# Cultural and Linguistic Competence: What it Means for Ombudsman Programs

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#### **OBJECTIVES**

#### Participants will:

- 1. Define culture and cultural diversity.
- 2. Examine the multiple dimensions of culture within the contexts of long-term care.
- 3. Describe conceptual frameworks for cultural competence and linguistic competence.
- 4. Apply these frameworks and concepts to the roles and responsibilities of the Ombudsman Programs, their staff, and volunteers.



# We can't really talk about cultural competence today without first having a shared understanding of ...







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#### Scenario

(enter comments in chat)

An Ombudsman received a call from the daughter of a long-term care facility resident. The daughter is frantic about her mother's well-being because she has been restricted from her twice weekly visits due to the coronavirus pandemic. She is adamant that her mother will be neglected and receive inferior care because of her race, and that there have been documented incidences in the past of racial insensitivity. The daughter cites studies about racial and ethnic disparities in health care, including in long-term care facilities.



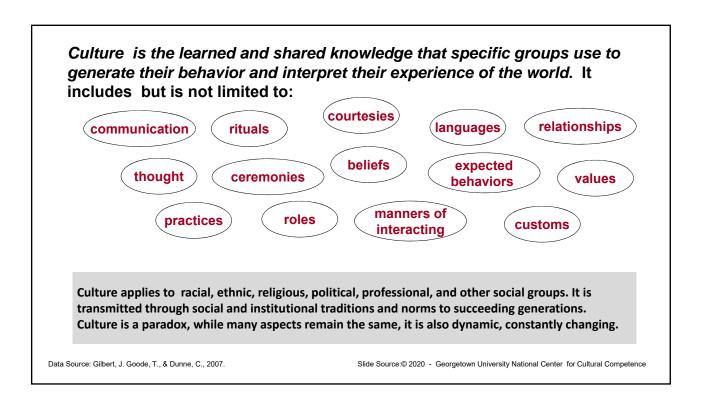




- What are the cultural factors presented in this scenario?
- What would you do as the Ombudsman receiving this call?



# 



#### **CULTURE IS ...**

Comprised of beliefs about reality, how people should interact with each other, what they know about the world, and how they should respond to the social and material environments in which they find themselves.





Reflected in religion, morals, customs, politics, technologies, and survival strategies of a given group. It affects how groups work, parent, love, marry, and understand health, mental health, wellness, illness, disability, and end of life.







Data Source: Gilbert, J., Goode, T. D., & Dunne, C. (2007). Cultural awareness. From the Curricula Enhancement Module Series. Washington, DC: National Center for Cultural Competence, Georgetown University Center for Child and Human Development.

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#### **Culture**

**Culture** is akin to being the person observed through a one-way mirror; everything we see is from our own perspective.

It is only when we join the observed on the other side that it is possible to see ourselves and others clearly – but getting to the other side of the glass presents many challenges.

(Lynch & Hanson 1992 Developing Cross Cultural Competence)

#### Culture ...

- is applicable to all peoples
- is value laden & rooted in belief systems
- is active & dynamic
- is multilayered & multidimensional
- exists at conscious & unconscious levels
- is often viewed as thick, thin, or compartmentalized
- provides group member identity
- structures perceptions & shapes behaviors
- varies in expression both among and between individual group members
- permeates every aspect of life

Goode, T. & Jones, W. Cultural Influences on Child Development: The Middle Years. In T. Gullotta T. & G. Blau (Eds.) Family Influences on Childhood Behavior and Development: Evidence-based Approaches to Prevention and Treatment Approaches. New York: Routledge Taylor & Francis Group 2008

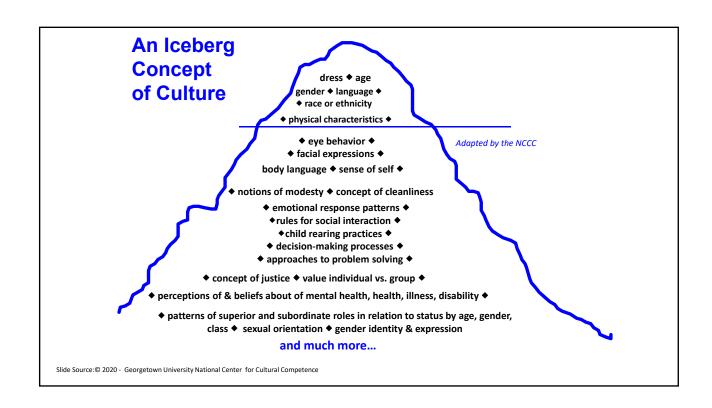












- A Age
- D Disability (congenital)
- D Disability (acquired)
- R Religion (spirituality or no affiliation)
- E Ethnicity (or race)
- S | Social economic status/class
- **S** Sexual orientation
- I Indigenous heritage
- N National origin
- G Gender (gender identity & expression)

