



New York

Type	Provision(s)	Description
PRO	N.Y. Educ. Law § 8214(4)	Test for licensure for acupuncture may be given (at the discretion of the department) in English and/or Chinese or other language but nothing requires the department to issue an exam in a language other than English.
AGY, MEN	N.Y. Mental Hyg. Law § 5.07(b)(2)(j)	The Commissioner of Mental Health shall include in the statewide comprehensive plan for services to persons with mental illness recommendations on the provision of state and local mental health services based on the development of best practices by programs promoting culturally and linguistically competent mental health services.
AGY, MEN	N.Y. Mental Hyg. Law § 7.07(f)	The Office of Mental Health shall establish, and provide technical and financial support to establish two programs promoting culturally and linguistically competent mental health services. The programs, in consultation with the office's multicultural advisory committee, shall investigate and report, to the commissioner on a biannual basis recommendations as to best practices for the delivery of culturally and linguistically competent mental health services to underserved populations affected by disparities due to cultural, linguistic and systemic barriers.
AGY, MEN	N.Y. Mental Hyg. Law §§ 7.09(h), 13.09(e)	Office of Mental Health and Office of Mental Retardation and Developmental Disabilities must promulgate rules that address the communications needs of non-English speaking persons and to require facilities to use reasonable means to accommodate language needs.
AGY, OAA	N.Y. Mental Hyg. Law § 7.41(b)(4)	Geriatric demonstration program shall include grants to providers of care to older adults with mental disabilities including programs more effective in recruitment and retention of bi-lingual, bi-cultural or culturally competent staff.
AGY, MEN	N.Y. Mental Hyg. Law § 41.47(f)(3), N.Y. Comp. Code R. & Regs. tit. 14, § 575.8(c)(3)	Prior to entering into contracts for the provision of community support services, the Office of Mental Health and local governmental units shall consider the current availability of services for mentally ill persons in the area, including the special needs of ethnic minorities and non-English speaking mentally ill persons.
HEA	N.Y. Mental Hyg. Law §§ 81.07(c), 81.09(c)	The order to show cause in a proceeding for an appointment of a guardian shall be written in a language other than English if necessary to inform the person alleged to be incapacitated of his or her rights. The evaluator at the hearing shall determine whether the alleged incapacitated person understands English or only another language, and explaining to the person alleged to be incapacitated, in a manner which the person can reasonably be expected to understand, the nature and possible consequences of the proceeding, the general powers and duties of a guardian, available resources, and the rights to which the person is entitled, including the right to counsel.
EIS	N.Y. Pub. Health Law §§ 2544(7), 2549(3)	In the early intervention program for infants and toddlers with disabilities, following completion of an evaluation of the child, the evaluator shall provide the parent with a summary of the full evaluation. To the extent practicable, the summary shall be provided in the native language of the parent. A parent requesting a hearing under this program must be provided a notice including specific information in the native language of such person whenever practicable and, if not, in a manner to ensure notice.
AGY, WOM	N.Y. Pub. Health Law § 2805-p(3)	The Commissioner of Public Health shall develop, prepare and produce or approved informational materials relating to emergency contraception for distribution to and use in all hospitals in the state, that are readily comprehensible and in such varieties and forms as deemed necessary to inform survivors in English and languages other than English.



