

DEPARTMENT: Compliance

POLICY: N-1

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REPLACES POLICY DATED: N/A

EFFECTIVE DATE: 11/12/2024

APPROVED BY: P&P Committee

NOTICE OF NONDISCRIMINATION AND AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES AND AUXILIARY AIDS SERVICES**I. BACKGROUND/PURPOSE:**

In compliance with Federal civil rights laws, including Section 1557 of the Affordable Care Act, Solaris Health and all affiliated entities will provide each patient on an annual basis a Notice of Nondiscrimination and Accessibility.

II. SCOPE:

This policy applies to Solaris Health and all affiliated entities.

III. DEFINITIONS:

- A. **“1557 Coordinator”** Refers to Employee responsible for serving as an internal resource to ensure compliance with Section 1557 requirements.
- B. **“Company”**: Refers to Solaris Health and its affiliated practices.
- C. **“Covered Entity”**: Refers to a health plan, a health care clearinghouse, and health care providers that transmit any health information in electronic form in connection with a transaction covered by HIPAA (see 45 CFR §160.103). All Solaris affiliated practices are Covered Entities because they are health care providers which bills Health Plans electronically.
- D. **“Health Insurance Portability and Accountability Act” (“HIPAA”)**: Refers to the Privacy, Security, Breach Notification, and Enforcement Rules at 45 CFR Part 160 and Part 164.

IV. POLICY:

Company and its affiliated practices comply with all applicable federal civil rights laws, including Section 1557 of the Affordable Care Act (Section 1557). Company and its affiliated practices does not discriminate on the basis of race, color, national origin (including limited English proficiency and primary language), age, disability, or sex (consistent with the scope of sex discrimination described at 45 CFR § 92.101(a)(2)).

V. PROCEDURES:

- A. Notice of Nondiscrimination and Accessibility Content
 - 1. Consistent with the [Sample Notice of Non-Discrimination](#) provided by the Department of Health and Human services.

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- B. Delivery of the Notice of Nondiscrimination and Accessibility (Attachment A)
1. The Notice of Nondiscrimination and Accessibility will be provided to each patient annually. It is recommended that each affiliated practice provide this notice at the first patient visit of each calendar year. In addition, an affiliated practice may opt to provide this notice at every patient visit.
 2. The Notice of Nondiscrimination and Accessibility must also be provided to patients anytime they receive:
 - a. Notice of Privacy Practices required by HIPAA;
 - b. Intake Forms;
 - c. Communications related to a public health emergency;
 - d. Consent forms and instructions related to medical procedures or operations, medical power of attorney, or living wills;
 - e. Discharge papers; and
 - f. Communications related to cost and payment of care (i.e., medical billing and collections materials, and good-faith estimates provided pursuant to the No Surprises Act).
- C. Posting of the Notice of Nondiscrimination and Accessibility
1. Affiliated practices will post the Notice of Nondiscrimination and Accessibility:
 - a. Prominently on the affiliated practice website.
 - b. Displayed prominent all physical locations.
 2. The posting must be accessible to individuals who have low vision, sans serif font no smaller than 20-point must be used.
- D. In compliance with Section 1557 and other federal civil rights laws, we provide individuals the following in a timely manner and free of charge:
1. Language assistance services. Affiliated practices will provide language assistance services for individuals with limited English proficiency (including individuals' companions with limited English proficiency) to ensure meaningful access to our programs, activities, services, and other benefits. Language assistance services may include:

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- a. Electronic and written translated documents.
 - b. Qualified interpreters.
 - c. If applicable: Qualified bilingual/multilingual staff
2. Appropriate auxiliary aids and services. Affiliated practices will provide appropriate auxiliary aids and services for individuals with disabilities (including individuals' companions with disabilities) to ensure effective communication. Appropriate auxiliary aids and services may include:
- a. Qualified Video remote interpreting, including American Sign Language interpreters.
 - b. Information in alternate formats (including but not limited to large print, recorded audio, and accessible electronic formats)
 - c. If applicable: Qualified readers
3. Reasonable modifications. Affiliated practices will provide reasonable modifications for qualified individuals with disabilities, when necessary to ensure accessibility and equal opportunity to participate in our programs, activities, services, or other benefits.
- E. For access to language assistance services, auxiliary aids and services, and for assistance in getting a reasonable modification, please contact Section 1557 Coordinator, who is Solaris Health's Chief Compliance Officer.
- F. Patient Discrimination Complaints/Grievances related to race, color, national origin, sex, age, or disability must be immediately escalated to the:
1. Affiliate Compliance Officer; and
 2. Solaris Health Chief Compliance Officer
- G. Complaints/Investigation from The United States Department of Health and Human Services, Office of Civil Right must be immediately escalated to the
1. Affiliate Compliance Officer; and
 2. Solaris Health Chief Compliance Officer

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VI. RESPONSIBLE PERSON:

Each affiliate Compliance Officer or designee shall be responsible for assuring that all personnel adhere to the requirements of this policy, that these procedures are implemented and followed, and that instances of noncompliance are reported to the Chief Compliance Officer.

VII. ENFORCEMENT:

All affiliate employees are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.

VIII. QUESTIONS:

Should you have any questions, comments, or concerns about this policy and associated procedures, we encourage you to raise them with your manager, the Compliance Officer, or anonymously through our Compliance Hotline at 888-298-8824.

IX. REFERENCES:

[1557 Resources for Covered Entities](#)

X. ATTACHMENTS:

Attachment A – Notice of Nondiscrimination and Accessibility