

California Demographics

- 224 different languages spoken in California
- Communities of color make up 53% of California's current population - 11 million Latino, 4.5 million Asian Pacific Islander.
- 43% + Asians speak a language other than English at home.
- 40%+ Latinos speak a language other than English at home.

Occasions for Communication

- Administrative – scheduling, registration, payment, informed consent
- Patients conveying complaint, symptoms
- Doctors/ Providers communicating instructions/ questions at diagnostic testing or therapy
- Family & provider communication
- Treatment Decisions
- Discharge Orders
- End of life





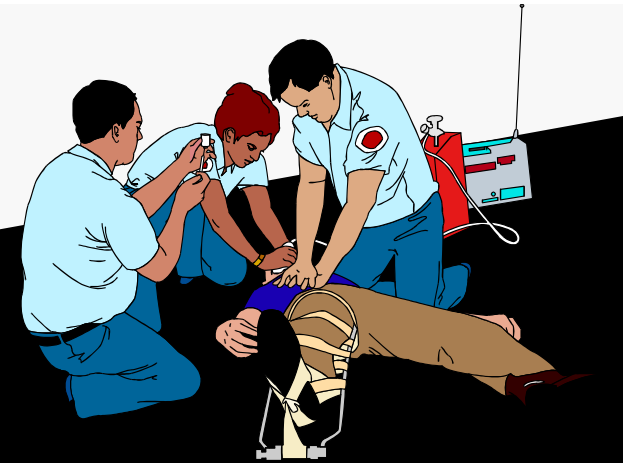
Risk Management

Ramirez v. Coral Reef General Hospital (1980)

Paramedics, who were advised that unconscious patient was “intoxicado” by girlfriend & mother, reported to ER of drug overdose. Intended, and correct, meaning was instead “nauseous.”

36 hours after admit to ER pt experienced respiratory arrest of primary neurologic etiology. Paramedics & ER failed to timely diagnose left hematoma w/brainstem compression & acute subdural hematoma. Case settled for \$71 million.

Risk Management



City of Irving v Pak 885 SW 2d 189 Tx (1994) LEP patient alleged 20 counts of negligence against 2 paramedics responding to complaint of stomach pain. Paramedics decided not to transport to hospital. Patient alleged he did not understand question when asked whether he wanted to go to hospital.

Complaints included failing to provide proper medical advice; failing to determine patient's ability to communicate; and exceeding their scope of training.



Risk Management

\$350,000 verdict in Oregon (2003) Urgent Care Clinic failed to timely follow P&P to refer pt to ER if any history of use of power tools during injury. LEP Mexican laborer ultimately lost sight to his eye.

Clinic didn't provide interpreter and no staff spoke Spanish. Pt never spoke to interpreter even though MD sought assistance and clinic was set up for use of phone interpreter. Pt tried to communicate that he was struck by piece of metal from a nail gun at time of accident. Experts testified that pt's sight could have been saved with timely referral to ER and surgery.

Risk Management



Pregnant LEP Woman in Chicago ER

(1998) A pregnant Mexican woman visited an ER in a Chicago hospital for preterm bleeding. She received an ultrasound and was seen by several doctors who used another patient to interpret for them. She left the hospital believing that her pregnancy was on track.

Two months later, wondering why her baby had not grown, she again sought care. On reviewing her medical records, it was discovered that the woman had in fact lost her baby that night in the ER.

(cited in Fortier, 1998)



