

# CAROLINA FAMILY HEALTH CENTERS, INC. POLICY

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**TITLE:** EXEC-306 Nondiscrimination Position Statement

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**EFFECTIVE DATE:** May 2016

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**SECTION:** Executive

**REFERENCE PROCEDURE:**

EXEC-306.01 Limited English Proficiency

EXEC-306.02 Accommodating Persons with Disabilities

EXEC-306.03 Notice of Nondiscrimination

EXEC-306.04 Notice of Availability

EXEC-306.05 Nondiscrimination on the Basis of Disability

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**RESPONSIBLE CHIEF OF STAFF:** Chief Executive Officer

**RESPONSIBLE COMMITTEE:** Central-Executive

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**REVIEWED:** 07/18, 04/30/19, 07/27/2021, 01/28/2025

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## I. PURPOSE

The purpose of this document is to describe Carolina Family Health Centers, Inc.'s (CFHC, Inc.) policy regarding the Department of Health and Human Services' (HHS) Final Rule implementing the prohibition of discrimination under Section 1557 of the Affordable Care Act (ACA) and 45 CFR Part 92 Nondiscrimination in Health Programs or Activities.

## II. POLICY

Carolina Family Health Centers, Inc. complies with Section 1557 of the ACA and all applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin (including limited English proficiency and primary language), sex (which includes, but is not limited to sex characteristics, including intersex traits; pregnancy or related conditions; sexual orientation; gender identity; and sex stereotypes), age, or disability.

CFHC, Inc. acknowledges that in Section 1557, Congress prohibited covered health programs or activities from discriminating on any of the grounds protected by four longstanding federal civil rights statutes:

1. Title VI of the Civil Rights Act of 1964 (Title VI) (prohibiting discrimination on the basis of race, color, or national origin).
2. Title IX of the Education Amendment of 1972 (Title IX) (prohibiting discrimination on the basis of sex).
3. Section 504 of the Rehabilitation Act of 1973 (section 504) (prohibiting discrimination the basis of disability)
4. Age Discrimination Act of 1975 (Age Act) (prohibiting discrimination on the basis of age).

In compliance with Section 1557, CFHC, Inc. provides patients the following in a timely manner and free of charge:

- **Language Assistance Services.** CFHC, Inc. provides language assistance services for patients with limited English proficiency to ensure meaningful access to our services. Refer to *EXEC-306.01 Limited English Proficiency*.
- **Appropriate auxiliary aids and services.** CFHC, Inc. provides appropriate auxiliary aids and services for individuals with disabilities (including individuals' companions with disabilities) to ensure effective communication. Refer to *EXEC-306.02 Accommodating Persons with Disabilities*.
- **Reasonable modifications.** CFHC, Inc. provides reasonable modifications for qualified individuals with disabilities to ensure meaningful access to our services. Refer to *EXEC-306.02 Accommodating Persons with Disabilities*.

CFHC, Inc. maintains a written patient grievance process (refer to *RM-301 Patient Grievances*). Patients may submit a written grievance for any alleged action on CFHC, Inc.'s part that is prohibited by this policy.

CFHC, Inc. provides training to employees regarding Section 1557 of the ACA and 45 CFR Part 92 (refer to *HR-903 Staff Development and Training*). This training is provided upon hire and annually thereafter.

In compliance with 45 CFR Part 92, CFHC, Inc. maintains a designated Section 1557 Coordinator. The Chief Compliance Officer (CCO) of CFHC, Inc. is designated as the Section 1557 Coordinator in compliance with 45 CFR Part 92. The responsibilities of the Section 1557 Coordinator are as follows:

- receive, review, and process grievances
- coordinates the recordkeeping requirements
- coordinate the implementation of CFHC, Inc.'s language access process
- coordinate the implementation of the communication procedures
- coordinate the implementation of CFHC, Inc.'s reasonable modification procedures
- coordinate required training

CFHC, Inc. provides a "Notice of Nondiscrimination" to patients annually and upon request. Additionally, this "Notice of Nondiscrimination" is made available to members of the public through the homepage of the CFHC, Inc. website and a posting in the patient lobbies (refer to *EXEC-306.03 Notice of Nondiscrimination*). Language regarding nondiscrimination is also added to *EXEC-305 Patient Rights and Responsibilities*.

CFHC, Inc. provides a "Notice of Availability" to patients for language assistance services and auxiliary aids and services annually and upon request. Additionally, this "Notice of Availability" accompanies electronic and written communications as noted in the procedure; refer to *EXEC-306.04 Notice of Availability*. The "Notice of Availability" is made available to members of the public through the homepage of the CFHC, Inc. website and a posting in the patient lobbies.