New York continued

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AGY, HOS, PAY	N.Y. Pub. Health Law § 2807-c(k)	Subject to the availability of federal financial participation, the commissioner shall adjust inpatient rates of payment for non-public general hospitals located in a city with a population of more than one million persons to ensure meaningful access to the hospital's services and reasonable accommodation for all Medicaid patients who require language assistance. From July 1, 2007-December 31, 2007, \$38 million dollars shall be allocated proportionally to such hospitals based on fifty percent of each such hospital's reported general clinic Medicaid visits and fifty percent on each such hospital's reported Medicaid inpatient discharges, based on the hospital's 2004 institutional cost report compared to the total of all such general clinic visits reported by all such hospitals. From April 1, 2008-March 31, 2009, \$38 million dollars shall be allocated for to such hospitals in accordance with regulations promulgated by the commissioner and which shall provide that up to 30% percent of such funds shall be allocated proportionally, based on the number of foreign languages utilized by one or more percent of the residents in each hospital total service area population.
XXX	N.Y. Pub. Health Law § 2807-g	Health workforce retraining programs require remediation, including preparation in English for speakers or writers of other languages.
HOS, PAY	N.Y. Pub. Health Law § 2807-k (9.a)(e)	As a condition for receiving funds from the Indigent Care Pool, general hospitals shall ensure that application forms are printed in the "primary languages" of patients served by the general hospital. "Primary languages" includes any language that is either used to communicate during at least five percent of patient visits in a year by patients who cannot speak, read, write or understand the English language at the level of proficiency necessary for effective communication with health care providers; or spoken by non-English speaking individuals comprising more than one percent of the primary hospital service area population, as calculated using demographic information available from the United States Bureau of the Census, supplemented by data from school systems.
AGY, CRD	N.Y. Pub. Health Law § 2995-a(1)(o)	The Department of Health shall collect physician profiles, including whether any language services that may be available at the licensee's primary practice location.
AGY, MCO	N.Y. Pub. Health Law § 4403(5)(b)	When the Commissioner evaluates a renewal application for a health maintenance organization license, consideration should include the network's ability to provide culturally and linguistically competent care to meet the needs of the enrollee population.
MCO, HIV	N.Y. Pub. Health Law § 4403-c(14)(a)(6)	For health maintenance organizations seeking designation a comprehensive HIV special needs plan, the plan must have an annual quality assurance review that includes mechanisms to provide all information to enrollees in clear and coherent terms that are commonly used in a culturally and linguistically appropriate and understandable manner.
MFA	N.Y. Pub. Health Law § 4403-d(b)(9)	Those seeking to operate a mental health special needs plan must provide assurances that the applicant will implement procedures to communicate appropriately with non-English speaking enrollees or prospective enrollees in accordance with subdivision N.Y. Mental Hyg. Law §§ 7.09(h).
MCO	N.Y. Pub. Health Law § 4408(1)(p)	Each subscriber of a health maintenance organization must be provided a description of how the health maintenance organization addresses the needs of non-English speaking enrollees.
MCO	N.Y. Pub. Health Law § 4408-a(2)(c)	Each health maintenance organization shall assure that its grievance procedure is reasonably accessible to those who do not speak English.



New York continued

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MED, MCO, MEN, HIV	N.Y. Soc. Serv. Law § 364-j (3)(b)(iv), (4)(e)(iv), (4)(p), (22)(e); N.Y. Comp. Code R. & Regs. tit. 18, § 360-10.15(a)(3)	In managed care plans, Medicaid recipients shall not be required to participate in and may withdraw from a managed care plan if shown that the participant cannot be served by a managed care provider due to a language barrier. Local social services districts or enrollment organizations through their enrollment counselors shall provide participants with information in a culturally and linguistically appropriate and understandable manner, in light of the participant's language proficiency, sufficient to enable the participant to make an informed selection of a managed care provider. A managed care provider, comprehensive HIV special needs plan and mental health special needs plan shall implement procedures to communicate appropriately with participants who have difficulty communicating in English. And the demonstration program operating in Chemung County must provide adequate services to overcome language barriers for participants.
MED, MCO	N.Y. Soc. Serv. Law § 369-ee(3)(d)(iv)	Family health insurance plans participating in Family Health Plus program must implement procedures to communicate appropriately with participants who have difficulty communicating in English.
OAA	N.Y. Comp. Code R. & Regs. tit. 9, § 6651.2(l)(3)(d)(ii)	For programs receiving funding through the Older Americans Act, Community Services, or Expanded In-home Services for the Elderly, "vulnerable" means a deficit of social resources and/or environmental condition including language barriers.
OAA	N.Y. Comp. Code R. & Regs. tit. 9, § 6654.13(a)-(b)	Information referral and outreach of the Area Agency on Aging shall assure that elderly people have reasonably convenient access to a system of information and referral services to link them to appropriate resources. Any area agency serving an area where a substantial number of elderly people speak a language other than English as their principal language shall assure that outreach services are delivered by workers who are fluent in the language spoken by a predominant number of such elderly people; and designate an individual employed by the area agency on aging, or available to such area agency on a full-time basis. This person's responsibilities will include: taking appropriate action to assure that counseling assistance is made available to elderly individuals who are of limited English-speaking ability; and providing guidance to individuals engaged in the delivery of supportive services under the area plan to enable such individuals to be aware of cultural sensitivities and to take into account effectively linguistic and cultural differences.
HHC, CRD	N.Y. Comp. Code R. & Regs. tit. 9, § 6654.17(h)	A personal care worker participating in the expanded in-home services for the elderly program (EISEP) shall be able to read, write, and speak in English and, where applicable, in the client's primary language.
HEA	N.Y. Comp. Code R. & Regs. tit. 9, §§ 9700.2(c), 9720.5(e)	If an applicant/participant of the elderly pharmaceutical coverage program seeks a determination after reconsideration, information must be provided regarding how to get an interpreter for those who do not speak English. In the fair hearing, an applicant/participant has the right to an interpreter, at no charge, if he/she does not speak English although the person must advise the department prior to the hearing if an interpreter will be needed.
EIS	N.Y. Comp. Code R. & Regs. tit. 10, § 69-4.8(a)(9)(v), (a)(14)(i)	Regarding an evaluation or screening for early intervention services, to the extent feasible and within the parent's preference and consent regarding disclosure to the interpreter, and within confidentiality requirements, the written and oral summary shall be provided in the dominant language or other mode of communication of the parent. Responsiveness to the cultural background of the family must be a primary consideration in all aspects of evaluation and assessment.



