

Cultural and Linguistics Competency Training



CONFIDENTIAL





After this training you will...

- Know and understand key terms associated with cultural competency
- Understand the impact of CLAS on healthcare
- Know the main components of Liberty's Cultural Competency Program
- Recognize and Identify the diverse needs of our Liberty audience
- Know how to bridge linguistic and cultural gaps to members
- Understand the importance of giving all members equal access to dental care
- Know the main components of Liberty's Language Assistance Program
- Know how to access language assistance services Liberty offers
- Understand the member's right and responsibilities
- Understand the civil rights provision of the Affordable Care Act of 2010 (Section 1557)
- Be able to identify the key Provisions of the Final Rule
- Be able to name the Liberty's Civil Rights Coordinator
- Know where to locate the enrollee notifications for Section 1557
- Understand the grievance process for suspected discrimination



Culturally and Linguistically Appropriate Services (CLAS)

Principal Standard:

Provide effective, equitable, understandable and respectful quality care and services that are responsive to diverse cultural health beliefs and practices, preferred languages, health literacy and other communication needs.

The Cultural and Linguistic Competency Program incorporates the National CLAS Standards into our operations to ensure the utmost quality of care and service is being provided to members.

LIBERTY shall monitor, evaluate, and take effective action to address any needed improvement in the delivery of culturally and linguistically appropriate services.



Section 1

Embracing Different Cultures
& Languages



What is Culture?

Refers to the integrated patterns of human behavior that include the languages, thoughts, actions, customs, beliefs, values, and institutions that unite a group of people.

Culture includes:

- Ethnicity
- Language
- Education
- Religion/beliefs
- Family and community
- Race, age, and gender
- Immigration status
- Socioeconomic status



Cultural Competency

The capability of effectively dealing with people from different cultures.

Elements of Cultural Competency:

- Awareness of one's own culture
- Understanding the dynamics of differences
- Awareness and acceptance of differences
- Development and application of cultural knowledge
- Celebration of diversity

Linguistic Competency

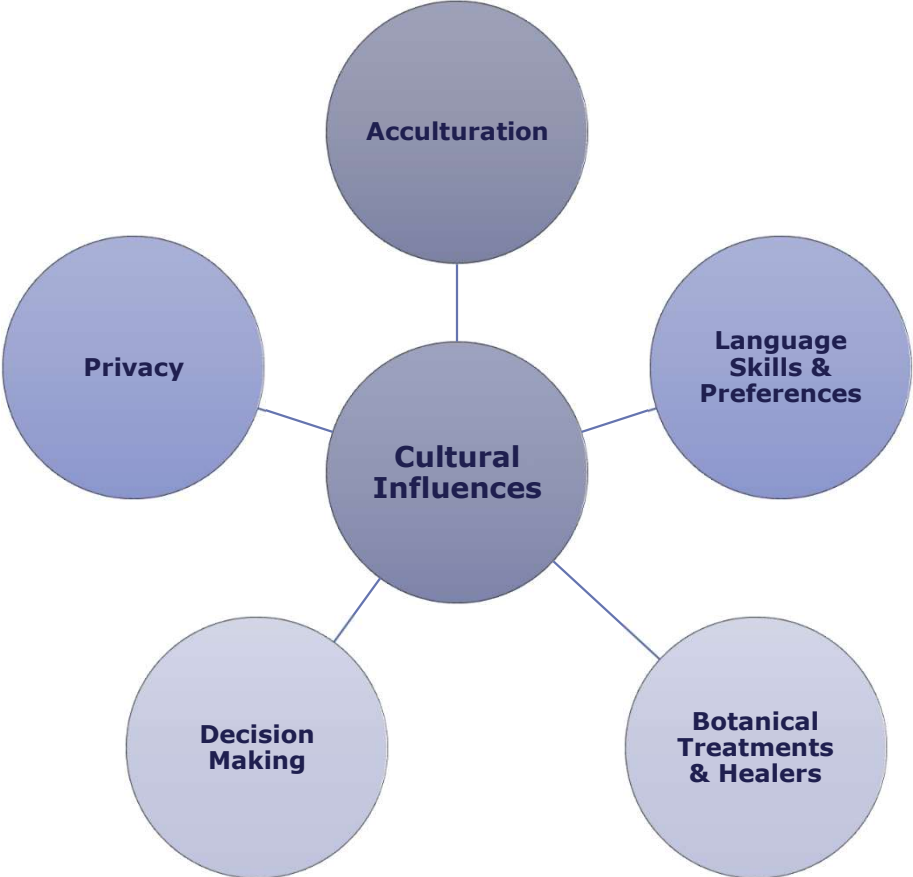
The ability to communicate effectively with patients at every point of contact.

Linguistic competency is important when working with:

- Patients with limited English proficiency (LEP)
- Patients with low or no literacy skills
- Patients with disabilities
- Patients who are deaf or hard-of hearing



Cultural Influences



Key Terms and Concepts

Cultural and Linguistic Competency:

- Is a set of behaviors, attitudes, and policies that come together to enable effective work in cross-cultural situations.

Cultural Sensitivity:

- Refers to the knowledge that cultural differences and similarities exist, without assigning them values, i.e. better or worse, right or wrong.

Limited English Proficiency (LEP):

- Refers to individuals who do not speak English as their native language and have a limited ability to read, speak, or understand English.

Language Assistance:

- Refers to services that must be made available to each person with LEP and are to be provided by bilingual staff that can communicate directly with patients/consumers in their preferred language.

Culture and Language:

- Shapes the understanding of oral and general health, shapes our health behaviors and affects everything.



Section 2

Understanding and Acknowledging
Health Disparities



What is Oral Health Disparity?

In general, health disparities are closely linked with social, economic and/or environmental disadvantages

Also referred to as:

- Health inequalities
- Health inequities

Who is affected

Health disparities negatively affect groups who have more obstacles to health care based on characteristic such as, but not limited to:

- Racial or Ethnic group
- Religion
- Socioeconomic status
- Gender
- Age
- Mental Health
- Cognitive, sensory or physical disability
- Sexual orientation or gender identity
- Geographic location



Social Determinants of Health



Social determinants can have a major effect on people's health, well-being, and quality of life.

