

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

50 ADVANCING EQUITY
BUILDING JUSTICE
years

Language Access in Medicare and More

Justice in Aging and National Asian Pacific Center on Aging

February 3, 2022

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Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on fighting for people who have been marginalized and excluded from justice, such as women, people of color, LGBTQ individuals, and people with limited English proficiency.

Housekeeping

- All on mute. Use chat function for substantive questions and for technical concerns.
- Problems with getting on to the webinar? Send an email to trainings@justiceinaging.org.
- Find materials for this training and past trainings by searching the [Resource Library](https://justiceinaging.org/resource-library), justiceinaging.org/resource-library. A recording will be posted to [Justice in Aging's Vimeo page](https://Justice%20in%20Aging's%20Vimeo%20page) at the conclusion of the presentation, vimeo.com/justiceinaging.
- Enable closed captioning by selecting "CC" from the Zoom control panel.

Want to receive Justice in Aging trainings and materials?

Join Our Network!

Go to justiceinaging.org and hit **“Sign up”** or send an email to info@justiceinaging.org.

Justice in Aging's Commitment to Advancing Equity

To achieve Justice in Aging, we must:

- Advance equity for low-income older adults in economic security, health care, housing, and elder justice initiatives.
- Address the enduring harms and inequities caused by systemic racism and other forms of discrimination that uniquely impact low-income older adults in marginalized communities.
- Recruit, support, and retain a diverse staff and board, including race, ethnicity, gender, gender identity and presentation, sexual orientation, disability, age, and economic class.

Today's Agenda

- Overview of Language Access Rights and resources for People with Medicare
- On the ground experience
- Q&A
- Breakout sessions
- Wrap up

Poll: Who is in the Audience?

- Advocate/professional working directly with LEP older adults
- Health plan or provider staff
- Self-advocate
- Other: Type in chat



Language Access Rights

Language Access is a Civil Right

- Federal law prohibits discrimination based on national origin, including discrimination on the basis of language.
- Healthcare providers and insurers must take reasonable steps to ensure meaningful access to programs by LEP individuals. Includes:
 - The Medicare program itself, Medicare Advantage Plans, and most providers who accept Medicare
 - All Medicaid providers and managed care plans
 - All ACA health insurance marketplace plans and providers
- Many states and localities also have enacted additional specific requirements for language services.
 - For example, providers participating in California's Medicaid program are required to provide written translation of beneficiary notices and materials in the top languages

Putting the Right into Action

- Language access rights in the law are only meaningful when they are enforced
 - **Policy level examples:**
 - requiring health plans to translate important documents
 - requiring interpreter services on phone lines
 - **Individual level examples:**
 - Requesting a professional interpreter at a doctor's appointment
 - Insisting that a provider speak directly to the patient (through a professional interpreter) rather than to a caregiver or family member
 - Complaining when language access is inadequate

Medicare & You Handbook



Medicare 與您 2022

美國政府官方的 Medicare
(聯邦醫療保險) 手冊



메디케어와 가입자 2022

메디케어와 가입자



Medicare & Quý vị 2022

Số tay Medicare chính thức của
chính phủ Hoa Kỳ



Medicare & You

- Handbook mailed to every person eligible for or enrolled in Medicare
 - Updated annually and published before the fall open enrollment period
- Translated in 3 additional languages for 2022: Chinese, Korean, and Vietnamese
- Other formats:
 - large print, audio in English and Spanish
 - E-reader and Braille in English

What's in Medicare & You?

- Medicare basics
 - Medicare Parts A, B, C, D
 - Coverage options: Original Medicare vs Medicare Advantage
 - How to enroll
 - What services Medicare pays for
- Programs that help with costs
 - Medicaid
 - Medicare Savings Programs
 - Part D Low-Income Subsidy (Extra Help)
 - Medigap plans
- Know Your Rights
 - How to get help in other languages (p. 125)
 - How to appeal a coverage decision

Getting Help in Other Languages

- Medicare & You in Chinese, Korean, Vietnamese, Spanish, and English
 - Chinese, Korean, Vietnamese not automatically mailed
 - [View & download translated versions](#)
 - [Order printed copy online](#) or 1-800-Medicare
- Other Translated Materials on [Medicare.gov](#)
 - 23 languages
 - Examples: Medicare Summary Notice (template); COVID-19 information; how to get help with costs
- 1-800-Medicare
 - 1-800-MEDICARE offers free interpreter services in any language
 - available 24 hours a day, 7 days a week (except some federal holidays)

Troubleshooting

- Problems with Medicare Language Access Resources
 - [Contact Office for Civil Rights at the U.S. Department of Health & Human Services \(HHS\)](#)
- Discrimination or Problems with a Provider or Plan
 - Contact the health plan
 - Contact the Office for Civil Rights at HHS
 - [Complaint Form](#). Any individual or organization can file a civil rights complaint; you do not need to be the victim of discrimination
 - [Resources on LEP rights & discrimination](#)
 - Contact your state
 - varies by state: office for civil rights, attorney general, or other office dedicated to enforcing non-discrimination laws
- Contact Justice in Aging: info@justiceinaging.org
 - Problems with a program or system
 - Issues with Medicare & You, 1-800-MEDICARE or other resources

Additional Resources

- [Language Access Rights: Tips for Advocates of Limited English Proficient Older Adults](#), *National Center on Law & Elder Rights*
- [Older Immigrants and Medicare](#), *Justice in Aging*
- [Summary of State Law Requirements Addressing Language Needs in Health Care](#), *National Health Law Program*

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NATIONAL ASIAN PACIFIC
CENTER ON AGING

Call Center, a National Program of NAPCA

Carly Watanabe, Director of Operations and IT

Heather Chun, Senior Director of Aging and Caregiver Programs

NAPCA's Mission

Preserve and promote the dignity, well-being, and quality of life of Asian American, Native Hawaiian, and other Pacific Islanders (AANHPIs) as they age.



NAPCA's Call Center

- NAPCA's Call Center connects limited English proficiency (LEP) AAPI elders (55yrs+) and family caregivers to mainstream providers.
- Bi-lingual Community Resource Specialists
- The Call Center's current service offerings include:
 - Information and referral (I&R) to:
 - Aging services (e.g., meals on wheels, adult daycare, transportation, etc.),
 - Medicare and benefit programs,
 - Supportive services for family caregivers,
 - COVID-19 vaccinations and education.
 - Guided meditation



I&R to Medicare & Benefit Programs

- SHIP Programs
- Benefit Enrollment Centers
- SSA



Call Center Contact Information

- The Call Center is available nationwide, and open Monday – Friday from 8:30am – 5:00pm PST
- English: 1-800-336-2722
- Cantonese: 1-800-582-4218
- Mandarin: 1-800-683-7427
- Vietnamese: 1-800-582-4336
- Korean: 1-800-582-4259
- <https://napca.org/helpline/>



Thank You!

- Carly Watanabe: carly@napca.org
- Heather Chun: heatherc@napca.org



Poll

In what way(s) are your clients with limited English proficiency experiencing the most serious linguistic/cultural barriers?

- Linguistic/cultural competency of health care providers
- Lack of translated materials
- Linguistic competency of hotlines and phone numbers for health services
- Poorly/inappropriately translated materials
- Other: type in chat



Questions?

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Breakout Group Questions

- What is one thing that struck you from the presentations by Justice in Aging and NAPCA?
- What linguistic/cultural barriers are your clients with limited English proficiency experiencing when accessing Medicare coverage and services (enrollment, medical services, counseling, appeals or other coverage issues, etc.)?
 - What could be done to mitigate or eliminate those barriers?