

NEVADA STATE BOARD OF MEDICAL EXAMINERS

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Language Access Plan

I. Purpose and Authority

Nevada Revised Statute Chapter 232 and federal guidance on Title VI address the barriers that persons with limited English proficiency (LEP) face when accessing governmental programs and services.

Persons with LEP require and deserve meaningful, timely access to government services in their preferred language. Moreover, it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The Nevada State Board of Medical Examiners (Board) is committed to complying with NRS 232.0081 to ensure meaningful access to State services and programs for individuals with LEP.

The purpose of this document is to establish an effective plan and protocol for employees of the Board to follow when providing services to, or interacting with, individuals with LEP. Following this plan and protocol is essential to the success of the Board's mission to protect the public interest by ensuring that only competent persons practice medicine, perfusion, and respiratory care within the State.

II. General Policy

The Board endorses the following policies:

- The Board is committed to equality and will take all reasonable steps to provide individuals with LEP meaningful access to all its services, programs, and activities.
- The Board, rather than the individual with LEP, bears the responsibility for providing appropriate language services, regardless of the individual with LEP's preferred language, at no cost to the individual with LEP.

- Staff, at the initial points of contact, have the specific obligation to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are specifically prohibited from acting as interpreters.
- The Board's interpreter may include Board staff that have identified themselves as being fluent in a particular language that meets the needs of the person with LEP and in need of services.
- Staff may not suggest or require that an individual with LEP provide an interpreter to receive Board services.

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III. Profile of Individuals Served by the Nevada State Board of Medical Examiners

Our preliminary assessment is that the Board has a limited LEP constituency. Our primary service is licensing and regulating physicians, physician assistants, practitioners of respiratory care, and perfusionists. All applicants must meet eligibility requirements including the successful completion of nationally recognized examinations which are only provided in the US English language. Therefore, all the Board's licensees should be capable of communicating in US English at a high level.

As part of the Board's primary services, the Board also receives complaints against individuals licensed as physicians, physician assistants, practitioners of respiratory care, and perfusionists. Some of the individuals filing complaints with the Board may be individuals with LEP.

The Board currently collects limited demographic information from individuals applying for a license; the demographic information does not include LEP status, whether they identify as indigenous or as a refugee. The Board's complaint form does not ask for the complainant's LEP status.

Going forward, the Board may periodically conduct a demographic survey to include questions about applicants' and licensees' preferred language(s) to better assess language access needs and to determine whether an individual identifies as indigenous or as a refugee. The Board is not aware of a method of surveying complainants regarding their preferred language(s). However, the Board will monitor the tracking of this information by other state entities, to determine whether the Board needs to take steps to ensure that individuals with LEP that are filing complaints will be able to communicate effectively with the Board.

The Board is committed to tracking the languages preferred for communication among the individuals with LEP for whom the Board serves, so that the Board can better provide meaningful, timely access to its services without discrimination of any language impediments.

The preferred language of the public and individual receiving services from the Board is US English. The most common methods for the public to access services are through the Board's website and email communication. The Board's website is currently able to be translated into multiple languages via a drop-down menu option available on its website. However, the Board's license applications are available only in US English and the Board's consumer complaint form is currently available only in US English.

IV. Language Access Services and Procedures

The Board does have staff that can provide some language assistance services. For example, currently, the Board's Chief of Investigations is fluent in both Spanish and Thai. The Board will periodically ask its employees what languages they speak, in addition to US English, so that individuals needing language assistance services may be directed to those employees when receiving services from the Board. The Board anticipates that most requests for language assistance services will be from complainants who are filing complaint with the Board regarding the care received by physicians, physician assistants, practitioners of respiratory care, or perfusionists.

The Board does not have any known LEP applicants or licensees. Currently it is not known whether any applicants or licensees identify as indigenous or refugee. The Board has never received a request for language access services from LEP applicants or licensees. The Board does receive calls or other inquiries from consumers who primarily speak Spanish from time to time and those calls and inquiries are addressed by the Board's Chief of Investigations.

The Board is aware of the need to provide sign language services to individuals that it serves pursuant to the Americans with Disabilities Act of 1990 (ADA). The need for sign language interpretation and other language access needs will be addressed in the following manner:

- The Board will utilize one of the active statewide contracts for translation and interpreter services offered by the state, which can be found here: https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/.
- Providing Notice of Language Assistance Services:
All staff will be made aware of appropriate language assistance services. Those seeking services may also request language assistance by contacting the Board by email which is posted on the Board's website.

V. Implementing Language Access Services

To fulfill the goals of this plan, the Language Access Coordinator will provide staff with the necessary training to ensure that staff are familiar with the Language Access Plan and its related policies. This training will include:

- How to respond to individuals with LEP via phone, writing, or in-person.
- How to seek assistance with internal or state-sanctioned language access resources.
- How to document the mode of communication and preferred language of an individual with LEP to better understand the needs of those accessing services and ensure that equitable access is available throughout the duration of their interactions with the Board.
- How to report these interactions to the Language Access Coordinator. In addition to staff training, the Board will use the internal and state-sanctioned resources to provide information in languages other than English.

VI. Evaluation of and Recommendations for the Language Access Plan

The Board is committed to providing individuals with LEP full access to its services and is committed to monitoring the policies and procedures stated above to ensure that LEP Nevadans receive equitable access to Board services. The Board solicited public comment on its initial plan at its meeting in September 2023 and no comment on the Board's initial plan was received from any Board members or members of the public.

The Language Access Coordinator will continue to develop and monitor this plan, and update it biennially based on applicant data, language accommodation requests documented by staff and any demographic data obtained through surveys and solicited public comment. The Language Access Coordinator will also track any costs that may be incurred by the use of external, state-sanctioned resources.

The Board is exempt from the State Budget Act, and all expenses incurred by the Board are paid from fees received from individuals licensed by the Board.

Suggested Legislative Amendments:

Independent regulatory Boards that do not have staff capacity to perform language access roles could benefit from a state-assigned liaison that works for the Governor's Office of New Americans to provide those duties for the Boards on an as needed basis, similar to an assigned Deputy Attorney General (DAG).