

KENTUCKY OPIOID RESPONSE EFFORT (KORE) DEAF AND HARD OF HEARING LANGUAGE ACCESS PROGRAM GUIDELINES

Purpose of the KORE Deaf and Hard of Hearing (DHH) Language Access Program

To support access to treatment and recovery, individuals who have a functional hearing loss must have effective communication. The objective of this program is to increase access to high quality, evidence-based treatment and recovery support for individuals with Opioid Use Disorder (OUD) or Stimulant Use Disorder who are Deaf or Hard of Hearing and need sign language interpreters or other accommodations to achieve effective communication during recovery.

Program Eligibility Criteria

Entities with an existing KORE contract with the Cabinet for Health and Family Services can apply for reimbursement funds to offset the costs of providing effective communication for persons with OUD or Stimulant Use Disorder. This includes any evidence-based treatment or recovery support service funded by KORE (e.g., outpatient, intensive outpatient, residential, Recovery Community Center participation, Quick Response Teams, etc). It is the responsibility of the KORE-funded program to schedule and pay for interpreters then to apply for the Language Access Program reimbursement.

Client Eligibility Criteria

Any KORE-funded program serving an individual who meets the criteria for KORE-funded treatment or recovery support services may request reimbursement for interpreting services or other ADA accommodations. In accordance with state and federal laws such as the Americans with Disabilities Act and Section 1557 of the Affordable Care Act, individuals may not be turned away from services due to their need for accommodations.

Planning for Interpreting Services

The KORE Treatment Provider ASL Interpreter Reimbursement Program covers language access costs for KORE-funded treatment and recovery support services. Programs that intend to request reimbursement are encouraged to call the Deaf and Hard of Hearing Services Program Administrator for Deaf and Hard of Hearing Services prior to submission. Guidance can be provided regarding choosing and working with interpreters as well as adaptations that may need to be made. Culturally affirmative and linguistically accessible treatment requires more than the presence of an interpreter. DBHDID offers free training and guidance on how to do so effectively.

KORE-funded programs are expected to pay for interpreting directly then to request reimbursement. They are to follow all state and Federal laws regarding consumer choice, effective communication, and reasonable accommodations.

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It is unlawful to adjust treatment planning recommendations based on the upfront costs of providing interpreters. If the KORE program encounters barriers regarding cash on hand to pay for access, email KORE at kore@ky.gov to discuss options.

Providers are encouraged to develop individual contracts with multiple interpreters and/or interpreter coordinating agencies to provide a range of options for language access for their consumers. This is ideally done prior to needing interpreters. Individual freelance interpreters can be located via <http://kbi.ky.gov/Pages/directory.aspx>. The Kentucky Commission on the Deaf and Hard of Hearing also offers listings of interpreters and interpreter coordinating agencies: <https://www.kcdhh.ky.gov/oea/ic-private.html>

KORE-funded and other providers should have Language Access Plans to be in compliance with Section 1557 of the Affordable Care Act.

Obtaining and Working with an American Sign Language (ASL) Interpreter

KORE-funded programs are responsible for scheduling interpreters for all services. They are also responsible for completing the GPRA (using an Interpreter) and including Deaf individuals in all data reporting submissions.

1. When an individual requests an interpreter, ask their preferences.
2. Call the interpreters or interpreter coordinating agency to provide the appointment time, location, and name of the individual involved. Request the preferred interpreters whenever possible.
3. Allow an extra 5-15 minutes for a pre-session between the service and interpreter. This is an opportunity to share information on the interpreting process, the clinical goals, specialized vocabulary or acronyms, and logistics of room set up.
4. Have the Deaf individual set up the room and communication rules.
5. If this is a group setting, allow time to introduce the interpreter and ensure that all participants know that the interpreter follows a Code of Professional Conduct and will keep all information confidential.
6. After the session, check in with the interpreter and Deaf individual to see if there are any changes that need to be made for future sessions. Whenever possible, keep the same interpreter(s) for consistency throughout the treatment process.

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Reimbursement Rates

Allowable rates will be a maximum of \$55/hr from 8:00 a.m. – 5:00 p.m. Monday through Friday or \$65/hr for evenings and weekends. Interpreters generally have a two-hour minimum for in-person services and a one-hour minimum for virtual sessions.

Reimbursement for mileage will be at the state rate. See <https://finance.ky.gov/services/statewideacct/Pages/travel.aspx> for the current reimbursement rate.

Rates for other accommodations such as captioning or notetaking services for will be determined on a case-by-case basis. Providers should reach out to the Program Administrator for Deaf and Hard of Hearing Services prior to purchasing such services.

Submitting Request for Reimbursement

1. KORE-funded programs are required to first seek interpreter coordination and payment via the insurance company if the consumer has an MCO or private insurance that covers interpreting services.
2. If the payor of last resort, the KORE-funded program shall pay the interpreter directly and keep copies of the invoice and proof of payment.
3. Complete the 124 Form and attach the program's W-9 along with the original invoice and proof of payment (Check or Credit Card Statement).
4. Submit all documentation to Michelle.Niehaus@ky.gov no more than 14 business days after the invoice has been received and no more than 45 days from date of service.
5. Payments will be processed at DBHDID. Reimbursement checks will come from New Vista or Lifeskills.
6. If no reimbursement is received within 30 days, call (502) 782-6181 or email Michelle.Niehaus@ky.gov.

The last day that DBHDID will accept requests for reimbursement is June 15, 2021. Any agency receiving Federal Funding or contracted under CHFS in any way is still required to provide language access during that time per the ADA. An agency may consider applying for Tax Incentives for businesses: <https://www.ada.gov/taxincent.htm>