

June 28, 2016

## MEDICAID ALERT

**TO: All Providers**

**SUBJECT: Compliance with Federal Non-discrimination Requirements**

Per guidance from the US Department of Health and Human Services' Office of Civil Rights, and effective Aug. 1, 2016, the South Carolina Department of Health and Human Services (SCDHHS) will begin assessing provider compliance with all non-discrimination requirements found in:

- Title VI of the Civil Rights Act of 1964 that prohibits any discrimination due to race, color or national origin (45 CFR part 80)
- Title V, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 that prohibits discrimination on the basis of handicap (45 CFR part 84)
- The Americans with Disabilities Act of 1990 that prohibits discrimination on the basis of disability (28 CFR parts 35 & 36)
- The Age Discrimination Act of 1975 that prohibits discrimination on the basis of age (45 CFR parts 90 and 91)

This alert is to notify all providers of pending assessments. Providers will need to access online provider manuals and review non-discrimination requirements found in Section 1 of all provider manuals and in those previously listed. Additionally, providers will be required to attest they are in compliance with regulations and, upon request, be prepared to provide proof of compliance. Failure to comply with all non-discrimination requirements as outlined in the policy manual may result in termination of enrollment.

It is important to note that barriers between providers and beneficiaries provide one of the greatest opportunities for non-compliance with non-discrimination requirements. Removing these barriers to engaging with beneficiaries are essential and required for all providers to ensure that care is appropriately provided and directions are clearly understood. Non-compliance with current civil rights legislation, especially with regard to communication with limited-English speakers, significantly raises the risk of poor communication.

Thank you for your continued support of the South Carolina Healthy Connections Medicaid program.