

UNIVERSITY POLICY

Policy Name:	Notice of Non-Discrimination for Language and Interpretation Services under the Affordable Care Act (ACA) Section 1557				
Section #:	100.2.12	Section Title:	Clinical, Compliance, Ethics, & Corporate Integrity: Healthcare Compliance Policies	Formerly Book:	N/A
Approval Authority:	Executive Vice President for Health Affairs	Adopted:	03/06/2019	Reviewed:	12/03/2020
Responsible Executive:	Executive Vice President for Health Affairs	Revised:	12/03/2020		
Responsible Office:	Executive Vice President for Health Affairs	Contact:	chancellorrbhs@rbhs.rutgers.edu 973-972-4400		

1. Policy Statement

It is the policy of Rutgers, The State University of New Jersey, not to discriminate in the provision of health care services on the basis of race, color, national origin, sex, age, or disability.

2. Reason for Policy

To define the processes by which the outpatient locations of Rutgers, The State University of New Jersey, provide notice and access to individuals with disabilities or limited English proficiency, and to provide a grievance procedure for any patient who believes he or she has been the victim of discrimination based on a protected class in compliance with Section 1557 of the Patient Protection and Affordable Care Act.

3. Who Should Read This Policy

All Rutgers faculty and staff who provide clinical services or who work in areas that support clinical services.

4. Resources

United States Department of Health and Human Services (DHHS). Nondiscrimination in Health Programs and Activities. 45 CFR Part 92

Section 1557 of the Patient Protection and Affordable Care Act (42 U.S.C. §18116)

[University Ethics and Compliance Hotline](#)

[United States Department of Health and Human Services Office for Civil Rights Complaint Form](#)

[United States Department of Health and Human Services Office for Civil Rights Complaint Portal Assistant](#)

5. Definitions

N/A

6. The Policy

- a. Rutgers, The State University of New Jersey, shall make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services during a medical encounter at all Rutgers Health clinical settings. Such arrangements may include, but are not limited to, providing qualified interpreters, providing recordings of material for individuals with low vision, or assuring a barrier-free location for the proceedings.
- b. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age, or disability may file a grievance under this procedure.
- c. Rutgers Health shall not retaliate against anyone who reports discrimination, files a grievance, or participates in the investigation of a grievance.

7. Notice

All clinical units/schools shall:

- a. Add the Notice required to all significant publications and significant communications targeted to patients. The Notice is a "Notice Informing Individuals About Nondiscrimination and Accessibility Requirements and Nondiscrimination Statement: Discrimination is Against the Law."
- b. Display the Notice in conspicuous location(s) on the unit's web site.
- c. All requests for services covered under Section 1557 and this policy will be documented at the time they are rendered.

8. Grievance Procedure

- a. If a patient or their authorized representative inquires about making a complaint or filing a grievance, he or she shall be given the opportunity to report their grievance directly to University Ethics and Compliance:
 1. By contacting the Rutgers University Ethics & Compliance (UEC) Office at:
Stanley S. Bergen, Jr. Building
65 Bergen Street, Suite 1346
Newark, NJ 07107
Fax: 973-972-7174
Email: uec_contact@uec.rutgers.edu
 2. By calling the [Rutgers Compliance Hotline](#)
 3. By submitting an online report: <https://uec.rutgers.edu/compliance-hotline/>
- a. The grievance should include the name of the patient, name of person filing the grievance, date, location of where the alleged event occurred, a description of the alleged violation, and the remedy or relief sought.
- b. The local units will provide any support or information requested by the Rutgers University Ethics & Compliance Office. A written summary of the outcome will be provided at the conclusion of the investigation, and the Rutgers University Ethics & Compliance Office will advise the patient of the outcome.

The patient and/or their authorized representative may file a complaint with the United States Department of Health and Human Services Office for Civil Rights electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

Centralized Case Management Operations
United States Department of Health and Human Services
200 Independence Avenue, SW
Room 509F, HHH Building
Washington, D.C. 20201
(800) 368-1019
Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.