

Eli's Hospice Insider

Compliance: Mark Your Calendars For New Nondiscrimination Notices

New notice requirements for language on deck.

Add one more item to your to-do list for the fall.

You'll need to revamp your notice of non-discrimination for your patients, based on a final rule published by the **Department of Health & Human Services** in May. The final rule, "Nondiscrimination in Health Programs and Activities," takes aim at discrimination based on race, color, national origin, sex, age, or disability. Among other areas, the rule addresses "transgender individuals who have experienced discrimination in the health care context [and] often postpone or do not seek needed health care, which may lead to negative health consequences."

The rule goes on to note a study that found that "one-quarter of the more than 6,400 transgender and gender-nonconforming respondents reported . . . being denied needed treatment[,] ... being harassed in health care settings[,] ... [and] postponing medical care because of discrimination by providers."

The rule also addresses providing language assistance services to patients with limited English proficiency (LEP). "The final rule requires covered entities to post in a conspicuous location a notice of individual rights related to nondiscrimination with taglines for, at least, the top 15 non-English languages spoken in the state in which the entity is located or does business," notes the **National Association for Home Care & Hospice**.

The details of what must be in the rights notice are on p. 31469 at of the rule at www.gpo.gov/fdsys/pkg/FR-2016-05-18/pdf/2016-11458.pdf.

Deadline: HHAs have 90 days from the rule's July 18 effective date to comply with the notice requirements in the rule, CMS says.