Social determinants can include:

- Racial or Ethnic group
- Religion
- Socioeconomic status
- Gender
- Age
- Mental Health
- Cognitive, sensory or physical disability
- Sexual orientation or gender identity
- Geographic location



Access to Oral Health Care

Access is one of the key factors in oral health disparities.



Section 3

Cultural & Linguistic Competence Impact
on Health Care



Culture Impacts Every Health Care Encounter

- Culture defines health care expectations
- Who provides treatment
- What is considered a health problem
- What type of treatment
- Where is care sought
- How symptoms are expressed
- How rights and protections are understood



The National CLAS Standards Impact on Health Care

- Culturally and Linguistically Appropriate Services (CLAS) has 15 National CLAS Standards
 - [CLAS Standards - Think Cultural Health](#)
- Healthcare organizations, nationally, have adopted their standards as part of their operation framework

Example of a CLAS Standard:

Standard 4:

Educate and train governance, leadership, and workforce in culturally and linguistically appropriate policies and practices on an ongoing basis



Demonstrating Cultural Competence

Being aware of member's cultural background

Ensure members have access to available service such as:

- Written materials suited for them (large print or in member's preferred language)
- Telephonic Interpretation Service at all points of service
- TTY line is available for the hearing impaired. The number can be found on their benefit card

Requiring providers to completed and understand Cultural Competency Training

Results of Cultural and Linguistic Competence

Being Cultural and Linguistic competent can help:

- Decrease clinical errors and malpractice risks
- Improve quality of care
- Improve safety and adherence
- Reduce administrative burdens
- Decrease risk of liability
- Reduce oral health disparities
- Saves time and money
- Increases provider and member satisfaction



Section 4

Communicating with Various Diverse
Communities and Populations



Clear Communication in Health Care

Various cultures are diverse and different, as a result, communication methods can also vary.

Recognize and acknowledge how members communicate:

➤ Verbal

- Different language
- Colloquial slang

➤ Non-verbal

- Paralinguistic cues
 - Tone
 - Volume
- Body Language
 - Face
 - Body movement
 - Posture
 - Gesture
 - Eye contact
- Appropriate Space

➤ Written

- Different writing styles
- Balancing written and visual documentations



Refugee & Immigrant Members

- Approximately 46 million people living in the US were born in another country.

Refugees and Immigrants may:

- Not be familiar with the U.S. health care system
- Experience illness related to life changes
- Practice spiritual and botanic healing or treatments before seeking U.S. medical advice

Tips for communicating:

- Try to make them feel comfortable
- Be mindful of religion and culture
- Be mindful of literacy levels
- Be sensitive to cultural groups' feelings about disclosing information and talking with public health agencies and officials
- Ensure the patient is heard, the healthcare professional's role is clear, and patients are oriented to the expectations and limitations of the healthcare system.



American Indian/ Alaskan Native (AI/AN) Population

As of 2025, there is an estimated total of 574 federally recognized tribes and 2.09% (6.79 million people) accounted for in the U.S.

Keep in Mind...	Do's and Don'ts
Each tribal group has their own customs, language, and cultural practices	<ul style="list-style-type: none"> • Be respectful • Do not make cultural assumptions • Do not ask questions based on cultural assumptions
AI/AN people communicate a lot through non-verbal gestures	<ul style="list-style-type: none"> • Carefully observe non-verbal behavior • Some AI/AN people may look down in order to show respect • A gentle handshake is often seen as a sign of respect and not weakness
Most Alaskan Natives do not refer to themselves as "Indians"	<ul style="list-style-type: none"> • Most AI/AN people will identify the name of their tribe/village and/or their location of their traditional or family homeland

Healthcare obstacles for the AI/AN community:

- Tobacco
- Diabetes
- Distance/shortage of participating providers
- Lack of information/
- uninformed of available options
- Apprehensive sentiments towards healthcare



Communicating with Seniors or Older Members

Effective communication can help build satisfying relationships with older patients to best manage their care. It can strengthen the patient-provider relationship, lead to improved health outcomes, help prevent medical errors, and make the most of limited interaction time.

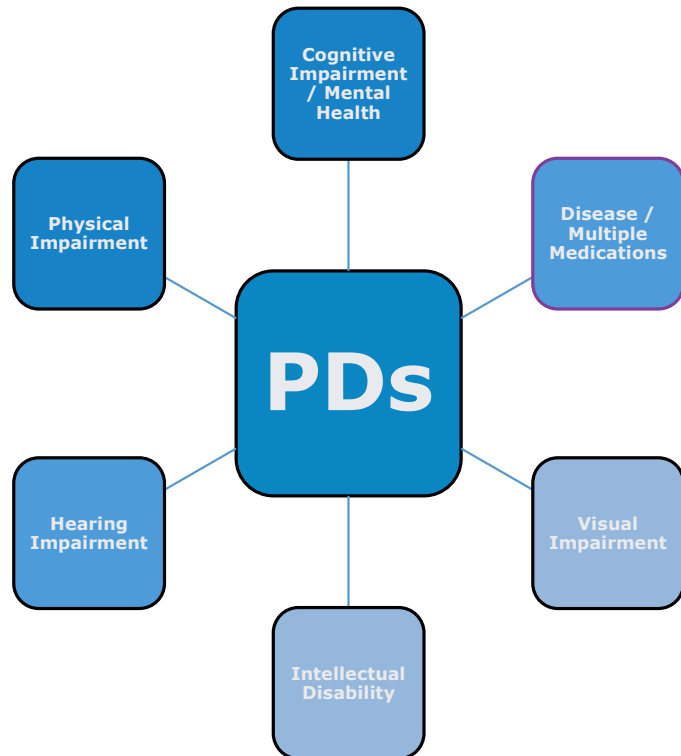
Issues senior members may be facing:

