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MEMORANDUM OF SUPPORT
A 733 (Gottfried, Espaillat, et. al.)/ S 2875 (Espada)
2009

AN ACT to amend the Public Health Law and the Social Services Law, in relation to providing Medicaid reimbursement for interpretation services provided by hospital inpatient and outpatient departments and diagnostic and treatment centers.

Family Planning Advocates of New York State strongly supports this legislation which would allow health care providers to receive reimbursement for the provision of interpretation services to Medicaid patients who have limited English proficiency.

More than twenty percent of New York's population is foreign born and many immigrants do not have the language skills necessary to describe their symptoms and concerns or to understand health care instructions. With over 4 million foreign-born people who speak over 150 languages, health care providers across the state are facing major challenges in developing adequate language services to communicate effectively with their patients.

In the sensitive field of reproductive and pregnancy-related health care, there are many privacy concerns. When discussing such sensitive issues as the timing of a pregnancy or contraceptive options, the ability to communicate is vital. Providers routinely find themselves in untenable situations where minor children serve as interpreters for their mothers. It is also not uncommon that women's family planning needs are poorly expressed or misinterpreted by husbands or partners who accompany them to the health care provider.

Poor communication can lead to misdiagnoses, delays in medical care and noncompliance with a care plan or referral. Advocates affiliated with women's organizations have also confirmed that many women are simply not seeking health care except in emergencies. As providers struggle to meet the needs of patients, adequate reimbursement is necessary to provide culturally competent care, including access to interpretation services. Reimbursement for translation services will allow providers to better meet the needs of New York's diverse population. Access to translation services improves the quality of care and can help New York reduce health care disparities through improved health outcomes.

Passage of this legislation is also important because the Children's Health Insurance Program Reauthorization Act of 2009, signed into law by President Obama, includes a provision for enhanced federal payments to states for translation and interpretation services. If New York passes this legislation the federal Medicaid program will pay 75% of the costs of health care interpreting and translation for LEP Medicaid recipients. Without this legislation, New York will not be able to take advantage of this federal funding stream.

FPA strongly urges passage of this vital legislation.