



Pennsylvania
Department of Human Services

COMMUNITY HEALTHCHOICES (CHC)

OPERATIONS MEMORANDUM #2025-06

SUBJECT: Limited English Proficiency (LEP) and Nondiscrimination

TO: CHC Managed Care Organizations (MCOs)

FROM: Bureau of Policy and Communications Management

DATE: April 15, 2025

PURPOSE

The purpose of this memorandum is to provide updated guidance to the Community HealthChoices (CHC) Managed Care Organizations (MCOs) regarding requirements issued by the United States Department of Health and Human Services' Office for Civil Rights (OCR) pertaining to Limited English Proficiency (LEP) and nondiscrimination language that must be included in CHC-MCO publications and websites. Specifically, this memorandum advises CHC-MCOs of updates made to the top fifteen (15) non-English languages used by Medical Assistance (MA) beneficiaries and corresponding updates made to taglines that must be used as detailed in Medical Assistance Bulletin [99-25-01](#). Additionally, this memorandum reminds the CHC-MCOs of their responsibility to provide interpretation and translation services free of charge to all participants with LEP, vision limitations, and/or auditory limitations, and the federal guidelines that must be followed to accomplish this.

BACKGROUND

On May 18, 2016, OCR issued the Nondiscrimination in Health Programs and Activities Final Rule, which implemented Section 1557 of the Patient Protection and Affordable Care Act (ACA) of 2010 (Pub. L. 111-148). Section 1557 prohibits discrimination in certain health programs and activities on the grounds prohibited under Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the Age Discrimination Act of 1975 (Age Act), which together prohibit discrimination on the basis of race, color, national origin, sex, age, or disability. For additional information on how to comply with the Civil Rights Act of 1964 and provide interpretation and translation services to persons who have LEP, CHC-MCOs are encouraged to access www.lep.gov.

On May 6, 2016, the Centers for Medicare & Medicaid Services (CMS) published the [Medicaid and Children's Health Insurance Program \(CHIP\) Programs; Medicaid Managed Care, CHIP delivered in managed care, and revisions related to Third Party Liability Final Rule](#). 42 C.F.R. § 438.10 was updated to outline the requirements for participants with LEP and participants who required alternate formats in order to understand and access their healthcare.

To implement the above referenced federal regulations, on August 11, 2017, the Pennsylvania Department of Human Services (Department) issued MA Bulletin 99-17-11, titled "Limited English Proficiency Requirements," to advise providers of their responsibility to provide interpretation and translation services free of charge to all individuals who have LEP, vision limitations, and/or auditory limitations and the related federal guidelines that must be followed. The bulletin identified the top fifteen (15) written non-English languages among MA beneficiaries at that time and issued a document with taglines representing these top fifteen (15) non-English languages. This bulletin was reissued as MA Bulletin 99-25-01 on January 16, 2025 to update these languages and taglines.

Section V.P.2. of the CHC Agreement requires CHC-MCOs to provide for necessary translation and interpreter assistance for participants with LEP, and Section V.O.4, requires CHC-MCOs to make vital documents disseminated to English speaking participants available in alternate languages upon request of the participants.

This memorandum, together with the updated bulletin, is intended to assist CHC-MCOs in providing meaningful access to our programs, services, and activities to individuals with LEP, effective communication for individuals with disabilities, accessibility of electronic and information technology, and to ensure nondiscrimination in the MA program.

DISCUSSION

A. Requirements for Large, Significant Publications and Communications

The Notice of Nondiscrimination and the taglines referred to in the sections of the Community HealthChoices Agreement and the MA Bulletin cited above are attached to this memorandum as Attachments 1 and 2. The CHC-MCO must include the Notice of Nondiscrimination and the taglines in all large significant publications and large significant communications targeted to the CHC-MCO's participants, providers, and members of the public. Large publications and communications include, but are not limited to participant handbooks, provider handbooks, outreach publications (larger than one page, front and back), and written notices.