- Hearing impairments
- Visual impairments
- Cognitive impairments
- Age related illness
- Non-age related illness
- Structural or neurological issues
- Medicinal effect

How to Communicate Effectively	
Be Respectful	<ul style="list-style-type: none"> ○ Use the proper form of address <ul style="list-style-type: none"> • Mr., Mrs., Miss • Preferred title ○ Do not condescend or use condescending language ○ Do not rush the member ○ Avoid interrupting as this may defer members from revealing their concerns
Be Patient	<ul style="list-style-type: none"> ○ Understand that some members may be suffering from cognitive impairments that may be related to age and/or illness.
Ask Questions	<ul style="list-style-type: none"> ○ Do not make assumptions about what the member may want or need <ul style="list-style-type: none"> • Some members may be shy or intimidated
Ensure Communication	<ul style="list-style-type: none"> ○ Make sure the member can hear you <ul style="list-style-type: none"> • Talk slowly, clearly, and in a normal tone • Face member while speaking • Reduce background noise ○ Use active listening skills
Take Notes	<ul style="list-style-type: none"> ○ Older members may have a harder time remembering everything discussed during the appointment <ul style="list-style-type: none"> • Write simple and clear notes



Persons with Disabilities (PDs)



What the Member may be thinking...	How we can respond...
I have a medical condition that affects my thinking/ understanding (e.g., pain, stroke, hypertension, diabetes, UTI, pneumonia)	Pay attention and be aware <ul style="list-style-type: none"> • Slow down • Speak clearly • Use plain language • Recommend assistive listening devices
My medication can affect my cognition (e.g., pain medication, anti-depressants, drug interactions)	Obtain information through health history





Communicating With Person Who Has Hearing Loss

Persons with hearing loss range between different levels:

- Mild
- Moderate
- Severe
- Profound

If you are having difficulties communicating...

DO:

- Speak clearly, slowly, distinctly, but naturally, without shouting or exaggerating mouth movements
- Face the person directly, maintain eye contact on the same level and in a good light

DON'T:

- Avoid talking too fast or using complex sentences
- Talking to others around the room





Communicating With Person Who Has Visual- Impairment

Common Diagnosis

- Macular Degeneration
- Diabetic Retinopathy
- Cataract and Glaucoma

If you are having difficulties communicating...

DO:

- Verbalize where things are
- Identify yourself when someone visually impaired enters a room or when you are approaching the person
- Direct questions or comments directly to the person

DON'T:

- Point to objects and speak in an exaggeratedly loud voice
- Be afraid to ask a person if he or she needs assistance; if the answer is no, respect their wishes





Communicating With Person Who Has Speech Disabilities

Many Types

- Learning disability
- Deafness
- Cerebral Palsy

People with speech disabilities may use:

- Their own voice
- Letter board

If you are having difficulties communicating...

DO:

- Speak slowly and clearly
- Offer to repeat or spell it
- Offer a paper and pen
- Be patient

DON'T:

- Shout
- Finish a person's sentence and thoughts





Communicating With Person Who Has Learning- Disabilities

Forms of learning disabilities

- Dyslexia
- Auditory processing
- Information processing

If you are having difficulties communicating...

DO:

- Read things out loud
- Speak slowly
- Allow time – be patient

DON'T:

- Ask to “hurry up”





Communicating With Person Who Has Service Animals

Allowed:

- Dogs
 - Always under the person's control
 - Cannot impose

Typically, not allowed:

- Large animals, rodents & reptiles
- "Therapy" or "comfort" animals

If you are having difficulties communicating...

DO:

- Ask if the animal is a service animal

DON'T:

- Deny a member with service animal entrance inside the clinics or offices
- Pet any service animal or give it a treat without asking first



Disability Etiquette

Person-First Language

- Show respect by putting the person before the disability
- The disability or the equipment they use is a descriptor
- People with a disability are more like people without disabilities than different



Appropriate Language

	Appropriate	Inappropriate
Disability	<ul style="list-style-type: none"> • Person with a disability 	<ul style="list-style-type: none"> • Impaired • Crippled • Handicap • Handicapped person • The handicapped.
People with disabilities	<ul style="list-style-type: none"> • People with cerebral palsy • People with spinal cord injuries 	<ul style="list-style-type: none"> • The disabled • The cerebral palsied • The spinal cord injured
Person who was born with a disability	<ul style="list-style-type: none"> • Person with a physical disability • Person with no arms 	<ul style="list-style-type: none"> • Lame • Defective • Defect • Deformed • Invalid • Infirm • Vegetable
Person who incurred a disability	<ul style="list-style-type: none"> • Person who incurred a spinal cord injury • Person who has post-polio syndrome • Person who had a stroke 	<ul style="list-style-type: none"> • Victim of a spinal cord injury • Stricken with polio • Victim of a stroke

