

Reduce Your ACA 1557 Risks

Understanding How Cultural Sensitivity Can Add Value

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Can You See the Real Me?



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Objectives

1. Learn about the requirements of ACA 1557 and how health plans are complying with the rule
2. Identify the risk areas of ACA 1557 and understand how to triage and respond to complaints
3. Understand diversity and what it means to be culturally sensitive
4. Graduate from cultural competency to humility

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ACA 1557 Requirements



- General compliance
- Language accessibility
- Nondiscrimination

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General Compliance

- Statement of assurance
- Remedial and voluntary actions
- 1557 coordination
- Documentation to the Office of Civil Rights
- Grievance procedures



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Language Accessibility

CATLAR

- Written notice and taglines
- Posted notice and taglines
- Online notice and taglines

Language Accessibility

- Written language access plan
- Qualified translation
- Qualified interpretation
- Video interpretation

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Nondiscrimination

- Americans with Disabilities Act
- Disability access
- Discriminatory benefit design
- Discriminatory marketing
- Discrimination by association
- Transgender coverage and service
- Organization as an employer
- Facilities



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1557 Challenges



- Policies and processes across the organization
- Notices and taglines
- Language access
- Intake and triage of civil rights complaints

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Notices and Taglines



Documents



Online



Facility signage

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Language Access

- Oral interpretation
- Written translation
- Reconciling ACA 1557 coordination with Medicare written translation requirements



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Complaint Intake and Triage



Portals of entry (phone, mail, web portal, in-person, CEO's office, etc.)



Engage with Civil Rights Coordinator



Documentation

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Responding to Complaints

1. Train front-line staff:
 - a. What is a civil rights complaint?
 - b. How will I know when someone is filing a civil rights complaint?
 - c. Who is our civil rights coordinator?
 - d. At what point do I involve the civil rights coordinator?
 - e. How do I document a civil rights complaint in the system?
2. Create system codes to document, track, resolve, and report on civil rights complaints.

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Understanding Diversity



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Creating the Urgency

Utah Population:

- Total: 2,763,885
- "White": 2,379,560
- 13.9% Minority

United States Population:

- Total: 308,745,538
- "White": 223,553,265
- 36.3% Minority



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Projections

(Minority, "White")

- 2020 – 40%
- 2035 – 46.9%
- 2050 – 53.7%



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What is Culture

- When a group of people share the same values, beliefs, and practices
- May be centered on attributes such as age, community, economic status, education, gender, race, religion and sexual orientation
- Our culture is one of many, when we recognize this we are on the road to Cultural Humility

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Cultural Competence vs. Cultural Humility

Cultural Competence

- Builds an understanding of cultures
- Supports the idea that someone can be "competent" in a culture not their own
- People strive to obtain goals

Cultural Humility

- Encourages personal reflection to increase awareness
- Values introspection
- No end result
- Encourages learning with no end goal, but with an appreciation of growth and understanding.

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What is Cultural Sensitivity

- The knowledge and interpersonal skills that allows us to understand, appreciate, and work with individuals from cultures other than our own.
- It involves an awareness of cultural difference, self-awareness, knowledge of someone's culture, and adaptation of skills.

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Cultural Awareness

- ❑ To be culturally aware is to maintain the attitudes, skills, behaviors, and policies that will allow organizations to provide superior service to their members and to each other
- ❑ Our actions and our attitudes drive the perceptions of others around us, and the communities we serve

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Diversity

"An instance or condition of having or being composed of differing elements or qualities"

-Merriam-Webster-

The existence of a variety of cultural groups within a society

Diversity is not only being **aware or sensitive** to cultural and individual differences but also having the **knowledge, skills, and attitudes** to effectively, appropriately and respectfully interact with individuals from any cultural or individual backgrounds.

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Why Diversity

Promotes individuality as a society

- Increases creativity and alternative approaches to problem solving

Builds a strong brand

- Optimizes our ability to provide superior service to the communities we serve

Encourages personal growth and development

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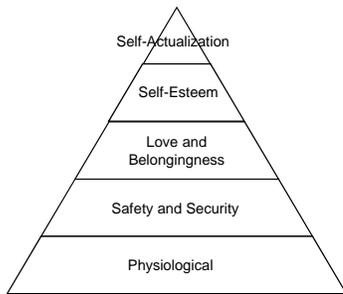
Cultural Humility

- Encourages personal reflection to increase awareness
- Values introspection
- No end result
- Encourages learning with no end goal
- No one culture is above or below another in value, just different

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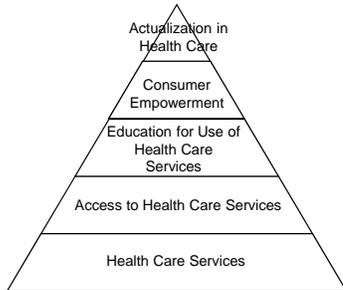
Maslow's Hierarchy of Needs



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Hierarchy of Health Care Needs



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Best Practices

- Don't make assumptions about the person
- Observe and attempt to mirror interactions
- Patience
- Don't be afraid to ask questions
- Be concise in interactions
- Speak more clearly and slowly, not louder
- Avoid jargon, slang and acronyms

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