Taglines for large publications and communications must be printed in a conspicuously visible font size (no smaller than 12 point) in the fifteen (15) prevalent non-English languages included in Attachment 2, in addition to an English tagline in

large print (no smaller than 18 point). The list of the fifteen (15) prevalent non-English languages can be found within Attachment 2.

The Notice of Nondiscrimination and the taglines must also be posted on physical locations where the CHC-MCO, contractors, and entities representing the CHC-MCO interact with the public. This includes CHC-MCO websites.

CHC-MCOs may choose to add additional non-English language taglines to their written communications that better suit the particular LEP population in each CHC zone. However, at a minimum, the fifteen (15) languages included in Attachment 2 must be included.

B. Requirements for Small Significant Publications and Communications

In addition to the requirements above, the Statement of Nondiscrimination (attached to this memorandum as Attachment 3) and at least two taglines must be included on small significant publications and small significant communications targeted to the CHC-MCO's participants and members of the public. Small publications and communications include, but are not limited to brochures, postcards, targeted fliers, small posters, and information communicated through social media platforms (e.g. Facebook or Instagram) or via texting.

Taglines for small significant publications and communications must be printed in a conspicuously visible font size (no smaller than 12 point) in the two prevalent non-English languages included in Attachment 2 in addition to an English tagline in large print (no smaller than 18 point).

C. General Requirements

While CHC-MCOs may not change the text contained in the attached templates, they must include the appropriate Participant Services telephone number, including any TTY information, in the templates and fill in MCO-specific information in any areas designated with [brackets]. The CHC-MCOs may also add their logos to these templates.

CHC-MCOs may deplete their current stockpile of participant materials with current Notices and Statements of Nondiscrimination and taglines before being required to print and utilize updated materials. Online and digital materials should be updated immediately upon Department approval.

In addition to these LEP requirements, CHC-MCOs are hereby reminded that Section 1557 and the CHC Agreement require CHC-MCOs to provide appropriate auxiliary aids and services, such as alternative formats and sign language interpreters, where necessary for effective communication.

NEXT STEPS

1. Review this information with appropriate staff.
2. CHC-MCOs must revise and update their policies and procedures to reflect these new requirements.
3. CHC-MCOs must revise materials to integrate the attached templates and taglines.
4. CHC-MCOs must submit their revised information to the appropriate folder within DocuShare for Department review and approval as soon as possible.
5. Contact the Bureau of Policy Development and Communications Management if you have questions.

ATTACHMENTS

Attachment 1 – Notice of Nondiscrimination for all large significant publications and communications.

Attachment 2 – Taglines in the top fifteen (15) prevalent languages in Pennsylvania, in addition to the English tag line in large print, for all large significant publications and communications.

Attachment 3 – Statement of Nondiscrimination and taglines in the top two prevalent languages in Pennsylvania for small significant publications and communications.

Attachment 1 – Nondiscrimination notice for all large significant publications and communications

[CHC-MCO] complies with applicable federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, creed, religious affiliation, ancestry, sex, gender, gender identity or expression, or sexual orientation.

[CHC-MCO] does not exclude people or treat them differently because of race, color, national origin, age, disability, creed, religious affiliation, ancestry, sex gender, gender identity or expression, or sexual orientation.

[CHC-MCO] provides free aids and services to people with disabilities to communicate effectively with us, such as:

- Qualified sign language interpreters
- Written information in other formats (large print, audio, accessible electronic formats, other formats)

[CHC-MCO] provides free language services to people whose primary language is not English, such as:

- Qualified interpreters
- Information written in other languages

If you need these services, contact **[CHC-MCO Name]** at **[CHC-MCO phone#]**

If you believe that **[CHC-MCO]** has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, creed, religious affiliation, ancestry, sex gender, gender identity or expression, or sexual orientation, you can file a complaint with:

[CHC-MCO Name],
[CHC-MCO Mailing Address for
Complaint/Grievances],
[Address line]
[Address line]
[Telephone number], [TTY/PA Relay number],
[Fax], or
[Email]

The Bureau of Equal Opportunity,
Room 223, Health and Welfare Building,
P.O. Box 2675,
Harrisburg, PA 17105-2675,
Phone: (717) 787-1127, TTY/PA Relay 711,
Fax: (717) 772-4366, or
Email: RA-PWBEOAO@pa.gov