New York continued

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EIS	N.Y. Comp. Code R. & Regs. tit. 10, § 69-4.17(b)(1)(ii), (iii), (g)(7)(ii), (g)(8)(iii)	If there is a suggested change in early intervention services, a notice must be provided in the dominant language of the parents, unless it is clearly not feasible to do so. If the dominant language or other mode of communication of the parent is not a written language, the early intervention official shall take steps to ensure that: the notice is translated orally or by other means to the parent in the parent's dominant language or other mode of communication; the parent understands the notice; and there is written evidence that the requirements of this paragraph have been met. If a parent requests mediation, the parent shall simultaneously be sent a notice which shall include the need for interpretive services, if any. Upon receipt of a request for mediation, the community dispute resolution center shall contact the parent and early intervention official to discuss the need for interpretative services or alternative communication services, if any.
EIS	N.Y. Comp. Code R. & Regs. tit. 10, § 85.40(g)	In the Prenatal Care Assistance Program, health and childbirth education services shall be given to each pregnant woman based on an assessment of her individual needs and provided with appropriate educational materials, including video and written information, taking into account cultural and language factors including the ability of the pregnant woman to comprehend the information.
PAY	N.Y. Comp. Code R. & Regs. tit. 10, § 86-1.89(a)(10)-(11), (e)(7)(i)	For supplemental funding to medical training programs, additional financial consideration is available to those documenting cultural competence education if at least 80 percent of the total number of residents receive at least eight hours of cultural competence training in addition to any training that occurs in direct patient care. Cultural competence training means the training of residents to increase awareness and recognition of cultural differences and the impact such differences have on interactions between patients and medical professionals and must address attitudes towards cultural differences in people, provide knowledge of such cultural differences and strengthen or improve skills residents need to communicate and provide health care services in settings where cultural differences exist.
MCO, LTC	N.Y. Comp. Code R. & Regs. tit. 10, § 98-1.19(c)(4)	Managed Long Term Care Plans' marketing materials must include a description of how the MLTCP will meet the informational needs of eligible persons, including those who speak a language other than English as a first language and enable the person to make a voluntary and informed choice.
HOS, RGT	N.Y. Comp. Code R. & Regs. tit. 10, § 405.7(a)(7)	Under patients' rights, hospitals must provide skilled interpreters and translations of all significant forms to ensure effective communication with all persons receiving treatment regardless of language. Hospitals must designate a Language Assistance Coordinator and develop a Language Assistance Program. Interpreters and translations shall be regularly available for non-English speaking groups comprising more than one percent of a hospital's service area. Interpreters must be available in inpatient and outpatient settings within 20 minutes and in emergency rooms within 10 minutes of a request by the patient, the patient's family or representative, or a health care provider.
HOS, WOM	N.Y. Comp. Code R. & Regs. tit. 10, § 405.9(c)(1)(iii)	Hospitals must advise sexual assault survivors of the availability of services provided by a local rape crisis or victim assistance organization and, unless the patient declines such services, contacting the organization with information concerning the language spoken by the victim if other than English.
XXX, FAM	N.Y. Comp. Code R. & Regs. tit. 10, § 405.22(l)(ii)(d)	Regarding an adult live liver donation, non-English speaking candidates shall be provided with a non-family interpreter who understands their language and culture.
HOS	N.Y. Comp. Code R. & Regs. tit. 10, § 407.7	For primary care and critical access hospitals participating in a rural health network, requirements for skilled interpreters may be met through effective communication within the network including telephone, radio or electronic communications.