# THE HAYS ADDRESSING Model

Addressing cultural complexities in practice:
A framework for clinicians and counselors

8

Addressing the complexities of culture and gender in counseling

Data Source: Adapted from Hays, Pamela. (2001). Addressing cultural complexities in practice. A framework for clinicians and counselors. Washington, DC: American Psychological Association. Hays, Pamela. Addressing the complexities of culture and gender in counseling. Journal of Counseling & Development. 74.4 (Mar./Apr. 1996). 332

#### **POLLING QUESTION**

In your role or capacity, which element of **ADDRESSING** do you **consistently** consider as diversity factors related long-term care? Which do you tend to overlook?

**A**ge

Disability (congenital)

Disability (acquired)

Religion (or spirituality)

Ethnicity (or race)

Socio-economic Status

Sexual Orientation

Indigenous Heritage

**N**ational Origin

**G**ender (gender identity or expression)





Data Source: Adapted from Hays, Pamela. (2001). Addressing cultural complexities in practice. A framework for clinicians and counselors. Washington, DC: American Psychological Association. Hays, Pamela. Addressing the complexities of culture and gender in counseling. Journal of Counseling & Development. 74.4 (Mar./Apr. 1996). 332

#### **MULTIPLE CULTURAL IDENTITIES**

The extant literature indicates that we as human beings have multiple cultural identities that can be grouped as follows.

- Categorization people identify with one of their cultural groups over others
- Compartmentalization individuals maintain multiple, separate identities within themselves
- Integration people link their multiple cultural identities



INTERSECTIONALITY

Sources:

Seth J.J. Schwartz, Koen Luyckx, and Vivian L.K. Vignoles (Eds.) Handbook of Identity Theory and Research. Springer. 2001.

Verónica Benet-Martínez and Ying-yi Hong (Eds.) The Oxford Handbook of Multicultural Identity. Oxford University Press. 2014.

Chao, G.T., & Moon, H. The Cultural Mosaic: A Metatheory for Understanding the Complexity of Culture. Journal of Applied Psychology 2005, Vol. 90, No. 6, 1128-1140

Yampolsky MA, Amiot CE, & de la Sablonnière, R. (2013). Multicultural identity integration and well-being: a qualitative exploration of variations in narrative coherence and multicultural identification. Front. Psychol. 4:126.doi: 10.3389/fpsyg. 2013.00126

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Crenshaw writes that "because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated."

#### Intersectionality

Kimberlé Crenshaw uses intersectionality to describe overlapping or intersecting social identities and related systems of oppression, domination, or discrimination and their complex and cumulative effect specially focused on Black women.

Since her original publication, the concept of intersectionality has strayed from its feminist, legal, civil rights advocacy, and race theory roots and is applied to other identities that include but are not limited to class, disability, sexual orientation, and gender identity and expression.

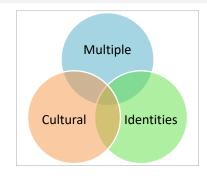
Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. Stanford Law Review, Vol. 43, No. 6 (Jul., 1991), pp. 1241-1299.

K 5

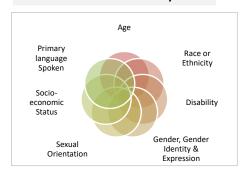
#### **POLLING QUESTION**

### How much attention do Ombudsman programs pay to these concepts in their work?

#### multiple cultural identities



#### intersectionality



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#### **ORGANIZATIONAL CULTURE**

The values and behaviors that contribute to the unique social and psychological environment of an organization. Organizational culture includes an organization's expectations, experiences, philosophy, and values that hold it together, and is expressed in its self-image, inner workings, interactions with the outside world, and future expectations. It is based on shared attitudes, beliefs, customs, and written and unwritten rules that have been developed over time and are considered valid. It is shown in:

- 1) the ways the organization conducts its business, treats its employees, customers, and the wider community,
- the extent to which freedom is allowed in decision making, developing new ideas, and personal expression,
- 3) how power and information flow through its hierarchy, and
- 4) how committed employees are towards collective objectives.

