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## Ensuring Language Access Protections for People Seeking Reproductive Health Care

If/When/How, the Center for Health Law and Policy Innovation of Harvard Law School, and SGB Law have filed a complaint with the U.S. Department of Health and Human Services (HHS) on behalf of Cristina Nuñez of El Paso, Texas.

Ms. Nuñez was admitted to the Hospitals of Providence System for emergency reproductive health care. Over the course of her sixteen-day stay, the hospital system failed to offer adequate language access services despite knowing Ms. Nuñez is a monolingual Spanish speaker. These failures made Ms. Nuñez’s medical crisis unnecessarily confusing and traumatizing and violate Section 1557 and Title VI nondiscrimination protections.

“No one’s need for a translator should keep them in the dark about their own medical care,” said **Limayli Huguet, Helpline Counsel for If/When/How**. “By the time I connected with Cristina, she had already suffered for more than a week. While she waited to learn if she would receive the emergency care she needed, Cristina’s medical providers refused to ensure she had the translation services she needed to understand who was making decisions about her life, and why they were making them. I’m so grateful that Cristina is alive today, but her ability to access needed medical care in her spoken language shouldn’t depend on the intervention of lawyers.”

The HHS Office of Civil Rights is responsible for enforcing Section 1557 of the Affordable Care Act and Title VI nondiscrimination protections. These protections ensure that people with limited English proficiency have equal access to certain health programs and activities and have support services, such as written and oral translation, made available to them.

“Language access is a key component to ensuring people have robust access to reproductive health care,” said **Maryanne Tomazic, a clinical instructor at the Center for Health Law and Policy Innovation**. “Hospitals must make sure that they are prepared to provide the highest quality care to their patients, including those who are not fluent in English.”

Hospitals are expected to take reasonable steps to ensure they can adequately serve their eligible patient population and that people with limited English proficiency have meaningful access to health care services offered in their facilities. According to the 2023 American Community Survey, Texas is home to an estimated 8 million Spanish speakers or 28% of the state’s population. In El Paso, an estimated 64% speak Spanish at home.



“In Texas, where people seeking access to reproductive health care are left behind by the growing restrictions and difficulties, it is even more critical that patient populations with limited English proficiency are not left even further left behind,” **said Shailey Gupta-Brietzke, a family law attorney at SGB Law.**

Ms. Nuñez hopes that this OCR complaint will address a systemic issue that often serves as a barrier to comprehensive health care. “While I was ultimately able to get the health care I needed, no one should ever have to face what I did. It was horrifying to be forced to watch my health decline with no way to communicate with the medical team responsible for my life. As a nurse, I knew my health and life were at risk. But without access to interpreters, what I did not know was what was going to be done to save it,” **said Cristina Nunez.** “I hope the government will hear my experience and do everything in their power to ensure no other patients experience what I went through.”

For more information, contact Sage Carson at If/When/How, [communication@ifwhenhow.org](mailto:communication@ifwhenhow.org).

You can read the full complaint in [English](#) and [Spanish](#).

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#### **About If/When/How: Lawyering for Reproductive Justice**

If/When/How is a legal services and advocacy organization that represents people in crisis, reshapes the law, and builds a network working for reproductive justice. If/When/How provides free, wrap-around legal services for people facing state violence for pregnancy, abortion, or birth. [ifwhenhow.org](http://ifwhenhow.org)

#### **About SGB Law**

SGB Law is a family law firm in the greater Houston area. SGB Law is committed to providing honest and reputable legal representation to families, and strives to do so every day. [www.sgblawtx.com](http://www.sgblawtx.com)

#### **About Center for Health Law and Policy Innovation**

The Center for Health Law and Policy Innovation (CHLPI) advocates for legal, regulatory, and policy reforms in health and food systems, with a focus on the health, public health, and food needs of systemically marginalized individuals. CHLPI’s broad range of initiatives aim to expand access to high-quality health care and nutritious, affordable food; to reduce health- and food-related disparities; to develop community advocacy capacity; and, to promote more equitable, sustainable and effective health care and food systems. Learn more at [chlpi.org](http://chlpi.org)