sex includes, sex stereotyping and gender identity, sexual orientation, gender identity and/or expression.
- Age
- Disability in certain health programs and activities

PROHIBITED DISCRIMINATION

Race, Color National Origin

Under Section 1557, we may not segregate, delay or deny services or benefits based on an individual's race, color or national origin.

"National origin" includes, but is not limited to, an individual's, or his or her ancestors' place of origin (such as a country) or physical, cultural, or linguistic characteristics of a national origin group.

Section 1557 protects individuals in the United States, whether lawfully or not, who experience discrimination based on any of Section 1557's prohibited bases.

Limited English Proficiency (LEP)

Under Section 1557, we may not delay or deny effective language assistance services to individuals with limited English proficiency (LEP). This means that OptumRx must take reasonable steps to provide meaningful access to each individual with LEP likely to be served. This may include providing:

- Free, timely, written translations
- Free, timely, qualified interpreters
- Non-English tag lines (TDD lines) declaring the availability of the language assistance services we offer

Quality standards are expected. We may NOT:

- Require an individual to provide his or her own interpreter.
- Rely on a minor child to interpret, except in a life threatening emergency where there is no qualified interpreter immediately available.
- Rely on interpreters that the individual prefers when there are competency, confidentiality or other concerns.
- Rely on unqualified bilingual or multilingual staff.
- Use low-quality video remote interpreting services.

SECTION 1557 PROHIBITED DISCRIMINATION, continued

Sex/Gender

Under Section 1557, we must provide equal access to our services without discrimination based on sex, including pregnancy, gender identity, or sex stereotypes.

OptumRx cannot deny or limit sex-specific health services based solely on the fact that the gender identity or gender recorded for an individual does not align with the sex of individuals who usually receive those types of sex-specific services.

Age

Under Section 1557, we may not exclude, deny or limit benefits and services based on an individual's age unless age is a factor necessary to the normal operation, or achievement of a statutory objective of a program or justified by scientific or medical evidence.

Auxiliary Aids and Services

Under Section 1557, we must provide auxiliary aids and services to individuals with disabilities free of charge and in a timely manner when necessary to ensure an equal opportunity to participate and benefit from our health programs or activities.

Auxiliary aids and services include, but are not limited to:

- Qualified sign language interpreters
- Text telephones (TTYs)
- Screen reader software
- Relay service
- Large print materials
- Captioning
- Video remote interpreting services
- Braille prescription labels

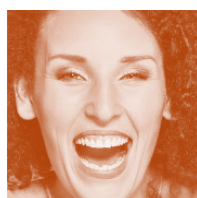


Did the agent handle this correctly?

A call center representative denied a visually impaired person's request for a form in an alternative format. The caller stated she could access the information on the form if it was provided in 24 font large print. The call center representative said they could only provide the form in 18 font large print.

- Yes
- No

The representative should follow instructions in their applicable policy and procedure documents and fulfill the member's request for the form in the font requested.



Compliance with 1557

When we promote compliance with the laws, regulations and contractual obligations that govern our business, we earn the trust our members, providers and business partners place in us.

We do not discriminate based on race, color, national origin, sex, age or disability.

When we live our values and do what's right for people, we do what's right for our business.

INTEGRITY

COMPASSION

RELATIONSHIPS

INNOVATION

PERFORMANCE

What YOU can do to help

Ensuring that we are compliant with Non-Discrimination and Meaningful Access expectations is everyone's job.

Here are some simple things YOU can do.

1. Communicate with current or prospective members or clients effectively.
2. Use the tools available to you.
3. Identify and report noncompliance.
4. Ask questions and report concerns.

1 COMMUNICATE

You are at the forefront of ensuring that you are delivering communications to our prospective and current members as required by the ACA.

- LEP notices and taglines are used with all significant member and consumer communications (including but not limited to) web portals, open enrollment materials, bills, and prescription labels.
- Translation services are available at no cost. Custom services are available based on customer contract (fee/no fee).
- Communication technology we use includes chat functions, prospective consumer websites and member facing websites.

Examples of communication support include but are not limited to the following:

- Language Line assistance for translation services
- Written communications in alternate format such as Braille and large print
- National Relay Service: TTY and other support (telecommunications device for the deaf or hard of hearing)
- Sign interpreters upon request

What YOU can do to help

Ensuring that we are compliant with Non-Discrimination and Meaningful Access expectations is everyone's job.

Here are some simple things YOU can do.

1. Communicate with current or prospective members or clients effectively.
2. Use the tools available to you.
3. Identify and report noncompliance.
4. Ask questions and report concerns.

2 TOOLS

Notices and Taglines:

- UHC Language Assistance / Nondiscrimination Notice
- Optum Language Assistance / Nondiscrimination Notice

Accessibility Support:

- UHC Accessibility Statement
- Optum Accessibility Statement

Digital Content Support:

- Center of Accessibility Excellence (A11Y CoE)

3 GRIEVANCES

UnitedHealthcare and Optum have identified Civil Rights Coordinators to coordinate efforts to comply with our responsibilities and ensure compliance with Section 1557. Our procedures incorporate due process standards and enable prompt and equitable resolution of grievances.

If you believe you have identified noncompliance with Section 1557, contact the OptumRx Civil Rights coordinator.

See the Helpful Links page for additional contact information.

4 QUESTIONS AND CONCERNS

Our core values start with Integrity. Asking questions and reporting concerns helps us to address issues quickly and thoroughly and is critical to supporting our core values.