Data source: http://www.businessdictionary.com/definition/organizational-culture.html



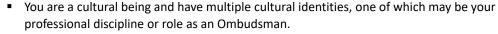






#### Some thoughts to remember about culture



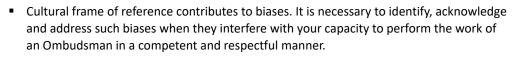




- You view and interpret the world through your own cultural lens which is comprised of both individual and group experiences over time.
- Your cultural frame of reference may or may not be shared by the individuals who seek services from Ombudsman Programs.



Your world view or cultural frame of reference: (1) influences your approach to responsibilities associated with your position/role in Ombudsman Programs; and (2) is influenced by the "culture" of the organization as an employee or volunteer.





M., Wehmeyer, M. L., Shogren, K. A., & Fung, A. (Eds.) (under development). A comprehensive guide to intellectual and developmental disabilities (2nd ed.). Baltimore, MD:

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#### Revisit Scenario

(enter comments in chat)

An Ombudsman received a call from the daughter of a longterm care facility resident. The daughter is frantic about her mother's well-being because she has been restricted from her twice weekly visits due to the coronavirus pandemic. She is adamant that her mother will be neglected and receive inferior care because of her race, and that there have been documented incidences in the past of racial insensitivity. The daughter cites studies about racial and ethnic disparities in health care, including in long-term care facilities.







- What are the cultural factors presented in this scenario?
- What would you do as the Ombudsman receiving this call?





# Rule # 1 Have a solid appreciation for and understanding of culture – both your own and others.





#### **ACS 2018 United States Demographic Estimates**

One Race or Latino or Hispanic and Race Total Population = 327,167,439

RACE	NUMBER	Percent of POPULATION
One Race	315,887,408	96.6%
White	236,173,020	72.2%
Black or African American	41,617,764	12.7%
American Indian or Alaska Native	2,801,587	0.9%
Asian	18,415,198	5.6%
Native Hawaiian & Other Pacific Islander	626,054	0.2%
Some Other Race	16,253,785	5.0%
Two or More Races	11,280,031	3.4%
HISPANIC OR LATINO AND RACE		
Hispanic or Latino of any Race	59,763,631	18.3%

Data Source: Source: U.S. Census Bureau, 2018 American Community Survey (ACS), Demographic & Housing Estimates, Table DP05, 1-Year Estimates.

- Side Source:© 2020 -Georgetown University National Center for Cultural Competence



#### **Cultural Diversity**

The term *cultural diversity* is used to describe differences in ethnic or racial classification & self-identification, tribal or clan affiliation, nationality, language, age, gender, sexual orientation, gender identity or expression, socioeconomic status, education, religion, spirituality, physical and intellectual abilities, personal appearance, and other factors that distinguish one group or individual from another.

















Goode & Jackson, 2009



## Cultural Factors That Influence Diversity Among Individuals and Groups

#### **Internal Factors**

- Cultural/Racial/Ethnic Identity
- Tribal Affiliation/Clan
- Nationality
- Acculturation/Assimilation
- Socioeconomic Status/Class
- Education
- Language
- Literacy
- Family Constellation
- Social History
- Military Status
- Perception of Time
- Health Beliefs & Practices

- Health & Mental Health Literacy
- Beliefs about Disability or Mental Health
- Lived Experience of Disability or Mental Illness
- Age & Life Cycle Issues
- Gender, Gender Identity & Expression
- Sexual Orientation
- Religion & Spiritual Views
- Spatial & Regional Patterns
- Political Orientation/Affiliation

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#### Cultural Factors That Influence Diversity Among Individuals and Groups

#### **External Factors**

- Institutional Biases
- Racism & Discrimination
- Community Economics
- Intergroup Relations
- Group & Community Resiliency
- Natural Networks of Support
- Community History
- Political Climate
- Workforce Diversity
- Community Demographics

Adapted with permission from James Mason, Ph.D., NCCC Senior Consultant



#### Rule # 2









Recognize, respect, and respond to the within group differences among all persons receiving long-term services and supports.

