



Rancho Los Amigos National Rehabilitation Center

ADMINISTRATIVE POLICY AND PROCEDURE

**SUBJECT: DOCUMENTING USE OF INTERPRETATION
SERVICES DURING INFORMED CONSENT
DISCUSSION**

**Policy No.: B504.6
Supersedes: April 08, 2019
Reviewed: August 2, 2022
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PURPOSE:

To ensure that an interpreter understands his/her role in the interpreting process during informed consent discussions and to document the exchange of information.

The Health and Safety Code of California requires licensed general acute care hospitals to provide language assistance services to patients with "language or communication barriers". Title VI of the Civil Rights Act of 1964 requires federal fund recipients to ensure that eligible Limited English Proficiency (LEP) persons have "meaningful access" to health services. Staff is required to obtain interpreter services which comply with RLANRC Policy #B831.

POLICY

The Interpreter Attestation Form must be completed when an interpreter is required to interpret the discussion between a patient and/or legal representative, and physician as it relates to a medical procedure for the purpose of obtaining an informed consent and/or the oral interpretation of information contained on the informed consent.

When an LEP patient and/or legal representative requires assistance of an interpreter in order to fully participate in an informed consent process with his/her physician regarding a medical procedure, the interpreter must complete the Attestation Form to document the oral interpretation of the information contained in the informed consent process, including any documents and physician/patient interaction.

A **qualified** bilingual employee or staff interpreter, contracted interpreter, qualified bilingual volunteer, or remote interpreter by telephone or video is required to interpret the medical information/the informed consent at no cost to the patient. If a patient insists on using a family member or a friend to interpret the required medical information and the informed consent, a qualified interpreter provided by the hospital will still be utilized to assure that an accurate rendering of the information is offered to the patient. Under no circumstances may a minor younger than eighteen years of age, be recruited to interpret during the process.

EFFECTIVE DATE: May 1, 2004

COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES

APPROVED BY:

PROCEDURE:

- 1) All informed consents interactions between the clinician and LEP patient require participation of an interpreter. The Interpreter Attestation Form (Attachment I) is used to document the interpretation process, including the name of the patient, name of the healthcare provider and the consent form/information about the medical procedure and the language read to the patient.
- 2) Interpretation services may be provided by one of the following:
 - Qualified bilingual employees or staff interpreters
 - Contracted interpreters from outside agencies
 - Qualified bilingual volunteers
 - Telephone or video interpretation service (remote interpreter service)

- 3) The Interpreter Attestation Form has three areas:
 - a) **Section I** is the interpreter's attestation of interpretation of the **verbal** conversation regarding the risks and benefits of a given procedure between physician and patient and/or patient's legal representative.

All interpreters are required to interpret the exchange of information between the patient and physician as it relates to the signing of the informed consent. This may include the oral interpretation of the information on the consent form/documents, if it is not printed in the patient's preferred language and time does not permit such a printing.

- b) **Section II** is the interpreter's attestation of **written documents** provided to the patient and/or patient's representative.

If the consent is in the patient's preferred language, the interpreter is not required to document "reading" the form to the patient in Section II. However, the interpreter is required to interpret any additional explanations that the patient requests from the clinician and the interpreter shall sign at Section I for providing the verbal interpretation.

- c) **Section III** is the clinician's recording of interpreter usage of remote interpretation service (telephone/video etc.)

If a remote telephone or video interpretation service is used, staff must document the interpreter's ID number noting the date and time of this transaction provided on the Interpreter Attestation Form.

All interpreters must sign the Interpreter Attestation Form upon completion of any interpretation as indicated in number 3(a) and 3(b) above.

- 4) The signed original is filed in the medical record in front of the consent form(s).

ATTACHMENT I: Interpreter Attestation Form

REFERENCES: DHS Policy # 318, Non-English And Limited English Proficiency
DHS Policy # 314, Informed Consents
RLANRC Language Services for Individuals who are Limited English Proficient
Policy #B831

AUTHORITY: California Healthcare Association Consent Manual 2015
Health and Safety Code 1259
Title VI Civil Rights Act of 1964

LW: 4/22/16, 4/08/19, 8/2/22