New York continued

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LTC	N.Y. Comp. Code R. & Regs. tit. 10, § 415.3(e)	In nursing homes, residents have the right adequate and appropriate medical care, and to be fully informed by a physician in a language or in a form that the resident can understand, using an interpreter when necessary, of his or her total health status.
CRD	N.Y. Comp. Code R. & Regs. tit. 10, § 415.26(d)(3)(c)(ii)	A nurses' aide training program must include methods of communication in overcoming the barriers of language and cultural-differences.
MCO	N.Y. Comp. Code R. & Regs. tit. 10, § 732-2.6(e)(10)	Preferred Provider Organization handbooks must include a description of how the PPO addresses the needs of non-English speaking claimants.
MEN	N.Y. Comp. Code R. & Regs. tit. 14, § 503.4(b)(2)(v)	Office of Mental Health hearing notices must include a statement that interpreter services shall be made available, at no charge, to non-English speaking persons or persons with hearing impairments.
AGY, CHI, MEN	N.Y. Comp. Code R. & Regs. tit. 14, § 507.7(c)(5)	A local government electing to participate in the expanded children's services program for children with serious emotional disturbance is responsible for accommodating the special needs of ethnic minorities and non-English speaking children and families.
MFA, FAM	N.Y. Comp. Code R. & Regs. tit. 14, § 527.4	No mental health facility may deny care and treatment to, or otherwise discriminate against, persons who are non-English speaking, deaf or hard-of-hearing. Each facility shall facilitate access to services by persons who are non-English speaking. In addressing the communication needs of persons who are non-English speaking, each facility shall take reasonable steps to ensure that the overall quality and level of services are equal to that made available to all other recipients; necessary steps are taken to provide information in appropriate languages; the timely availability of interpreters is provided, when necessary for effective communication; persons serving as interpreters are sufficiently competent to ensure effective communication. Such interpreters may include, but are not limited to, facility staff, community volunteers or contractors. In no event shall recipients be charged for the use of interpreter services. A recipient's family member or significant other may serve as an interpreter for the recipient if the recipient and family member/significant other agree to the arrangement, the arrangement is clinically appropriate, and the recipient has been informed of the option of using an alternative interpreter identified by the facility. Providers shall not predicate service delivery on the use of family members or significant others as interpreters. Plans of treatment or services developed for persons who are non-English speaking, or who, for any cause, are unable to read or write, shall identify any significant related impact on such persons' functioning and treatment, and identify associated recommendations for treatment, including any reasonable accommodations.
MEN	N.Y. Comp. Code R. & Regs. tit. 14, § 575.8(c)(3)	Prior to entering into contracts for the provision of community support services, the Office of Mental Health and the local governmental unit shall consider the current availability of services for seriously and chronically mentally ill individuals in the area, including the special needs of ethnic minorities and non-English speaking mentally ill individuals.
CHI	N.Y. Comp. Code R. & Regs. tit. 14, § 587.5(e)(2)(iii)	In a county with 3% or more of the projected population of children in New York State, the criteria for inclusion as a designated interim specialty clinic outpatient treatment program serving children includes all licensed clinic treatment programs primarily serving physically handicapped or non-English speaking children.
MFA	N.Y. Comp. Code R. & Regs. tit. 14, § 590.10(g)	If at least one percent of the general population of the catchment areas served by the comprehensive psychiatric emergency program has a primary language other than English, it shall ensure the availability of individuals who are fluent in that language.