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## Definitions and Conceptual Frameworks Cultural Competence

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#### Are we on the same page?



culturally aware

cultural humility culturally relevant

cultural sensitivity

culturally competent

culturally appropriate culturally effective cultural dexterity

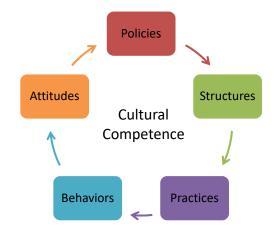
cultural proficiency cultural responsiveness

culturally & linguistically competent

multicultural competence

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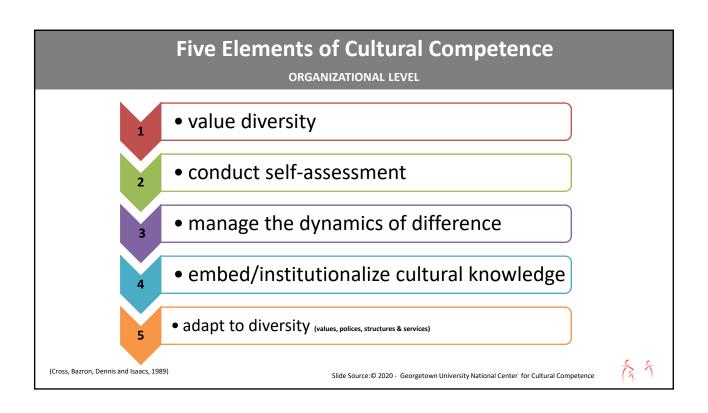
#### **Cultural Competence Conceptual Framework**



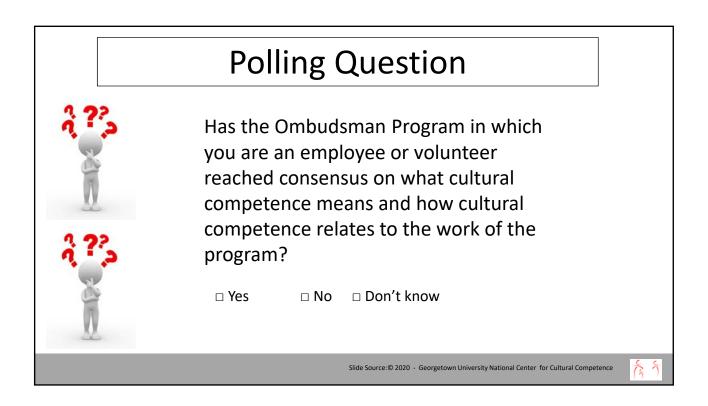
Cultural competence requires that organizations have a clearly defined, congruent set of values and principles, and demonstrate behaviors, attitudes, policies, structures, and practices that enable them to work effectively crossculturally.

(adapted from Cross, Bazron, Dennis & Isaacs, 1989.)





	ESSENTIAL E CULTURALLY CO	LEMENTS IN A			
	These five elements must boorganization of	e manifested at eve or system including:	ery level of an		
Г	policy making				
	- administration		)		
-	practice & service delivery		)		
	individuals & families				
Г	community				
an	d reflected in its attitudes, structur	es, policies, practice	es, and services.		
Adapted from Cross, Bazron, D	Dennis, & Isaacs, 1989	Slide Source:© 2020 - Georgeto	own University National Center for	Cultural Competence	( 5 T



# Definitions and Conceptual Frameworks Linguistic Competence

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#### Languages Spoken at Home in the U.S. in 2018

Estimated Total Population 5 years and over 307,521,124



Speak only English 78.1%
Speak a language other than English 21.9%

 Speak Spanish
 41,460,427 (13.5%)

 Speak Indo European languages
 11,285,467 (3.7%)

[French (Patois, Cajun), French Creole, Italian, Portuguese, Portuguese Creole, German, Yiddish, Other West Germanic languages, Scandinavian languages, Greek, Russian, Polish, Serbo-Croatian, Other Slavic languages, Armenian, Persian, Gujarathi, Hindi, Urdu, Other Indic languages]

Speak Asian and Pacific Island languages 10,945,719 (3.6%)

