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Comment On: EBSA-2010-0019-0002

Group Health Plans and Health Insurance Issuers: Internal Claims and Appeals and External Review Processes

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General Comment

I am commenting on behalf of Legal Voice on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals processes. Legal Voice works to advance womens' legal rights in the northwestern U.S. through impact litigation and legislative advocacy and provides legal information and referral to people in Washington State. We strive, via internal policies, collaborative efforts, and volunteer workgroups to acknowledge and address the importance of language access in understanding and enforcing individual rights. Healthcare is a core issue area for us. We believe that the 10% standard for translation and interpretation is far too high. We urge you to adopt a standard of 5% of the plan's population or 500 people in the plan's service area, whichever is less, for large group plans and 25% of population for small plans. Oral interpretation should be provided in all languages at all times.