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Director

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

October 27, 2011

AFL 11-54

TO: General Acute Care Hospitals
Acute Psychiatric Hospitals
Special Hospitals

SUBJECT: Hospital charity care notice language requirements

AUTHORITY: Health and Safety Code Section 127410(a)
Government Code Section 7296.2

The purpose of this AFL (All Facilities Letter) is to communicate statutory requirements pertaining to providing hospital discount and charity care policies in languages other than English.

Health and Safety Code Section 127410(a) requires hospitals, as a condition of licensure, to provide patients with a written notice containing information about the availability of the hospital's discount payment and charity care policies. The law also requires this notice to be provided to patients who receive emergency or outpatient care and who may be billed. The notice must contain information about eligibility, as well as contact information for a hospital employee or office from which the person may obtain further information about these policies. The notice must be provided in English and languages other than English.

The statute gives guidance on determining which other languages the notice must be provided based on a substantial number of non-English speaking people served by the hospital. Government Code Section 7296.2 states “a substantial number of non-English speaking people” are members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language and who comprise five percent or more of the people served.

Therefore, hospitals are required to provide notice of their discount payment and charity care policies for each language other than English spoken as the primary language of five percent or more of the community served by the hospital or of the hospital's actual patient population.

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Facilities are responsible for following all applicable laws. The California Department of Public Health's failure to expressly notify facilities of statutory or regulatory requirements does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of all applicable sections of the Health and Safety Code and Title 22 of the California Code of Regulations.

Sincerely,

Original Signed by Pamela Dickfoss

Pamela Dickfoss
Acting Deputy Director
Center for Health Care Quality