Risk Management

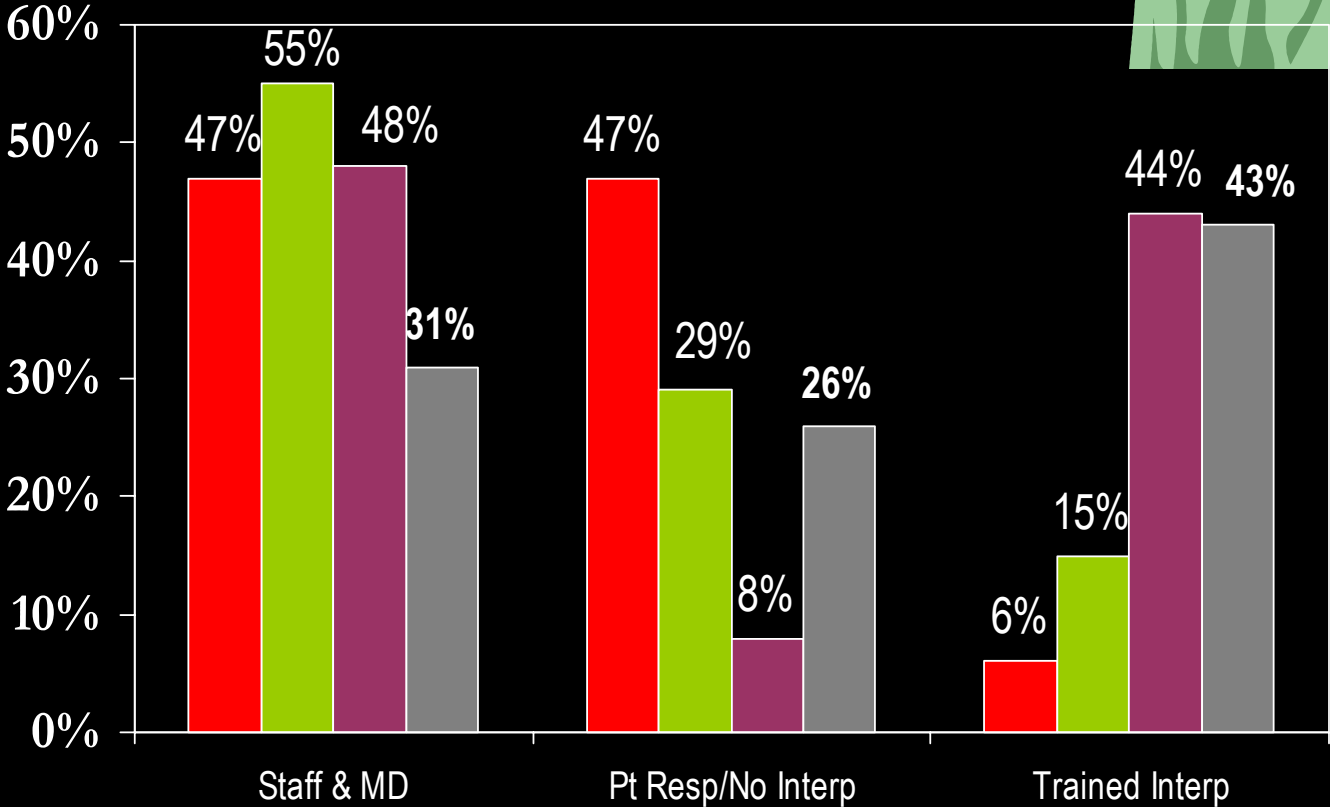
A Washington DC family planning provider was sued for \$11 million when as a result of miscommunication, a clinician mistakenly performed an abortion on a non-English speaking Central American woman who was actually seeking contraceptive services.

(cited in Fortier, 1998)

