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HOUSE JOINT RESOLUTION NO. 42

Offered January 11, 2006

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Directing the Joint Commission on Health Care to study the use of foreign language interpreters in medical settings. Report.

Patron—Brink

Referred to Committee on Rules

WHEREAS, nearly 47 million people, 18 percent of the United States population, speak a language other than English at home; and

WHEREAS, studies have found significant detrimental effects of language barriers on quality of health care, including misdiagnosis, prescribing inappropriate medications, lack of patient information leading to poor compliance, lack of follow-up, and a decrease in preventive services; and

WHEREAS, non-English speaking patients are less likely to use primary and preventive services and more likely to use emergency rooms, and once in the emergency room they receive fewer services than English-speaking patients; and

WHEREAS, effective communication between health care providers and patients is essential to facilitating access to care, reducing health disparities and medical errors, and assuring a patient's ability to adhere to treatment plans; and

WHEREAS, competent health care language services are essential elements of an effective public health and health care delivery system in a pluralistic society; and

WHEREAS, when trained medical interpreters are unavailable, children of sick family members are often called on to translate; and

WHEREAS, children often do not have the medical expertise to interpret a doctor's instructions, or the emotional maturity to be privy to otherwise personal information about their parents or other family members; and

WHEREAS, child interpreters must shoulder a heavy emotional burden, often having to be the first person to tell a family member that they are suffering from a serious illness; and

WHEREAS, studies have shown that when trained medical interpreters are used, fewer tests are ordered as a result of the doctor having better communication with the patient, which saves the health care facility time, money, and potential liability; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Commission on Health Care be directed to study the use of foreign language interpreters in medical settings.

In conducting its study, the Commission shall examine the availability of interpreters in hospitals, free clinics, community health centers, and private offices, including the use of children as interpreters for non-English speaking family members. The Commission shall also examine the effects of using children as interpreters in terms of both medical consequences for the family members and emotional consequences for the children themselves.

All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Joint Commission on Health Care shall complete its meetings for the first year by November 30, 2006, and for the second year by November 30, 2007, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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