

N E W S L I N E

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DWC Clarifies Interpreter Rules

The California Division of Workers' Compensation (DWC) reminds claims administrators that failure to provide a necessary interpreter at a medical treatment appointment may constitute a failure to provide medical treatment. Examples of a failure to provide medical treatment include a situation where the lack of an interpreter's services prevents the exam from going forward or inhibits the injured worker's ability to communicate with the primary treating physician. Such conduct could also result in penalties and/or sanctions against the claims administrator.

It has come to DWC's attention that some claims administrators are not responding timely to requests for provisional certification of interpreters, and not arranging for other interpreters to attend medical treatment appointments. As a result, some appointments are not going forward as scheduled.

Labor Code Section 4600(g) provides that injured workers who cannot communicate effectively in English with their primary treating physician are entitled to the services of a qualified interpreter at all medical treatment appointments.

"Qualified interpreters" for purposes of medical treatment appointments may be, but are not required to be, formally certified. They can be provisionally certified by agreement of the employer prior to providing interpreting services. Employers are not required to pay for the services of interpreters who are not formally or provisionally certified.

Interpreters certified for medical treatment appointments or medical legal exams qualify through successfully passing the Certification Commission for Healthcare Interpreters (CCHI) exam or by passing the National Board of Certification for Medical Interpreters (National Board).

Interpreter services FAQs and information on recently approved interpreter services regulations are posted on DWC's [website](#).

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