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General Comment

On behalf of Northwest Law Advocates, I wish to comment on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals contexts. Our organization promotes access to health care for vulnerable populations. We represent limited English proficient clients. The receipt of information about enrollees' rights and benefits in their own language of critical importance in obtaining access to care. 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. In my experience, clients who cannot get documents in their primary language have difficulty understanding and asserting their rights to medically necessary services.