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AAPCHO Commends Language Assistance Inclusion in New Federal Rule

WASHINGTON – The Association of Asian Pacific Community Health Organizations (AAPCHO), today released the following statement commending the U.S. Department of Health and Human Services (HHS) final regulation implementing Section 1557 of the Affordable Care Act (ACA). The rule prohibits discrimination in health care on the basis of race, color, national origin, age, disability or sex, including minimum standards for language assistance services. The protections in the final rule helps ensure Asian Americans, Native Hawaiians and Pacific Islanders (AA&NHPs) and other individuals with limited English proficiency (LEP) have equal access to care.

“As a national organization of community health centers providing care to AA&NHPs, we see first-hand the challenges these communities face in accessing the care that they need,” said Jeffrey Caballero, executive director of AAPCHO. “These regulations help ensure people understand and engage in the health care they need no matter what language they speak, and is a good step towards health equity for all.”

Language assistance services are essential to 25 million people in the United States who are LEP, or who do not speak English well, one-third of who are AA&NHPs. AA&NHPs are the fastest growing racial group in the United States and are highly diverse in their language and health needs, representing more than 50 ethnic groups and 100 languages. AAPCHO member centers serve 500,000 patients annually, 70 percent of who are AA&NHPs with some clinics serving up to 99 percent LEP, and are therefore significantly impacted by language assistance services in health care and this rule.

AAPCHO with its partners [submitted comments](#) in November 2015 to the Office for Civil Rights (OCR) at HHS supporting the regulation, and highlighting the need for language access protections and the importance of addressing unfair [benefit design packages](#). AAPCHO is pleased that many of its recommendations were accepted into the final rule including:

- Providing in-language taglines in vital documents to inform LEP individuals of their language rights in the top 15 languages by state; and
- Ensuring that the entities covered by this regulation are held accountable.

While the final rule has stronger language on the provisions listed below, the following need to be better enforced by the Office of Civil Rights:

- Establishing a stronger definition of who is a “qualified interpreter” within health services;
- Requiring written translation services in states or service areas that have five percent or 1,000 LEP persons who speak any one language; and
- Ensuring proper patient data collection, subject to enforcement in cases where Section 4302 of the Affordable Care Act is not followed.

AAPCHO commends OCR for taking this huge step forward in language access but acknowledge that we have a lot more work to do. We look forward to working with OCR, our members and partners to ensure that these regulations are enforced and that LEP AA&NHPI and all patients can access the health services that they need.

#MORE#



AAPCHO

ASSOCIATION OF ASIAN PACIFIC COMMUNITY HEALTH ORGANIZATIONS

About AAPCHO

AAPCHO is a national association of 35 community health organizations dedicated to promoting advocacy, collaboration, and leadership that improves the health status and access of Asian Americans, Native Hawaiian, and Pacific Islanders in the United States. For more information on AAPCHO and its Guiding Principles and Values, please visit www.aapcho.org.

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