You can file a complaint in person or by mail, fax, or email. If you need help filing a complaint, [CHC-MCO] and the Bureau of Equal Opportunity are available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf> , or by mail, phone or email at:

U.S. Department of Health and Human Services,
200 Independence Avenue SW.,
Room 509F, HHH Building,
Washington, DC 20201,
1-800-368-1019, 800-537-7697 (TDD).
OCRMail@hhs.gov

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

Taglines Representing the Top Fifteen (15) Non-English Languages in Pennsylvania

ATTENTION: If you speak a language other than English, free language assistance services are available to you. Appropriate auxiliary aids and services to provide information in accessible formats are also available free of charge. Call 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) or speak to your provider."

Spanish

ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. También están disponibles de forma gratuita ayuda y servicios auxiliares apropiados para proporcionar información en formatos accesibles. Llame al 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) o hable con su proveedor.

Chinese; Mandarin

注意：如果您说[中文]，我们将免费为您提供语言协助服务。我们还免费提供适当的辅助工具和服务，以无障碍格式提供信息。致电 1-xxx-xxx-xxxx（文本电话：1-xxx-xxx-xxxx）或咨询您的服务提供商。

Nepali

सावधान: यदि तपाईं नेपाली भाषा बोल्नुहुन्छ भने तपाईंका लागि निःशुल्क भाषिक सहायता सेवाहरू उपलब्ध छन्। पहुँचयोग्य ढाँचाहरूमा जानकारी प्रदान गर्न उपयुक्त सहायता र सेवाहरू पनि निःशुल्क उपलब्ध छन्। 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) मा फोन गर्नुहोस् वा आफ्नो प्रदायकसँग कुरा गर्नुहोस्।

Russian

ВНИМАНИЕ: Если вы говорите на русский, вам доступны бесплатные услуги языковой поддержки. Соответствующие вспомогательные средства и услуги по предоставлению информации в доступных форматах также предоставляются бесплатно. Позвоните по телефону 1-xxx-xxx-xxx (TTY: 1-xxx-xxx-xxx) или обратитесь к своему поставщику услуг.

Arabic

تنبيه: إذا كنت تتحدث اللغة العربية، فستتوفر لك خدمات المساعدة اللغوية المجانية. كما تتوفر وسائل مساعدة وخدمات مناسبة لتوفير المعلومات بتنسيقات يمكن الوصول إليها مجانًا. اتصل على الرقم 1-xxx-xxx-xxxx (1-xxx-xxx-xxxx) أو تحدث إلى مقدم الخدمة".

Haitian Creole

ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd aladispozisyon w gratis pou lang ou pale a. Èd ak sèvis siplemantè apwopriye pou bay enfòmasyon nan fòm aksesib yo disponib gratis tou. Rele nan 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) oswa pale avèk founisè w la.

Vietnamese

LƯU Ý: Nếu bạn nói tiếng Việt, chúng tôi cung cấp miễn phí các dịch vụ hỗ trợ ngôn ngữ. Các hỗ trợ dịch vụ phù hợp để cung cấp thông tin theo các định dạng dễ tiếp cận cũng được cung cấp miễn phí. Vui lòng gọi theo số 1-xxx-xxx-xxxx (Người khuyết tật: 1-xxx-xxx-xxxx) hoặc trao đổi với người cung cấp dịch vụ của bạn.

Ukrainian

УВАГА: Якщо ви розмовляєте українською мовою, вам доступні безкоштовні мовні послуги. Відповідні допоміжні засоби та послуги для надання інформації у доступних форматах також доступні безкоштовно. Зателефонуйте за номером 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) або зверніться до свого постачальника».

Chinese; Cantonese

注意：如果您說 [中文]，我們可以為您提供免費語言協助服務。也可以免費提供適當的輔助工具與服務，以無障礙格式提供資訊。請致電 1-xxx-xxx-xxxx（TTY：1-xxx-xxx-xxxx）或與您的提供者討論。」

Portuguese

ATENÇÃO: Se você fala [inserir idioma], serviços gratuitos de assistência linguística estão disponíveis para você. Auxílios e serviços auxiliares apropriados para fornecer informações em formatos acessíveis também estão disponíveis gratuitamente. Ligue para 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) ou fale com seu provedor.

