

Laws Governing the Use of Medical Interpreters

The following section lists the federal and state laws that govern the use of medical interpreters. In addition, language-access responsibilities under federal and state laws and managed-care guidelines are reviewed thoroughly in “Ensuring Linguistic Access in Health Care Settings: Legal Rights and Responsibilities,” Henry J. Kaiser Family Foundation, January 1998. The full report is available at: www.healthlaw.org.

“States, health care providers and managed care organizations are largely unfamiliar with the numerous federal and state civil rights laws that protect limited English speakers against discrimination in the delivery of health care.”

-Ensuring Linguistic Access in Health Care Settings, Kaiser Foundation Report

Title VI of the Civil Rights Act of 1964

“No person in the United States shall, on ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.”

Title VI Prohibition Against Discrimination on the Basis of National Origin- Persons with Limited English Proficiency

(Guidance Memorandum from the Office of Civil Rights, January 1998)

“Because of these language barriers, LEP (limited English proficiency) persons are often excluded from programs or experience delays or denials of services from recipients of Federal assistance. Such exclusions, delays or denials may constitute discrimination on the basis of national origin, in violation of Title VI...”

Minnesota Bilingual Services Act, 1995

Minnesota Statutes 15.441, Subdivision 1

“Every state agency that is directly involved in furnishing information or rendering services to the public and that serves a substantial number of non-English speaking people shall employ enough qualified bilingual persons in public contact positions, or enough interpreters to assist those in these positions to ensure provision of information and service...”

Minnesota Statutes 1996, Section 256.01

amended in 1998 to charge the Commissioner of Human Services with the “implementation of a procedure for public assistance applicants and recipients to identify a language preference other than English...(and to)...develop a plan to serve recipients who have limited English proficiency that ensures the state is in compliance with Title VI of the Civil Rights Act...”

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