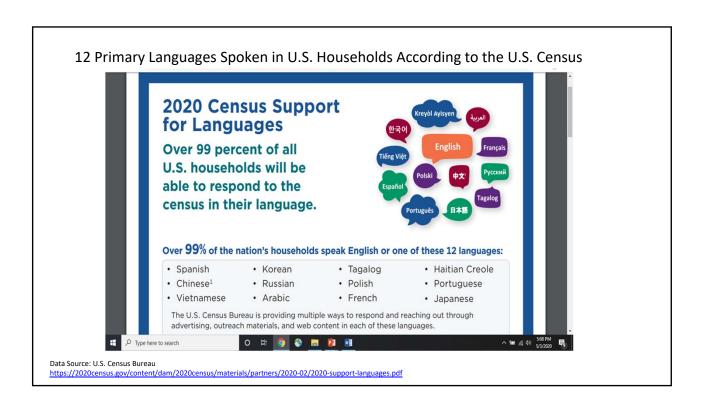
[Chinese, Japanese, Korean, Mon-Khmer, Cambodian, Miao, Hmong, Thai, Laotian, Vietnamese, Tagalog, other Pacific Island languages]

Other Languages 3,577,055 (1.2%)

[Navajo, Other Native American languages, Hungarian, Arabic, Hebrew, African languages, other unspecified languages]

Data Source: U.S. Census Bureau, American Fact Finder, 2018 American Community Survey-1 Year Estimates, Table DP02





#### **Limited English Speaking Households** Limited English Speaking Households formerly (linguistic isolation) refers to households in which no member 14 years old and over: (1) speaks only English or (2) speaks a non-English language and speaks English "very well." Limited English Speaking Households in the Unites States in 2018 All households 4.4% Households speaking--21.3% Spanish Other Indo-European languages 15.0% Asian and Pacific Island languages 24.2% Other languages 15.9% Data Source: U.S. Census Bureau, American FactFinder, 2018, American Community Survey- 1 Year Estimates, Table \$1602

#### **Linguistic Competence**

• is the capacity of an organization and its personnel to communicate effectively, and convey information in a manner that is easily understood by diverse groups including persons of limited English proficiency, those who are not literate or have low literacy skills, individuals with disabilities, or those who are deaf or hard of hearing



 requires organizational and provider capacity to respond effectively to the health literacy and mental health literacy needs of populations served



 ensures policy, structures, practices, procedures and dedicated resources to support this capacity



Goode & Jones, Revised 2009, National Center for Cultural Competence

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#### Title VI - Civil Rights Act of 1964

SEC. 601 TITLE VI--NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS



Title VI of the Civil Rights Act of 1964- Sec. 601 ensures —nondiscrimination in Federally Assisted programs and states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance".

http://www.hhs.gov/ocr/civilrights/resources/laws/index.html

Data Source: Civil Rights Act of 1964, P.L. 88-62



#### Who Does Title VI Protect?

#### **EVERYONE!**

Title VI states that:

"no person shall be discriminated against on the basis of race, color, or national origin.

Section 601 and 42 USC 2000d et. Seq.

☑Title VI protects persons of all colors, races, and national origins.

☑Title VI protects against national origin discrimination and is **not** limited to U.S. citizens.

Data Source: Civil Rights Act of 1964, P.L. 88-62

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#### Title VI - National Origin Discrimination

#### Provisions related to language access:

Service providers must take reasonable steps to provide meaningful access to their programs by persons with limited English proficiency (LEP). [68 Fed. Reg. 153 at 47322]

Providers that must provide language assistance services in order to comply with Title VI should implement policies and procedures to provide information in appropriate languages and ensure that LEP persons are effectively informed of and have meaningful access to covered programs. [68 Fed. [Reg. 153 at 47320]

https://www.lep.gov/faqs/faqs.html

https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/index.html https://www.hhs.gov/civil-rights/for-individuals/special-topics/national-origin/index.html

Data Source: Civil Rights Act of 1964, P.L. 88-62



#### Who is Covered Under Title VI?

#### Recipients of HHS assistance may include, for example:

- Hospitals, nursing homes, home health agencies, and managed care organizations
- Universities and other entities with health or social service research programs
- State, county, and local health agencies
- · State Medicaid agencies
- State, county and local welfare agencies
- Programs for families, youth, and children
- Head Start programs
- · Public and private contractors, subcontractors and vendors
- Physicians and other providers who receive Federal financial assistance from HHS