New York continued

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MFA	N.Y. Comp. Code R. & Regs. tit. 14, § 595.6(i)	In residential homes for adults under the Department of Mental Health, the provider of service shall establish mechanisms to ensure provision of reasonable accommodations and services which are relevant to the cultural, language and ethnic backgrounds of residents.
MFA, HEA	N.Y. Comp. Code R. & Regs. tit. 14, § 602.2(c)(1)(iv)	The Office of Mental Health and Developmental Disabilities hearing procedures require provision of notice that interpreter services are available for non-English speaking witnesses or parties, at no charge, upon written request within a reasonable time prior to any scheduled hearing.
AGY, FAM	N.Y. Comp. Code R. & Regs. tit. 14, § 633.4(15)	No facility operated or owned by the Office of Mental Retardation and Developmental Disabilities shall deny care and treatment to or otherwise discriminate against non-English speaking people. Facilities shall facilitate access to services by non-English speaking persons by providing information in appropriate languages and providing competent interpreters free of charge. Discourages using family members as interpreters.
MFA	N.Y. Comp. Code R. & Regs. tit. 14, § 633.99(ag)	For individuals receiving services in facilities operated or certified by the Office of Mental Retardation and Developmental Disabilities, informed consent means information must be presented in a manner permitting a knowledgeable evaluation and decision to be made and must be presented in whatever language the party giving informed consent reads or understands most easily and clearly (e.g., English, Spanish, German).
AGY, MEN	N.Y. Comp. Code R. & Regs. tit. 14, § 671.6(b)(3)	The Office of Mental Retardation and Developmental Disabilities shall verify in both the service planning and service delivery aspects, that the provider of community residential habilitative services has respected the person's cultural and language needs and has attempted to ensure that the person's primary language or means of communication has been used to facilitate learning and understanding.
AGY, MEN	N.Y. Comp. Code R. & Regs. tit. 14, §§ 679.4(p), 679.1(d)	The Office of Mental Retardation and Development Disabilities shall verify that each clinic treatment facility (a facility that primarily services people with developmental disabilities) has made persons served at the facility aware of certain information in a person's primary language and/or in a manner that facilitates communication and understanding.
MFA	N.Y. Comp. Code R. & Regs. tit. 14, §§ 690.5(b)(2)(x)(c), 690.6(p), (q)	In day treatment facilities for individuals with developmental disabilities, each person admitted and his/her correspondent must informed orally and in writing in the correspondent's primary language prior to admission, of all services available, personal items provided by the facility, and the financial charges which may be incurred by him or her for these services. The Office of Mental Retardation and Developmental Disabilities must verify this occurred.
MED, MCO	N.Y. Comp. Code R. & Regs. tit. 18, § 360-10.8(f)	A Medicaid managed care plan (MCP) must demonstrate that recipients who are eligible to participate in an MCP will be fully informed of how an MCP provides services, and provide enough information, in a form which is reasonably understandable to persons of the varying cultural backgrounds represented in the Medicaid recipient population, to assure that such recipients can make informed choices of managed care providers and primary care providers.
MFA	N.Y. Comp. Code R. & Regs. tit. 18, §§ 487.4(q), 488.4(l), 490.4(s)	Admission standards for adult care facilities (adult homes, enriched housing facilities, residences for adults) require that if the applicant/resident is otherwise unable to comprehend English or printed matter, the operator shall arrange for conduct of the interview and transmission of the contents of the admission agreement, the statement of rights and responsibilities and facility information in a manner comprehensible to the applicant.



New York continued

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MFA	N.Y. Comp. Code R. & Regs. tit. 18, §§ 487.9(a)(13), 488.9(a)(10), 490.9(a)(11), 491.13(b)	In adult care facilities (including adult homes, enriched housing, shelters, residences for adults), employees who have direct contact with residents must be able to speak, read and write English, and speak the predominant language of residents.
MFA	N.Y. Comp. Code R. & Regs. tit. 18, § 489.3(b)(5)	The operator of a family-type home for adults must be able to speak, read and write English.
MED, STA, CON	N.Y. Comp. Code R. & Regs. tit. 18, § 505.13(e)(2)(C)	Medicaid payment for sterilization is only available when the patient provides informed consent which requires an interpreter be provided if the individual to be sterilized did not understand the language used on the consent form or the language used by the person obtaining consent.
HHC	N.Y. Comp. Code R. & Regs. tit. 18, § 505.14(f)(2)(ii)(c)(1)	In assigning personal care attendants, the agency providing services must consider the patient's cultural background and primary language.
AGY, CHI	N.Y. Comp. Code R. & Regs. tit. 18, § 508.4(d)	Each local social services district must ensure that procedures are in place in the district for informing persons who cannot understand the English language about the Child and Teen Health Plan services and benefits.
HEA	N.Y. Comp. Code R. & Regs. tit. 18, §§ 519.8(c), 519.2(c), 519.16	For hearings involving providers, a person has a right to an interpreter, at no charge, if the appellant does not speak English and cannot afford one (the appellant must advise the department prior to the hearing if an interpreter will be needed).