PUBLIC SUBMISSION

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Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Internal Claims and Appeals and External Review Processes Under the Patient Protection and Affordable Care Act

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

On behalf of LawHelp/NY, I wish to comment on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals contexts. We administer New York's premier legal referral and information website for low-income New Yorkers. Through our work with New York's LEP community we have seen first hand the large access to justice gap that many LEP clients fall into. The 10% standard is far too high. A more appropriate standard would be "5% of the plan's population or 500 persons in plan's service area" for large group plans, and 25% of population for small plans. Oral interpretation should be provided in all languages at all times.