Bengali

মনোযোগ দিন: যদি আপনি বাংলা বলেন তাহলে আপনার জন্য বিনামূল্যে ভাষা সহায়তা পরিষেবাদি উপলব্ধ রয়েছে। অ্যাক্সেসযোগ্য ফরম্যাটে তথ্য প্রদানের জন্য উপযুক্ত সহায়ক সহযোগিতা এবং পরিষেবাদিও বিনামূল্যে উপলব্ধ রয়েছে। 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) নম্বরে কল করুন অথবা আপনার প্রদানকারীর সাথে কথা বলুন।

French

ATTENTION : Si vous parlez Français, des services d'assistance linguistique gratuits sont à votre disposition. Des aides et services auxiliaires appropriés pour fournir des informations dans des formats accessibles sont également disponibles gratuitement. Appelez le 1-xxx-xxx-xxxx (TTY : 1-xxx-xxx-xxxx) ou parlez à votre fournisseur. »

Cambodian

សូមយកចិត្តទុកដាក់៖ ប្រសិនបើអ្នកនិយាយ ភាសាខ្មែរ សេវាកម្មជំនួយភាសា ឥតគិតថ្លៃគឺមានសម្រាប់អ្នក។ ជំនួយ និងសេវាកម្មដែលជាការជួយដ៏សមរម្យ ក្នុងការផ្តល់ព័ត៌មានតាមទម្រង់ដែលអាចចូលប្រើប្រាស់បាន ក៏អាចរកបាន ដោយឥតគិតថ្លៃផងដែរ។ ហៅទូរសព្ទទៅ 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) ឬនិយាយទៅកាន់អ្នកផ្តល់សេវារបស់អ្នក។

Korean

주의: [한국어]를 사용하시는 경우 무료 언어 지원 서비스를 이용하실 수 있습니다. 이용 가능한 형식으로 정보를 제공하는 적절한 보조 기구 및 서비스도 무료로 제공됩니다. 1-xxx-xxx-xxxx(TTY: 1-xxx-xxx-xxxx)번으로 전화하거나 서비스 제공업체에 문의하십시오.

Gujarati

Öz Ü U u ě h ě p y é ħ { ħ à w ě p Ü É ě p ě y v p x Ü Ä z Ç É Ü p Ü Ç é Ü p y Ü Ü y Ü Ü x u | Ě s g é z ä Ľ ^ @ i | { " Ç É Ü T t ě Ĵ Ç w | v ě y k y Ü y Ü ě p à Ħ ě u Ü ĩ Ü y Ü ě à Ç é Ü u o á t Ü A ĝ z é x u | Ě s g é 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx) u { a ě a { ě T q ~ Ü p y Ü Ü r ħ Ü Ç Ü ě ~ ħ a { ě

Attachment 3 – Statement of nondiscrimination and the top two (2) prevalent languages in Pennsylvania for small significant publications and communications.

[CHC-MCO] complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, creed, religious affiliation, ancestry, sex gender, gender identity or expression, or sexual orientation.

ATTENTION: If you speak English, language assistance services, free of charge, are available to you. Call: **[MCO phone number]** (TTY/PA RELAY: phone number).

Spanish

ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. También están disponibles de forma gratuita ayuda y servicios auxiliares apropiados para proporcionar información en formatos accesibles. Llame al 1-xxx-xxx-xxxx **[CHC-MCO phone number]** (TTY: 1-xxx-xxx-xxxx) o hable con su proveedor.

Chinese; Mandarin

注意：如果您说[中文]，我们将免费为您提供语言协助服务。我们还免费提供适当的辅助工具和服务，以无障碍格式提供信息。致电 1-xxx-xxx-xxxx **[CHC-MCO phone number]**（文本电话：1-xxx-xxx-xxxx）或咨询您的服务提供商。