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#### Linguistic Competence: LEGAL MANDATES & GUIDANCE

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons



 $\frac{https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-vi/index.html.}{}$ 

 $\frac{\text{https://www.lep.gov/guidance/guidance/index.html\#:::text=LEP.gov\%20%2D\%20Limited\%20English\%20Proficiency,)\%3A\%20A\%20federal\%20Interagency\%20Website\&text=Executive\%20Order\%2013166\%20required\%20each,English%20proficient\%20(LEP)\%20individuals.}$ 

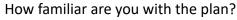


#### **Polling Question**



Do you know if the Ombudsman Program in which you are an employee or volunteer has a Language Access Implementation Plan required by federal law (Title VI, Section 601, Civil Rights Act)?

□ Yes □ No



☐ Very familiar

☐ Somewhat familiar

☐ Not familiar at all

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#### HEALTH LITERACY: EVOLVING CONCEPTUALIZATIONS

Health literacy is the degree to which *individuals have the* capacity to obtain, process, and understand basic health information and services needed to make appropriate health decisions.

U.S. Department of Health and Human Services, 2010

Health literacy is the *capacity of professionals* and health institutions to provide access to information and support the active engagement of people.

Rudd, R. Health Literacy: Time to Refocus & Expand. Retrieved on 6/7/20 from <a href="http://www.hsph.harvard.edu/healthliteracy/slide-presentation-by-rima-rudd">http://www.hsph.harvard.edu/healthliteracy/slide-presentation-by-rima-rudd</a>













#### A WORD ABOUT HEALTH LITERACY AND CULTURE

"Recognizing that culture plays an important role in communication helps us better understand health literacy. For people from different cultural backgrounds, health literacy is affected by belief systems, communication styles, and understanding and response to health information. Even though culture is only one part of health literacy, it is a very important piece of the complicated topic of health literacy. The U.S. Department of Health and Human Services recognizes that culture affects how people communicate, understand, and respond to health information."













Data Source: National Libraries of Medicine. Health Literacy. Retrieved on 6/7/20 from: https://nnlm.gov/initiatives/topics/health-literacy#toc-3



Role of the Ombudsman	Role of Cultural and Linguistic Competence	
Resolves complaints made by or for residents of long- term care facilities	<ul> <li>Employs a complaint resolution process that examines and addresses issues of stereotyping, implicit and explicit biases, discrimination, racism and other "isms"</li> </ul>	
Educates consumers and long-term care providers about residents' rights and good care practices	<ul> <li>Provides education that uses culturally and linguistically competent approaches, is accessible, takes literacy, health, and mental health literacy into consideration, and is tailored to the intended audiences</li> </ul>	
Promotes community involvement through volunteer opportunities	<ul> <li>Knows how to enter, learn cultural norms, and interact respectfully in culturally and linguistically diverse communities</li> </ul>	
Provides information to the public on nursing homes and other long-term care facilities and services, residents' rights and legislative and policy issues	<ul> <li>Provides information in multiple language and formats taking literacy, health, and mental health literacy, and disability accessibility into consideration</li> </ul>	
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#### **Ombudsman Role Role of Cultural and Linguistic Competence** Advocates for residents' rights and quality care in Understands and responds to the cultural nursing homes, personal care, residential care and implications of advocacy (e.g., resident, individual, other long-term care facilities and family preferences; lived experience with the U.S. "legal" system; addresses health care disparities at the organizational level and community levels; knowledgeable of the rights of lawful permanent residents in the U.S.; activities conducted in languages other than English) Promotes the development of citizen organizations, Ensures that family and resident councils family councils and resident councils represent the racial, ethnic, and cultural diversity of the geographic locale Responds to cultural differences within and between council members Is cognizant of power differentials based on

status, disability

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gender, age, race, ethnicity, and socio-economic



As a culturally competent \_\_\_\_\_
I am capable of interacting positively with people who do NOT

look like,
communicate like,
move like,
think like,
believe like,
act like,
love like...
live like...
ME!!!

Source: Used with permission of Multnomah County Department of Health Georgetown University National Center for Cultural Competence

Modification from Mike Magy, Massachusetts Department of Mental Health, November 2005

#### **CONTACT US**





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