If you have a question or concern, reach out to one of the following resources (no need to report to more than one):

- Your manager
- The OptumRx Civil Rights coordinator
- Compliance & Ethics Help Center
- Optum Privacy Office

UnitedHealthcare and Optum prohibit retaliatory action against any individual for raising concerns or questions regarding ethics and compliance matters or for reporting concerns in good faith.

Helpful Links

Compliance and Ethics Help Center

- 855-751-5195
- <https://secure.ethicspoint.com/domain/media/en/gui/40364/index.html>

Optum Privacy Office

- privacy@optum.com

Civil Rights Coordinators

- UnitedHealthcare: uhc_civil_rights@uhc.com
- Optum: Optum_Civil_Rights@Optum.com

Taglines and Notices

- UnitedHealthcare: [UHC Language Assistance / Nondiscrimination Notice](#)
- Optum: [Optum Language Assistance / Nondiscrimination Notice](#)

Accessibility Support.

- UnitedHealthcare: [UHC Accessibility Statement](#)
- Optum: [Optum Accessibility Statement](#)

Digital Content Support (WCAG2.0 compliance)

- [Center of Accessibility Excellence](#) (A11Y CoE)

U.S. Dept of Health and Human Resources Office for Civil Rights

- <https://www.hhs.gov/civil-rights/index.html>

45 CFR Part 92, Section 1557 of the Patient Protection and Affordable Care Act (ACA)

- <https://www.federalregister.gov/documents/2016/05/18/2016-11458/nondiscrimination-in-health-programs-and-activities>

Section 504 of the Rehabilitation Act of 1973

- <https://www.dol.gov/oasam/regs/statutes/sec504.htm>

Section 508 of the Rehabilitation Act of 1973

- <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/final-rule>

Title II of the Americans with Disabilities Act (ADA) of 1990

- https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.pdf

ASSESSMENT

Q1 - Which term describes the following definition? “The shared values, norms, traditions, customs, arts, history, folklore, and institutions of a group of people.” *(Select the single best answer.)*

- Culture
- Cross-cultural
- Cultural competency
- Cultural sensitivity

ANSWER: Culture describes the shared values, norms, traditions, customs, arts, history, folklore, and institutions of a group of people.

Q2 - Which term describes the following definition? “One culture interacting with another.” *(Select the single best answer.)*

- Culture
- Cross-cultural
- Cultural competency
- Cultural sensitivity

ANSWER: Cross-cultural describes one culture interacting with another.

Q3 - Which of the following is the largest and fastest growing minority in the United States (U.S.)? *(Select the single best answer.)*

- Asian-American
- Middle Eastern
- Hispanic
- South Asian

ANSWER: Hispanic is the largest and fastest growing minority in the U.S.

Q4 - Which of the following is the largest Asian population in the United States (U.S.)?
(*Select the single best answer.*)

- Filipino
- Japanese-American
- Korean
- Chinese

ANSWER: Chinese is the largest Asian population in the U.S.

Q5 - As we interact with diverse cultures, we must first examine our own beliefs and prejudices. We must become culturally open. Which of the following describes someone who is culturally open? (*Select the single best answer.*)

- Believes membership in a particular culture does not mean that any individual member necessarily reflects the customs, traditions and beliefs normally associated with their culture.
- Has a non-judgmental attitude of respect, interest and inquiry.
- Believes an assessment of his or her assumptions is not needed.
- Has a superficial knowledge of cultures other than his or her own.

ANSWER: Remaining non-judgmental and recognizing that no one individual necessarily reflects the customs, traditions and beliefs generally associated with his or her culture is culturally open.

Q6 - Is the action the agent took appropriate?

A call center representative learned a caller is transgender. The representative withheld benefit information because the caller identified as transgender.
(*Select the single best answer.*)

- Yes
- No

ANSWER: Customer-facing roles, such as call center staff, must provide equal access to information and equal service, while creating a safe and welcoming working environment.

Q7 - Not all people within a culture share beliefs, even though he or she may share a language within that culture. What variations may apply? *(Select all that apply.)*

- Across cultural lines
- Across geographic boundaries
- Within cultures
- Within diverse generations within a culture

ANSWER: These are all examples of cultural variations.

Q8 - Which interpretation services does OptumRx provide? *(Select all that apply.)*

- AT&T language line
- Bilingual or multilingual telephone prompt system
- Letters and other communications written in multiple languages
- Listing languages physicians speak in our provider directories

ANSWER: These are all interpretation services OptumRx provides.

Q9 - For which of the following languages does the California Language Assistance Program (CA LAP) require written translation? *(Select all that apply.)*

- Spanish
- Chinese
- Arabic
- Japanese
- Vietnamese

ANSWER: CA LAP requires written translation for Spanish and Chinese

Q10 - A visiting nurse practitioner is at a member's home for a scheduled visit. The member has requested a Spanish interpreter. The member's Spanish-speaking son was present. The nurse should: _____. (*Select the single best answer.*)

- Ask the son to interpret for the member since he is present.
- Follow established procedures and secure an interpreter to assist with the language assistance for the duration of the visit.
- Advise the member that they will need to reschedule for a phone appointment so the language line may be used.
- Complete the appointment and send a follow up letter translated into Spanish.

ANSWER: The nurse practitioner should follow established procedures and secure an interpreter to assist with the language assistance for the duration of the visit.