

OMH Development of a Universal Symbol for Language Assistance Services in Health Settings (HHS-OMH-2024-0004) Comment

This document was submitted by the Massachusetts Health Data Consortium (MHDC) and its Data Governance Collaborative (DGC) on May 17, 2024 in response to the Development of a Universal Symbol for Language Assistance Services in Health Settings (HHS-OMH-2024-0004) RFI posted in the Federal Register on April 19, 2024 and found here:

<https://www.federalregister.gov/documents/2024/04/19/2024-08409/development-of-a-universal-symbol-for-language-assistance-services-in-health-settings>

About MHDC

Founded in 1978, MHDC, a not-for-profit corporation, convenes the Massachusetts's health information community in advancing multi-stakeholder health data collaborations. MHDC's members include payers, providers, industry associations, state and federal agencies, technology and services companies, and consumers. The Consortium is the oldest organization of its kind in the country.

MHDC provides a variety of services to its members including educational and networking opportunities, analytics services on both the administrative and clinical side (Spotlight), and data governance and standardization efforts for both clinical and administrative data (the Data Governance Collaborative/DGC and the New England Healthcare Exchange Network, respectively).

About DGC

The DGC is a collaboration between payer and provider organizations convened to discuss, design, and implement data sharing and interoperability among payers, providers, patients/members, and other interested parties who need health data. It is a one stop interoperability resource. The DGC primarily focuses on three areas:

1. Collaboration: Development of common understanding of and specifications for data standards, exchange mechanisms, and what it means to participate in the modern health IT ecosystem
2. Education: helping members understand their regulatory obligations, the data and exchange standards they're expected to use, and modern technology and related processes
3. Innovation: Identification and development of projects and services needed to make modern health data practices and exchange a reality

Response to Specific Questions

This section will list specific questions asked in the RFI and provide our responses to them

Do you believe a new graphic symbol informing people about the availability of language assistance services would increase the rate at which people request language assistance services and thereby increase access to information about health services, programs, and/or products?

Participants in our Data Governance Collaborative believe an easily recognizable symbol cannot hurt but it must be easily recognized across a wide swath of populations to be helpful in any real way. In order to be most

effective, it should be used consistently and placed in as many locations as feasible where some form of language assistance services are available.

Are you aware of any previous or existing symbols used to inform people about the availability of language assistance services (e.g., used in the health sector or other sectors)?

A quick Google search shows a plethora of symbols used and/or recommended to represent the availability of language translation services. However, their usage seems to be ad hoc and there do not appear to be any recommended symbols or guidance on when or how to use specific symbols.

Given this, perhaps development of a new symbol that clearly represents “language assistance services available” and that can be consistently applied across a wide variety of relevant situations makes the most sense.

What should be considered in the development of a new graphic symbol informing people about the availability of language assistance services in health settings? Please add any specific suggestions you have for the symbol design and usability testing.

We believe a symbol that works in a wide variety of situations would be most effective. It should be usable as a large symbol on a wall or desk near onsite check-in areas, it should be usable within portals or websites or mobile applications to signify “click here to pick a different language” when translated materials or views are available (if the applications are not language-specific and separately available as different downloads for different languages), be able to appear on printed materials to indicate a phone number someone can call to get language assistance services or request printed materials in a different language, and otherwise provide “language assistance services available here” in a way that’s clearly associated with the specific action a user needs to take to access the services.

In general testing should be performed across as many use cases as possible and with a wide variety of LEP users including users from different cultural backgrounds, users who speak languages using different orientations (top to bottom, left to right, right to left, etc), users with various disabilities, and other groups that may experience, use, or interpret the symbol differently than anticipated.

Uses across in-person, live video, recorded video, audio, and various online and printed environments should also be considered and tested.

See our response to the next question for additional thoughts in this area.

What steps do you recommend for implementing, disseminating, and ensuring effectiveness of a new symbol for language assistance services, including utilization by LEP individuals, healthcare providers, public health departments, and other entities engaged in health care?

We note the omission of payers in the list of users above; we believe the same symbol should be used across the care continuum including payers, providers, public health, and any other relevant organizations and people. While not every relevant user could or should be explicitly mentioned, we believe calling out payers as anticipated users is appropriate.

We believe clear guidance on when the symbol should be used and how is warranted. For example, the various scenarios we outline above should be discussed and guidelines for applying the symbol in those cases should be considered and adopted.

Another possible use of the symbol is to arrange for language assistance services ahead of time when scheduling an appointment. If technology is being used in the scheduling process, clear guidelines on how to present the symbol and how to make it clear the choices being made are for future use should be outlined (or at least discussed).

Further, we note that whatever symbol is used to denote the availability of language services should be presented in an accessible way whenever possible so individuals with disabilities can also access the services. In particular, the inclusion of a consistent/universally defined alt text string representing the symbol should be required in electronic uses, a minimum size requirement for printed materials (electronic or paper) should be specified, and other similar disability-friendly guidelines should be determined and set.