Responding to Language Needs

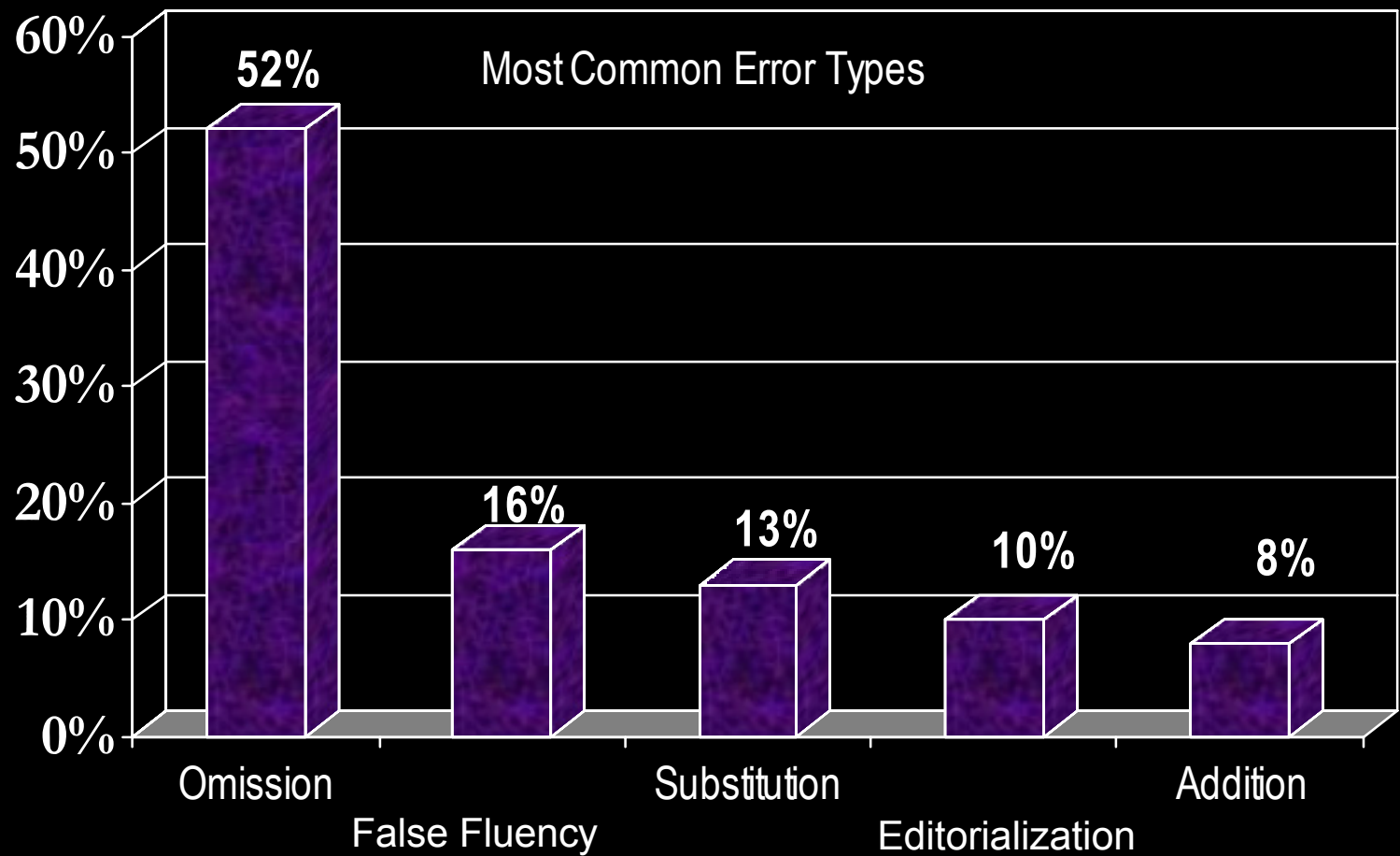


Combined Survey Results



■ SF ■ Hablamos Juntos ■ UCSD ■ Chicago ER

Is there a difference in the quality of interpretation?



Ethical Principles for Health Interpretation

California Standards for Healthcare Interpreters



- Confidentiality
- Impartiality - no conflicts represented by interpreter
- Respect for Individuals & their Communities
- Professionalism & Integrity
- Accuracy and completeness - knowledge of medical terminology
- Cultural Responsiveness

Prohibition on Use of Children as Interpreters

AB 775 (Yee)



Protect the Child

Child should not be first to learn of adult patient's serious or terminal illness

- Child should not be carry burden of telling adult patient of that condition.
- Child should not be privy to adult patient confidential medical information.
- Child should not bear burden of accurate & complete interpretation *or failure thereof*.

Prohibition on Use of Children as Interpreters

AB 775 (Yee)

Protect the Patient

- Use of untrained interpreter results in
 - misdiagnosis from misunderstanding patient complaint by doctor,
 - misunderstanding of medications & self-care by patient
 - misunderstanding of treatment choices by patient.
- 63% interpretation errors have clinical implications (avg 31 per visit) and rate 45% higher for untrained interpreters.
- Language proficiency of child is unknown, unreliable
- Adult may withhold info from child and as a result from doctor