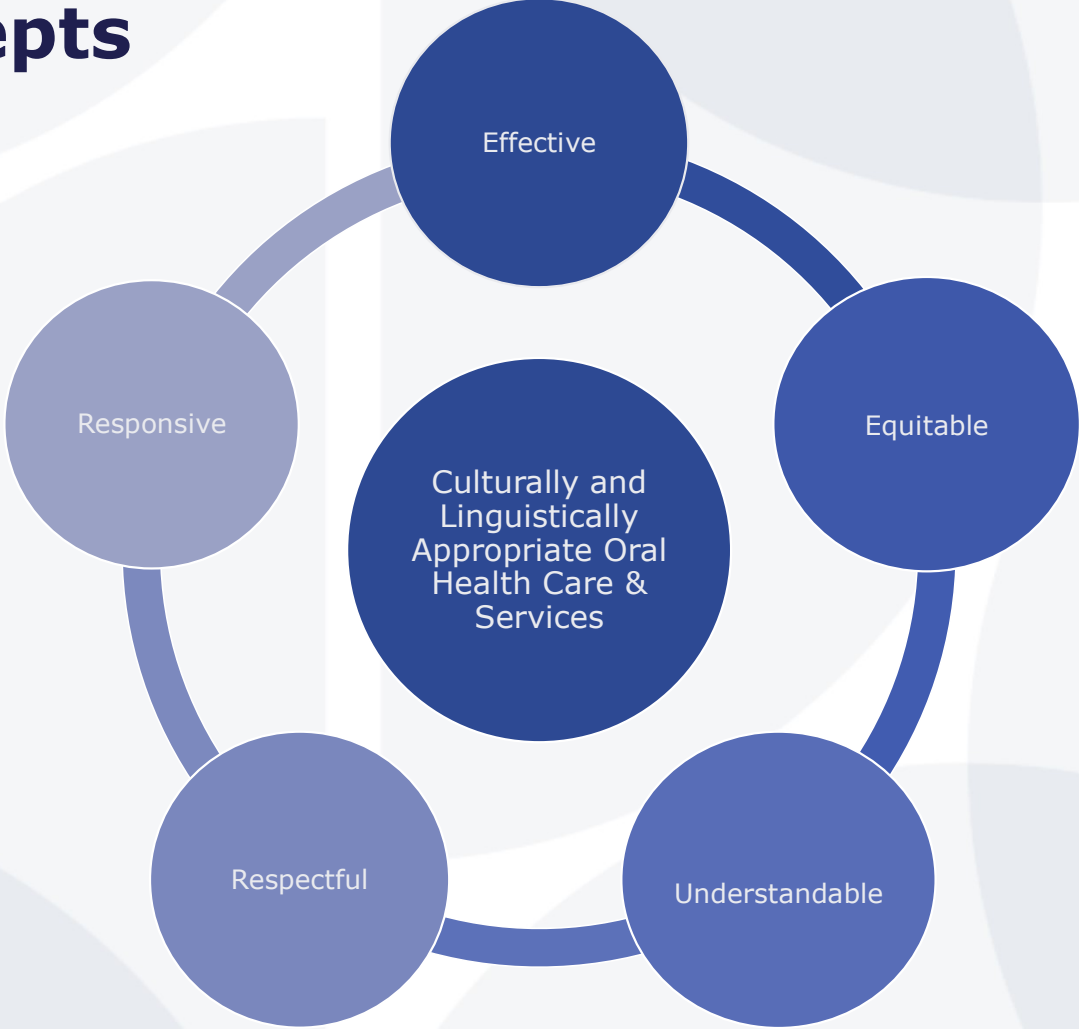


Appropriate Language

Specific Disabilities	Appropriate	Inappropriate
Deaf or hard of hearing	<ul style="list-style-type: none"> • Person is deaf • Person who is hard of hearing • Person with a hearing loss 	<ul style="list-style-type: none"> • Hearing impaired • Deaf • Dumb
Speech Disability	<ul style="list-style-type: none"> • Person who is blind • Person who has low vision 	<ul style="list-style-type: none"> • Visually handicapped • Visually impaired
Mobility Disability	<ul style="list-style-type: none"> • Person who uses a wheelchair or crutches • A wheelchair user • Walks with crutches 	<ul style="list-style-type: none"> • Confined/restricted to a wheelchair • Wheelchair bound • Physically impaired
Intellectual Disability	<ul style="list-style-type: none"> • Person who has an intellectual disability • Person who has a cognitive disability • Person who incurred a traumatic brain injury 	<ul style="list-style-type: none"> • Mentally retarded • The retarded • Mentally impaired • Moron • Imbecile • Idiot
Mental Illness	<ul style="list-style-type: none"> • Person with a mental health condition • Person with a psychiatric disability • Person with a behavioral health disability 	<ul style="list-style-type: none"> • Crazy • Freak • Maniac • Lunatic • Psycho



Key Concepts



Section 5

LGBTQI+, Transgender, Gender Diverse,
Intersex Communities



Common Terms and Definitions



LGBTQI+

Lesbian
Gay
Bisexual
Transgender
Queer
Intersex



Sex

Person's biological status and is assigned at birth on the basis of external anatomy.

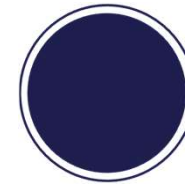
- Male, female, intersex



Gender

A set of social construct of norms, behaviors and roles that varies between societies and time periods.

- Male, female, or nonbinary



Gender Identity

A person's inner sense of being a female/girl/woman, boy/mad/male, both neither or beyond the gender binary

- Trans or Transgender, Nonbinary, Intersex



Sexual Orientation

Person's identity in relation to the gender or genders to which they are sexually attracted.

- Heterosexual, homosexual, Bisexual, Asexual



Gender Identity

A person's inner sense of being a female/girl/woman, boy/man/male, both neither, or beyond the gender binary

- ❖ **Trans or Transgender:** An umbrella term for people whose gender identity and/or gender expression differ from their assigned sex at birth.
- ❖ **Nonbinary:** people who do not describe themselves or their genders as fitting into that categories of man or women.
- ❖ **Intersex:** people with differences in reproductive anatomy, chromosomes or hormones that don't fit typical definitions of male and female

Sexual Orientation

Person's identity in relation to the gender or genders to which they are sexually attracted

- ❖ **Heterosexual:** a person who is sexually and emotionally attracted to persons of the opposite sex
- ❖ **Homosexual:** a person who is sexually and emotionally attracted to persons of the same sex
 - ❖ Gay, Lesbian
- ❖ **Bisexual:** a male or female who is sexually and emotionally attracted to both sexes.
- ❖ **Asexual:** Person with no desire for a sexual relationship with anyone



LGBTQI+ and Health Disparities within the Community

- The LGBTQI+ community comprises about roughly 9.3% of the US population.
- Tips on communication with person who identify with the LGBTQ community:
 - Avoid assumptions or labels
 - Language matters: strive for neutral terms on forms and during the clinical encounter
 - If you are unsure about something, ask in an open and respectful manner
- Being cultural aware and sensitive to those of this community will lead to quality care and a reduce in delayed treatment.

