

California Department of Insurance
Language Assistance Program (LAP)
Frequently Asked Questions (FAQ)
Last Update: 10/31/08

Acknowledgement Form

1. If the company has determined that they have no experience to report, then they will need to complete the Acknowledgement Form and submit the completed version to lap_filing@insurance.ca.gov by 10/31/08.
2. Companies that do not offer or maintain business in health insurance, as defined under CIC §106(b), are not subject to the LAP Plan and reporting requirements. All that is needed to complete your company's obligations is to submit the Acknowledgement Form with a checkmark on the box of "We have no experience to report under this data call" and contact information to the department (lap_filing@insurance.ca.gov). The department will contact your company if there are any questions regarding your reporting status.

Cultural Appropriateness Report

The Cultural Appropriateness Report form will not be required for submission until 10/1/2009 and is not currently available on the website. We have updated the Statistical Plan to only state 10 sections to report.

Exemptions from LAP submission

1. Per our Legal Division, the statute does not authorize any exemptions or exceptions to the LAP requirements for an insurer that currently writes or has existing business in health insurance as defined by California Insurance Code (CIC) §106(b).
2. Companies with a small number of insureds are expected to fulfill their reporting obligations under CIC §10133.8 & §10133.9 AND CCR §2538.1 – §2538.8. All class 06 licensed California insurers are subject to the LAP requirements.
3. If you do not have any health insurance policies in force in California all that is needed to complete your company's obligations is to submit the Acknowledgement Form with a checkmark on the box of "We have no experience to report under this data call" and contact information to the department (lap_filing@insurance.ca.gov). The department will contact your company if there are any questions regarding your reporting status.

Extensions

1. Requests for extensions in submitting the LAP 2008 Plan and Report Forms must be received no later than November 10, 2008. All extension requests must be in writing and must be sent by email to Dairyn Valencia at valenciad@insurance.ca.gov
2. At this time, the department is not approving any extensions on the implementation date.

LAP Plan and Report Forms

The Language Assistance Program (LAP) Plan and Report is comprised of ten (10) sections or forms. To comply with the LAP Plan and reporting requirements, each company must complete and submit all 10 sections to the department.

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LAP Attachments

Depending on the size and number of attachments, the department is currently accepting attachments from respective sections/forms as follows:

- A. Companies may submit "multiple attachments" in zip file format as long as each attachment includes the company's name, NAIC number, and the corresponding LAP report form that the attachment applies to.
- B. As prescribed by the LAP Statistical Plan, all forms and attachments may be emailed to lap_filing@insurance.ca.gov or submitted via hard copies to the department.

LAP RESPONSE FORM – DWT

With respect to LAP Form DWT (Written Translation of Vital Documents), companies may provide a List of Vital Documents including the languages into which each Vital Document has been translated. The List of Vital Documents should be provided on Form DWT (LAP Question: #: DWT-1). Along with the List of Vital Documents, the company must submit an attestation with the following required information:

1. The company has identified the Vital Documents, as defined in the regulations, that require translation and as prescribed by Form DWT. These Vital Documents are included on the List.
2. The company has translated the Vital Documents into the identified threshold languages by qualified translators as defined in the regulations.
3. The company assures that all translated Vital Documents and the corresponding English version shall be made available upon request of the Insurance Commissioner.

LAP RESPONSE FORM – DST

With respect to LAP Form DST (Staff Training), companies may provide detailed explanation and summary of it's policies & procedures for instructing insurer staff pursuant to CCR §2538.3(b)(6). The summary of policies and procedures should be provided on Form DST (LAP Question: #: DST-1). In addition to the explanation of policies and procedures, the company must submit an attestation with the required information:

1. The insurer's policies and procedures for instructing insurer staff cover the following areas:
 - accessing language assistance;
 - working effectively with Limited English Speaking Person (LEP) insureds;
 - working effectively with in-person and telephonic interpreters, and, cultural differences among insured population.
2. The company assures that all policies and procedures relating to CCR 2538.3(b)(6) shall be made available upon request of the Insurance Commissioner.

LAP RESPONSE FORM - DCG

With respect to LAP Form DCG (Complaints & Grievances), companies may provide detailed explanation and summary of it's policies & procedures designed to track grievances and complaints related to it's LAP pursuant to CCR §2538.3(b)(7) and CCR §2538.7(a)(c). The summary of policies and procedures should be provided on Form DCG (LAP Question: #: DCG-1). In addition to the explanation of policies and procedures, the company must submit an attestation with the required information:

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1. The insurer's policies and procedures for instructing insurer staff cover the following areas:
 - how your company is tracking grievances and complaints related to its LAP;
 - actions taken to correct problems identified in those complaints.
2. The company assures that all policies and procedures relating to CCR §2538.3(b)(7) and CCR §2538.7(a)(c) shall be made available upon request of the Insurance Commissioner.

LAP RESPONSE FORM - DCM

With respect to LAP Form DCM (Compliance Monitoring), companies may provide detailed explanation and summary of its policies & procedures designed to ensure that its contractors, health care providers, and networks comply with the insurer's Language Assistance Program (LAP) pursuant to CCR §2538.7(a). The summary of policies and procedures should be provided on Form DCM (LAP Question: #: DCM-1). In addition to the explanation of policies and procedures, the company must submit an attestation with the required information:

The insurer's policies and procedures for instructing insurer staff cover the following areas:

- Describe/Explain how the health insurer monitors compliance of its contractors, health care providers and networks with insurers' LAP including the availability, quality and utilization of services?
- Describe/Explain how the health insurer will resolve non-compliance by health care providers/contractors with the LAP requirements?

The company assures that all policies and procedures relating to CCR §2538.7(a) shall be made available upon request of the Insurance Commissioner.