



Over-the-Phone and Video Remote Interpreting Services

Minimum Standards for LAPs/Interpreters

1. **Recitals:** The Washington State Department of Social and Health Services Contractor's Position Statement on Minimum Standards for Over-the-Phone and Video Remote Interpreting Services.

2. **Definitions:** The following terms used herein shall have the following meanings:

"Contractor" means Universal Language Service, Inc., its employees, and agents. Contractor includes any firm, provider, organization, individual or other entity performing services under this Contract. It also includes any Subcontractor retained by Contractor as permitted under the terms of Contract 2534-60325.

"HIPAA" means the Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that required the creation of national standards to protect sensitive patient health information from being disclosed without the patient's consent or knowledge.

"Interpreter" means a person who provides spoken language interpretation and who is not subcontracted through this agreement as an LAP.

"Language Access Provider (LAP)" Pursuant to RCW 41.56.030 (11)(a), "Language access provider" means any independent contractor who provides spoken language interpreter services, whether paid by a broker, language access agency, or the respective department:

(1) "Language access provider" does not mean a manager or employee of a broker or a language access agency. For purposes of this contract and as required by RCW 74.04, an LAP must be

(a) certified, authorized, or recognized by Department of Social and Health Services Language Testing and Certification (DSHS-LTC)

"Over-the-phone" or **"OPI"** is a telecommunication service that uses telephonic technology hosted by the Contractor, that utilizes a remote or offsite LAP/Interpreter to provide language access services through the telephone. This includes when some, or all parties are located remotely.

"Protected Health Information" or **"PHI"** means individually identifiable information that relates to the provision of health care to an individual; the past, present, or future physical or mental health or condition of an individual; or past, present, or future payment for provision of health care to an individual, as defined in 45 CFR 160.103.

Individually identifiable information is information that identifies the individual or about which there is a reasonable basis to believe it can be used to identify the individual and includes demographic information. PHI is information transmitted, maintained, or stored in any form or medium. 45 CFR

164.501. PHI does not include education records covered by the Family Educational Rights and Privacy Act, as amended, 20 USC 1232g(a)(4)(b)(iv).

“Video Remote Interpreting” or “VRI”: is a video-based interpreting event that utilizes a HIPAA-compliant video telecommunication service hosted by the Contractor that uses devices such as web cameras or videophones that utilizes a remote or off-site interpreter to provide language access services on screen. This includes when some, or all parties are located remotely and includes Telemedicine appointments.

3. Minimum Standards for Over-The-Phone and Video Remote Interpreting Services for Language Access Providers and Interpreters.

To ensure HIPAA compliance, PHI security and stable audio/video calls connection, LAPs/Interpreters are expected to meet the minimum standards outlined below:

3.1. HIPAA Compliant Environment:

LAPs and Interpreters must select a secure and quiet locations for OPI and/or VRI appointments where the only people who can see or hear the interpretation sessions are people who are directly related to care.

3.2. OPI Technical Specifications Recommendations:

- Landline, cell phone or VoIP (internet phone) with reliable access.
- Minimum CPU Intel i5 or equivalent for the PC.
- For VoIP - High speed internet. The dedicated internet connection should provide download speeds of no less than 10 Mbps and upload speeds of 5 Mbps.

3.3. VRI Technical Specifications Recommendations:

- Minimum CPU Intel i5 or equivalent for the PC, dual monitors and C310 camera or better with minimum resolution of 720p/30fps.
- High speed internet. The dedicated internet connection should provide download speeds of no less than 10 Mbps and upload speeds of 5 Mbps. PC must be direct wired to the network.

3.4. For scheduled appointments for which the LAP/Interpreter has already agreed to OPI/VRI mode of interpreting, the OPI/VRI equipment must be set up in the designated room and be ready to operate at the time of the appointment.

3.5. LAPs/Interpreters must act in accordance with the DSHS Code of Professional Conduct (WAC 388-03-050), comply with HIPAA and all applicable state/federal laws and sign Business Associate Agreement (BAA).