Appropriate	Inappropriate
<ul style="list-style-type: none">• Ask: "What name and pronouns do you use?"• Mirror the member's terms for identity• Apologize briefly if you make a mistake	<ul style="list-style-type: none">• Assuming based on appearance or chart• Using outdated or clinical terms like "homosexual"• Over-explaining

<https://news.gallup.com/poll/656708/lgbtq-identification-rises.aspx>



Section 6

Language Assistance Program



Language Assistance Program

Liberty has a Language Assistance Program that:

- Ensures member materials are appropriately reviewed and vetted
- Tracks and monitors our member language preferences and ethnicities
- Tracks and monitors provider language capacity
- Ensures our bilingual staff is trained
- Provide access and oversight of language assistance services
- Monitors our cultural and linguistic services through grievance and appeals review

If you have questions related to accessing language assistance services, please contact Liberty's Member Services Department. You can locate the contact information on the slide "**LAP Contact Numbers by Region**".





Who we Service

Commercial HMO, POS and PPO

Medicaid/Medi-Cal

Medicare

Marketplace

Applicants and prospective members
have a right to some LAP services

Who can Access and Request Services?

➤ **Members**

- Parents or Guardians of a member
- Potential members and applicants (limited)

➤ **Contracted Providers**

- Dentists and their staff
- Ancillary Service providers

➤ **Liberty Dental Plan Associates**

**Members are strongly discouraged from using friends and family, especially minors as interpreters.

At all applicable points of contact

Definition: "Instances in which a member accesses covered services where the need for language assistance may be reasonable anticipated."

Partial list of applicable points of contact:

Administrative contact with the dental plan

Call Center

Assistance with Enrollment Process

Dental Visits

Tests, procedures and ancillary services

Telephonic and in-person contacts



Member Demographic Monitoring

- Collection of data is required by Language Assistance Regulations
- Data Collected Our Members:
 - Race
 - Ethnicity
 - Preferred written language
 - Preferred spoken language
- Data used to determine individual linguistics needs
 - Language Assistance Services utilization

Race, ethnicity and language data are very sensitive for some people!

Liberty **will** use data to:

- Provide members with need-specific language services
- Determine threshold languages

Liberty **will not** use data to:

- Deny, restrict or rescind services
- Raise premium rates
- Discriminate against members in any way
- Do anything unlawful or unethical



Language Assistance Services

Liberty ensures meaningful access to services for individuals with Limited English Proficiency (LEP), who are visually impaired, or Hard of Hearing.

Available to Members:

Interpretation Services (spoken language)

Auxiliary Aids: Sign language interpreters

When are the services available?

These services are available to members during all hours of operations at no cost. We strongly discourage members from bring their own interpreters.

How to access?

Contact Liberty's Member Services Department during normal business hours for assistance to coordinate these services.



Translation Services

Oral Translation

- An interpreter reads the contents of a written document out loud to a member in the member's preferred language
- A written translation is not produced

Written Document Translation

- A qualified linguist reviews and translates the written document from English to the requested non-English language.
- Ensures all members written materials are at the appropriate font size (min. 12 pt.)

Non-Specific Member-Informing Materials

- All non-specific Member-informing materials are pre-translated and made readily available in the Plan's threshold languages to members

Non-Standard Vital Documents (Member specific)

- Non-standardized document will be full translated in the Plan's threshold languages

Note: If translating the member's specific rationale in adverse benefit determination notices jeopardizes an ability to comply with the mailing timeframes, the rationale can be left in English when the rest of the standardized part of the letter is translated and mailed with the Notice of Language.

- All member-requested translation must be mailed to the member **within 21 calendar day.**
- There is no time limit for a member to request a translation



Alternate Format Selection (AFS)

Ensuring members have access and are provided information in a format accessible to individuals with visual, cognitive or other disabilities.

What is Available?

- Large Font (min. 20pt.)
- Braille
- Audio/Electronic (CD/Thumb Drive, or Accessible PDFs)

When Should They be Provided?

- Upon request, or
- Proactively if member has informed the Plan of their preferred method.
- No cost to the member

Why is this Important?

- Required under CMS Final Rule, Americans with Disabilities Act (ADA) and Section 504.
- Ensure members can receive, understand and make informative decision surrounding their dental health.



Member Materials: Readability

Low health literacy and Low reading literacy are barriers for members to access meaningful services.

To reduce this barrier, Liberty ensures member materials are developed and written with clear and concise language and the appropriate reading level.

State	Reading Level
California	6 th
Florida	4 th
Nevada	8 th
Texas	6 th
New York	6 th
New Jersey	5 th
Oklahoma	6 th



When can Services Be Requested?

Liberty does not delegate Language Assistance Services to our Provider. Providers are encouraged to contact Liberty to access interpretation and translation services.

- Liberty facilitates all member request for interpretation services and translation services.
- **Hours of Availability:**
 - 24 hours a day, 7 days a week, at no cost to member

LAP Contact Numbers by Region

CA	Medicaid	Los Angeles: 1-888-703-6999 Sacramento: 1-877-550-3875 TTY: 1-877-855-8039
	Exchange	1-888-844-3344 HMO Help Center at: 1-888-466-221
FL	Medicaid	1-833-276-0850 TTY: 1-877-855-8039
	Commercial	1-888-442-1128 TTY: 1-877-855-8039
NV	Medicaid	1-888-401-1128 TTY: 1-877-855-8039
OK	Medicaid	1-888-700-1093 TTY: 1-877-855-8039



Working with Interpreters



Hold a brief introductory discussion

Your name, organization and nature of the call/visit

Reassure the patient about confidentiality



Allow enough time



Avoid interrupting



Speak in a normal voice; not too fast or too loudly



Speak in short sentences



Avoid acronyms, medical jargon



If in person, face and talk to the member directly

Important Reminders

Avoid Possible Liabilities for Yourself and for Liberty!

