

Letter to oppose Oregon S. 584

Submission instructions: [Oregon Legislative Information System \(oregonlegislature.gov\)](https://oregonlegislature.gov)

The Honorable Rev. Dr. Deb Patterson
Chair, Oregon State Senate Committee on Health Care

The Honorable Cedric Hayden
Vice Chair, Oregon State Senate Committee on Health Care

Dear Senator Patterson and Senator Hayden,

On behalf of **Boostlingo**, a remote interpreting company, I write to oppose Oregon Senate Bill 584. This bill would require the Oregon Health Authority (OHA) to develop a web-based platform to support the scheduling and payment of interpreters for language access for Oregonian health care patients. While the ostensible aims of the bill are laudable, especially in terms of improving the rates paid to Oregon's health care interpreters, and improving the quality of patient care, the bill as written would trigger a number of unintended consequences for Oregonian patients.

The bill makes no mention of how the portal will address remote interpreting services, proposing instead to cover 100% of Oregon's healthcare interpreting demand with an existing pool of approximately 1000 Oregon-based certified or qualified interpreters who speak 25 languages, providing services mostly in the greater Portland area. It completely ignores that the majority of healthcare interpreting in Oregon is provided by remote interpreters through over the phone and video remote interpretation.

In 2022, more than 2 million health care interpreting encounters occurred for Oregonian patients, in more than 150 languages, in every county of the state. More than 10,000 encounters occurred in Somali, for example, with roughly 35% on-site, and 65% remote. Overall, less than 5% of health care interpreting encounters were serviced by Oregon interpreters.

The language industry in the United States provides federally mandated language access in health care under Sec. 1557 of the Patient Protection and Affordable Care Act, as implemented by 45 CFR 92.101. Language access is a civil right, deriving from the requirements of the 14th Amendment and Title VI of the Civil Rights Act of 1964. Federal law gives the same right to language access to all Limited English Proficient patients, regardless of language or location. Health care providers assume significant federal civil rights liability in the provision of language access, and this bill would not relieve them of this liability – in fact, it would make OHA liable for language access, regardless of the intent of the Legislature.

In short, a national base of interpreters is absolutely essential for the provision of language access, as the statistics above show, In addition, the COVID-19 crisis proved the essential importance of have remote interpreting as part of any language access plan. The pandemic made on-site interpreting impossible overnight. Without existing relationships and infrastructure with remote interpreting companies, Oregon would have been unable to comply with federal language access mandates and many patients would have gone without critical access to care. The proposed portal threatens a second, widespread crisis for access to mandated language services.

Boostlingo respectfully asks the Oregon legislature to take the full industry into account when considering this legislation, and oppose it in its current form.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Forrester', with a stylized flourish at the end.

Bryan Forrester, CEO
Boostlingo