

## GLASER & WEINER, LLP

ATTORNEYS AT LAW

## Aide Training-- Must Be in the Language of Both Patients and Supervisors

Can a LHCSA which has approval to train aides in a foreign language give a competency exam to aides in that language?

There has been some confusion about this subject, and providers have gotten differing responses depending on whom they speak with at the Department of Health. We spoke with Maureen Duffy, who stated that the position of the Department's Bureau of Licensure and Quality Assurance is that all tests must be given in English, even if administered by an approved foreign language training program. Home health aide trainees must be able to adequately communicate with the patient AND the supervising professional (i.e. nurse or therapist) despite differences in primary languages each may speak.

Note that to be approved to train in a foreign language, programs must submit an application along with a translated copy of their training materials. The translation must include an attestation by a certified translator that the translation is a true replication of the curricular materials.

**DISCLAIMER:** The information contained herein is provided by Glaser & Weiner, LLP for informational purposes only. These materials should not be considered as, or as a substitute for, legal advice and they are not intended to nor do they create an attorney-client relationship. Because the materials included here are general, they may not apply to your individual legal or factual circumstances. This document contains information that may be modified or rendered incorrect by future legislative or judicial developments. You should not take (or refrain from taking) any action based on the information you obtain from this document without first obtaining professional counsel. It is possible that under the laws, rules or regulations of certain jurisdictions, this may be construed as an advertisement or solicitation. © 2010 Glaser & Weiner, LLP. All Rights Reserved.