Bilingual Liberty Dental associates should **never** interpret clinical matters for members

Examples:

- A member's diagnosis or test results
- Recommendations for additional treatment

Leave clinical interpreting to Liberty Dental Plan's contracted interpreter service providers. We pay them to be expertly trained and impartial interpreters of clinical information.

Providing high-quality interpreters

- Interpreter Qualifications
- Interpreter Ethics and Confidentiality

Discouraging the use of friends, family members and minors as interpreters

Documentation of interpreter services

- In Liberty Dental member records
- In dental records by contracted provider

Grievance process



Section 7

Members Rights and Responsibilities



Member Rights

General Rights –

1. Liberty Dental Plan (“Liberty”) has written policies regarding member/enrollee rights and responsibilities.
2. Liberty complies with any applicable Federal and State laws that pertain to member/enrollee rights, and ensures that its employees and contracted providers observe and protect those rights.

Member Rights

Specific Rights–

Members/enrollees have rights to –

- a) Receive information in accordance with [§ 438.10](#).
- b) Be treated with respect and with due consideration for his or her dignity and privacy.
- c) Receive information on available treatment options and alternatives, presented in a manner appropriate to the enrollee's condition and ability to understand. (The information requirements for services that are not covered under the contract because of moral or religious objections are set forth in [§ 438.10\(g\)\(2\)\(ii\)\(A\)](#) and [\(B\)](#).)
- d) Participate in decisions regarding his or her health care, including the right to refuse treatment.
 - i. Members under the age of 18 must receive parent or guardian consent for any decision regarding treatments. This does not apply if emergency care is needed.
 - ii. Emancipated minors may make their own decisions regarding dental care.
- e) Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation, as specified in other Federal regulations on the use of restraints and seclusion.
- f) Request and receive a copy of his or her medical records.
- g) Request that his or her medical records be amended or corrected, as specified in [45 CFR 164.524](#) and [164.526](#).
- h) Be furnished health care services in accordance with [§§ 438.206](#) through [438.210](#).



Member Rights

Specific Rights (cont.)–

Members/enrollees also have rights to –

- a) Request a printed copy of the Member Handbook *at least once* per year or more frequently as determined necessary.
- b) Choose their LIBERTY in-network primary care dentist, within reasonable distance from their residence from the provider directory list, upon enrollment.
- c) Change their primary care dentist upon request for any reason and as frequently as needed. Instructions are located in the Member Handbook.
- d) Have access to the grievances and appeals system.
- e) Request and appeal of any denial/adverse benefit determination, or notice of action within applicable time frame as mandated by state or federal regulation.
- f) Request a state fair hearing, including information on circumstances under which an expedited fair hearing is possible.
- g) Receive interpretation services in their preferred languages at no cost.
- h) Be provided disenrollment requirements and limitations and to disenroll from the plan upon request.



Member Rights

Specific Rights (cont.)-

Free exercise of rights –

- Members/Enrollees have the right to freely exercise his or her rights, and that the exercise of those rights does not adversely affect the way the LIBERTY and its network providers treat the member/enrollee.

Compliance with other Federal and State laws -

- LIBERTY complies with any other applicable Federal and State laws (including: Title VI of the Civil Rights Act of 1964 as implemented by regulations at [45 CFR part 80](#); the Age Discrimination Act of 1975 as implemented by regulations at [45 CFR part 91](#); the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972 (regarding education programs and activities); Titles II and III of the Americans with Disabilities Act; and section 1557 of the Patient Protection and Affordable Care Act.

To access more information on Member Rights, please click [HERE](#).

To access more information on Member Rights specific to California, please click [HERE](#).



State Specific Members Right

Below are member rights specific to each state and program:

CA Medicaid

- Members have access to Federally Qualified Health Centers, Indian Service Facilities, and Emergency Services outside the Plan's network.

FL Medicaid

- Know if provider or facility accepts the Medicare assignment rates.
- Request a copy of a bill and have the charges explained.

NV Medicaid

- Formulate advanced directives.



Member Responsibilities

All members have the responsibility to:

- Provide accurate and update information to contracting dentists, dental office staff and LIBERTY administrative staff to provide care (to the extent possible)
- To not allow any other person to use their ID Card
- To communicate changes in demographic or dependent information, or other changes that would affect eligibility
- Notify LIBERTY of any other insurance coverage
- To respect and follow the policies and guidelines given by LIBERTY's contracting dentists, dental office staff and LIBERTY administrative staff with respect and courtesy
- To cooperate with LIBERTY's contracting dentists in following a prescribed course of treatment; including instructions and oral health care recommendations/ guidelines provided
- To actively participate in treatment decisions
- To keep scheduled appointments or communicate with the dental office at least twenty-four (24) hours in advance to cancel an appointment
- To communicate and provide feedback on their needs and expectations to their dental office and to LIBERTY
- To report any suspected provider fraud/abuse
- Be aware of and follow LIBERTY's guidelines in seeking dental care.



Section 8

Affordable Care Act, Section 1557



What is Section 1557

Section 1557 is the nondiscrimination provision of the Affordable Care Act (ACA). The law prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in health programs or activities that receive Federal financial assistance or are administered by an Executive agency or any entity established under Title I of the ACA



Section 1557 has been in effect since the enactment of the ACA in 2010. Since that time, the Office of Civil Rights (OCR) has been receiving and investigating discrimination complaints under Section 1557.



The **Final Rule** was implemented in May of 2016, requiring covered entities to comply with the rule's requirements: posting notices of consumer rights and taglines; accessibility standards for buildings not previously covered by the Americans with Disabilities Act; and design changes to health coverage.



Section 1557 extends nondiscrimination protections to individuals participating in:

Any health program or activity any part of which received funding from HHS

Any health program or activity that HHS itself administers

Health Insurance Marketplaces and all plans offered by issuers that participate in those Marketplaces

Final Rule of Section 1557

OCR issued the final rule to educate consumers about their rights and to help covered entities understand their legal obligations under Section 1557. The final rule builds on the standards of the four Federal civil rights laws referenced in Section 1557 and their implementing regulations

- Title VI of the Civil Rights of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975

Among other things, the final rule implements prohibitions against sex discrimination in federally funded health care programs and establishes standards that apply to the Health Insurance Marketplaces and health programs administered by HHS.

