

# North Carolina Medicaid Special Bulletin



An Information Service of the  
Division of Medical Assistance

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**Attention:  
All Providers**

## **Communicating Effectively with Deaf, Hard of Hearing and Deaf-Blind Patients and Their Family Members in Healthcare Settings**

*Providers are responsible for informing their billing agency of information in this bulletin.  
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The Americans with Disabilities Act prohibits discrimination and seeks to ensure equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. In certain circumstances, it requires that providers provide reasonable accommodations to qualified individuals with disabilities so that they may access services. Accommodations could include the provision of auxiliary aids and services to ensure equal access to services.

For individuals who are Deaf, Deaf-Blind or Hard of Hearing, equal access may be achieved through effective communication with their service provider. “Effective communication” is information that is equally clear and understandable to all parties, just as it would be if the individual was not Deaf, Deaf-Blind or Hard of Hearing. In the healthcare setting, effective communication is paramount to preventing misdiagnosis or improper medical treatment and to fully informing patients of their medical treatment needs.

There are various communication methods utilized by Deaf, Hard of Hearing and Deaf-Blind individuals, such as American Sign Language (ASL), written English, Braille, or lip reading. Providers should work with the individual to determine the best way to ensure effective communication for both the patient and the healthcare provider. If the most effective means of communication is through the use of ASL, the provider should utilize a qualified sign language interpreter. The use of a qualified interpreter allows both parties to communicate in their preferred and natural language.

Qualified sign language interpreters may hold national certifications and interpreting degrees. In North Carolina, however, they must also be licensed in order to provide services (per N.C.G.S. 90D). Interpreters must adhere to a professional code of conduct and should be considered a part of the healthcare team.

Another method of communication that is gaining in popularity is Video Remote Interpreting (VRI). This is a service that allows the healthcare provider to use a laptop computer, webcam and high-speed Internet connection to communicate with the Deaf patient through a sign language interpreter on video. In certain situations, this service can cut down on the waiting time for an interpreter to become available – or provide a solution to the difficulty of obtaining a qualified interpreter in locations where such interpreters are scarce. However, it is vital to understand that there may be situations in the healthcare setting where it is very difficult to achieve effective communication through VRI. **In addition, not all videoconferencing software programs are HIPAA-compliant.**

In the N.C. Department of Health and Human Services (“Department”) Provider Administrative Participation Agreement (“Agreement”), Medicaid providers agree that the Department will only make payments for medical or behavioral health care services rendered to Medicaid beneficiaries by persons or entities who signed the Agreement and are performing services (or supplying goods) in accordance with all requirements under Title VI of the Civil Rights Act of 1964; Section 504 of the 1973 Rehabilitation Act; and the 1990 Americans With Disabilities Act. Under this section, the Department may withhold payment to a Medicaid Provider for services rendered on specific dates when the above-referenced requirements were not met. The Department can also recover prior payments made if the

provider was not in compliance with those requirements at the time the service was rendered. The cost of providing accommodations to an individual with disability cannot be passed onto that individual.

Given the potential complexity of trying to assure effective communication, Interpreting Services Specialists at the N.C. Division of Services for the Deaf and the Hard of Hearing (DSDHH) regional centers are available to provide consultation, guidance and training to healthcare providers about assuring effective communication with their Deaf, Hard of Hearing and Deaf-Blind patients and family members. **There is no charge for these services.** Contact information can be found at [www.ncdhhs.gov/dsdhh/where.htm](http://www.ncdhhs.gov/dsdhh/where.htm).

Below are links to DSDHH's directories listing North Carolina licensed sign language interpreters by region.

DSDHH Statewide Licensed Interpreter Directories:

- Asheville Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_asheville.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_asheville.pdf)
- Charlotte Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_charlotte.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_charlotte.pdf)
- Greensboro Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_greensboro.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_greensboro.pdf)
- Morganton Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_morganton.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_morganton.pdf)
- Raleigh Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_raleigh.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_raleigh.pdf)
- Wilmington Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_wilmington.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_wilmington.pdf)
- Wilson Area: [www.ncdhhs.gov/dsdhh/services/pdf/directory\\_wilson.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_wilson.pdf)
- Cued Language Transliterators (statewide):  
[www.ncdhhs.gov/dsdhh/services/pdf/directory\\_CLT.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_CLT.pdf)
- Interpreting Service Agencies (statewide):  
[www.ncdhhs.gov/dsdhh/services/pdf/directory\\_ISA.pdf](http://www.ncdhhs.gov/dsdhh/services/pdf/directory_ISA.pdf)

Guidelines for procuring interpreting/transliterating services are available to assist healthcare providers in selecting an interpreter who is qualified to interpret in healthcare settings:  
[www.ncdhhs.gov/dsdhh/services/hiring\\_SLI.htm](http://www.ncdhhs.gov/dsdhh/services/hiring_SLI.htm).

Additional Resources:

- ADA: [www.ada.gov](http://www.ada.gov)
- ADA Business Brief: [www.ada.gov/hospcombr.htm](http://www.ada.gov/hospcombr.htm)
- RID Standard Practice Paper, Interpreting in Healthcare Settings:  
[http://rid.org/UserFiles/File/pdfs/Standard\\_Practice\\_Papers/Drafts\\_June\\_2006/Health\\_Care\\_Settings\\_SPP.pdf](http://rid.org/UserFiles/File/pdfs/Standard_Practice_Papers/Drafts_June_2006/Health_Care_Settings_SPP.pdf)
- NC Interpreter/Transliterators Law:  
[www.ncga.state.nc.us/enactedlegislation/statutes/pdf/bychapter/chapter\\_90d.pdf](http://www.ncga.state.nc.us/enactedlegislation/statutes/pdf/bychapter/chapter_90d.pdf)

**Contact:**

**Division of Services for the Deaf and the Hard of Hearing**  
**(919) 874-2212 or (800) 851-6099**

*Electronic claims must be transmitted and completed by 5:00 p.m. on the cut-off date to be included in the next checkwrite. Any claims transmitted after 5:00 p.m. will be processed on the second checkwrite following the transmission date.*

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