Section 1557 Prohibits

The final rule prohibits Liberty from discriminating on the basis of race, color, national origin, age, disability or sex (including pregnancy, sexual orientation, gender identity, and sex characteristics) when providing or administering health-related insurance or other health-related coverage.

This prohibition applies to all health insurance issuers that are recipients of Federal financial assistance, which includes premium tax credits and cost sharing reductions associated with coverage offered through the Health Insurance Marketplaces or Medicare Parts A, C, and D payments.

Under the final rule, Liberty cannot: deny, cancel, limit or refuse or renew a health-related insurance policy or other health-related coverage; deny or limit coverage of a claim, or impose additional cost sharing or other limitations or restrictions; or employ marketing practices or benefit designs that discriminate based on race, color, national origin, sex age, or disability

The final rule does not require plans to cover any particular benefit or service or prohibit issuers from determining whether a particular health service is medically necessary, but Liberty cannot have a coverage policy that operates in a discriminatory manner.



Key Provisions of Section 1557

Protecting individuals against Discrimination

Ensuring meaningful access for individuals with Limited English Proficiency (LEP)

Ensuring effective communications w/ and accessibility for individuals with disabilities

Protecting Individuals Against Sex Discrimination

Section 1557 builds on prior Federal civil rights laws to prohibit sex discrimination in health care. The final rule requires that women be treated equally with men in the health care or health coverage based on an individual's sex, including discrimination based on pregnancy.

Protections against Sex Discrimination

- Individuals cannot be denied health care or health coverage based on their sex.
- Women must be treated equally with men in the health care they receive and the insurance they obtain.
- Sex-specific health programs or activities are permissible only if the entity can demonstrate an exceedingly persuasive justification. For example, that the sex-specific health programs or activity is substantially related to the achievement of an important health-related or scientific objective.



Protecting Individuals with limited English proficiency (LEP)

The final rule makes clear that the prohibition on national origin discrimination requires Liberty to take reasonable steps to provide meaningful access to each individual with limited English proficiency who is eligible to be served or likely to be encountered with Liberty's health program and activities. An individual with limited English proficiency is a person whose primary language for communication is not English and who has a limited ability to read, write, speak, or understand English.

Protections for Individuals with Limited English Proficiency

- Reasonable steps include LIBERTY's language assistance services, such as oral interpretation and written translation.
- LIBERTY is required to post a notice of individuals' rights providing information about communication assistance for individuals with limited English proficiency, among other information.
- In each state, LIBERTY posts taglines in the top 15 languages spoken by individuals with limited English proficiency in that state that indicate the availability of language assistance.
- LIBERTY utilizes high quality video remote interpreting services and relies on qualified staff, translators when providing language assistance services.
- LIBERTY has developed and implemented a language access plan to ensure we are prepared to take reasonable steps to provide meaningful access to each individual that may require assistance.



Effective Communication with and Accessibility for Individuals with Disabilities

Section 1557 requires LIBERTY to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communication with others. Section 1557 also requires LIBERTY to provide appropriate auxiliary aids and services, such as alternative formats and sign language interpreters, where necessary for effective communication

Protections for Individuals with Disabilities

- LIBERTY must post a notice of individuals' rights, providing information about communication assistance among other information.
- LIBERTY is required to make all programs and activities provided through electronic and information technology accessible to individuals with disabilities, unless doing so would impose undue financial or administrative burdens or would result in a fundamental alteration in the nature of the covered entity's health program or activity.
- Section 1557 incorporates the 2010 Americans with Disabilities Act Standards for Accessible Design as the standards for physical accessibility of new construction or alteration of buildings and facilities. Almost all covered entities are already required to comply with these standards.
- LIBERTY cannot use marketing practices or benefits designs that discriminate on the basis of disability.
- LIBERTY must make reasonable changes to policies, practices and procedures where necessary to provide equal access for individuals with disabilities unless LIBERTY can demonstrate that making the changes would fundamentally alter the nature of the health program or activity.



Non-Discrimination Notice (NDN) and Accessibility of Services

The final rule requires that covered entities post notices of nondiscrimination and taglines that alert individuals with limited English proficiency to the availability of language assistance services

Liberty's NDN is located in the Member Forms and Literature section:

www.libertydentalplan.com



Discrimination is against the law. LIBERTY Dental Plan ("LIBERTY") follows State and Federal civil rights laws. LIBERTY 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.

LIBERTY provides:

- Free aids and services to people with disabilities to help them communicate better, such as:
 - ✓ Qualified sign language interpreters
 - ✓ Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Free language services to people whose primary language is not English, such as:
 - ✓ Qualified interpreters
 - ✓ Information written in other languages

If you need these services, please contact us between 8 a.m. to 5 p.m (PST) by calling (888) 703-6999. Or, if you cannot hear or speak well, please call (800) 735-2929

Non-discrimination statement for significant publications and signification communications that are small-size:

- Liberty Dental Plan complies with applicable Federal civil rights laws and does not discrimination on the basis of race, color, national origin, age, disability, or sex)



Notice of Language Assistance (NOLA)

The final rule requires each covered entity to post taglines in at least the top 15 non-English languages spoken in the State in which the entity is located or does business. Those requirements are modified for small sized significant communications such as postcards; for these, the final rule requires entities to post a nondiscrimination statement and taglines in at least the top two non-English languages spoken by individuals with limited English proficiency in the State.

Liberty's NOLA is located in the Member Forms and Literature section:

www.libertydentalplan.com



Notice of Language Assistance

ATTENTION: If you speak English, language assistance services, free of charge, are available to you. Call 1-877-558-6489. (TTY: 1-877-855-8039).

ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-877-558-6489 (TTY: 1-877-855-8039). (Spanish)

注意: 如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 1-877-558-6489。 (TTY: 1-877-855-8039)。(Chinese)

주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다. 1-877-558-6489. (TTY: 1-877-855-8039)번으로 전화해 주십시오. (Korean)

ATENÇÃO: Se fala português, encontram-se disponíveis serviços linguísticos, grátis. Ligue para 1-877-558-6489 (TTY: 1-877-855-8039). (Portuguese)

સુચના: જો તમે ગુજરાતી બોલતા છે, તો નન-શુલ્ક ભાષા સહાય સેવાઓ તમારા માટે ઉપલબ્ધ છે. ફોન કરો 1-877-558-6489 (TTY: 1-877-855-8039). (Gujarati)

UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej. Zadzwoń pod numer 1-877-558-6489 (TTY: 1-877-855-8039). (Polish)

ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti. Chiamare il numero 1-877-558-6489 (TTY: 1-877-855-8039). (Italian)

ملحوظة: إذا كنت تتحدث انگر اللغة، فإن خدمات المساعدة اللغوية متوفرة لك بالمجان. اتصل برقم 1-877-558-6489 (رقم هاتف الصمم والبكم). (Arabic)(1-877-855-8039)

PAUNAWA: Kung nagsasalita ka ng Tagalog, maari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad. Tumawag sa 1-877-558-6489 (TTY: 1-877-855-8039). (Tagalog)

CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn. Gọi số 1-877-558-6489 (TTY: 1-877-855-8039). (Vietnamese)

ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода. Звоните 1-877-558-6489 (номер: 1-877-855-8039). (Russian)

ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 1-877-558-6489 (TTY: 1-877-855-8039). (French Creole)

ATTENTION: Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement. Appelez le 1-877-558-6489 (ATS : 1-877-855-8039). (French)

ध्यान दें: यदि आप हिंदी बोलते हैं तो आपके ललए मुफ्त में भाषा सहायता सेवाएं उपलब्ध हैं। 1-877-558-6489 (TTY: 1-877-855-8039) पर कॉल करें। (Hindi)

خبردار: اگر آپ اردو بولتے ہیں، تو آپ کو زبان کی مدد کی خدمات مفت میں دستیاب ہیں۔ کال کریں 1-877-558-6489 (TTY: 1-877-855-8039).



Grievance Process and Civil Rights Coordinator

The final rule implementing Section 1557 requires Liberty to have a grievance procedure and a compliance coordinator.

**Civil Rights Coordinator:
SYDNEY LEE**

Liberty's Grievance Form is located in the Member Forms and Literature section:

www.libertydentalplan.com

HOW TO FILE A GRIEVANCE

If you believe that LIBERTY has failed to provide these services or unlawfully discriminated in another way on the basis 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, you can file a grievance with LIBERTY's Civil Rights Coordinator. You can file a grievance by phone, in writing, in person, or electronically:

- **By phone:** Contact LIBERTY's Civil Rights Coordinator, Monday through Friday, 8 a.m to 5 p.m (PST) by calling 888-704-9833. Or if you cannot hear or speak well, please call (800) 735-2929.
- **In writing:** Fill out a complaint form or write a letter and send it to:
P.O. Box 26110
Santa Ana, CA 92799
- **In person:** Visit your doctor's office or LIBERTY Dental Plan and say you want to file a grievance.
- **Electronically:** Visit LIBERTY Dental Plan website at <https://www.libertydentalplan.com>

OFFICE OF CIVIL RIGHTS – U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

If you believe you have been discriminated against on the basis of race, color, national origin, age, disability or sex, you can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights by phone, in writing, or electronically:

- **By phone:** Call 1-800-368-1019. If you cannot speak or hear well, please call TTY/TDD 1-800-537-7697.
- **In writing:** Fill out a complaint form or send a letter to:
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Room 509F, HHH Building
Washington, D.C. 20201
Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.
- **Electronically:** Visit the Office for Civil Rights Complaint Portal at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>

LIBERTY's HIPAA Privacy Notice provides you with information about your rights and our legal duties and privacy practices with respect to Protected Health Information (PHI), including how we use and disclose your PHI. You can always request a written copy of our most current privacy notice from LIBERTY's Privacy Officer by calling 888.704.9833, or online at: www.libertydentalplan.com/HIPAA-Privacy-Notice



Training Recap

Understand the provision of the Culturally and Linguistically Appropriate Service Standards

- Provide effective, equitable, understandable and respectful quality care and services that are responsive to diverse cultural health beliefs and practices, preferred language, health literacy and other communication needs.

Be able to define culture

- The integrated patterns of human behavior that include the languages, thoughts, actions, customs, beliefs, values, and institutions that unite a group of people

Be able to identify the existing **oral health disparities**

Understand key concepts to appropriate communication with various **communities and populations Liberty serves**

Be able to identify which **language assistance services** Liberty offers and how to access these services:

- Telephonic Interpretation Services
- Written Document Translation
- Alternate Formats
- Readability

Training Recap

Understand the civil rights provision of the Affordable Care Act of 2010 (Section 1557):

Section 1557 is the nondiscrimination provision of the Affordable Care Act (ACA). The law prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in health programs or activities that receive Federal financial assistance or are administered by an Executive agency or any entity established under Title I of the ACA.

Be able to identify the key Provisions of the Final Rule:

Protecting Individuals against Discrimination

Ensuring Meaningful Access for Individuals with Limited English Proficiency (LEP)

Ensuring Effective Communications w/ and Accessibility for Individuals with Disabilities

Be able to name the **Liberty's Civil Rights Coordinator**: Sydney Lee

Know where to locate the **enrollee notifications for Section 1557**: www.libertydentalplan.com
member forms section

Understand the grievance process for suspected discrimination:

Anyone may file a grievance for suspected discrimination by contacting the Civil Rights Coordinator
File Compliance directly with the OCR online or in writing

Questions?

If you have any questions or concerns regarding the topics covered in the training, you may reach out to the Cultural and Linguistic Competency Department.

Email: CLC@libertydentalplan.com



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