

# Use of a Language Other Than French With Users of Health and Social Services

## Checklist



This Checklist is intended as a summary of situations in which a language other than French may be used with users of health and social services. It is intended for use by institutions in the health and social services network (RSSS).

In Quebec, the language of health and social services is governed by three laws: the Act respecting health services and social services (LSSSS), the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (LMRSSS) and the Charter of the French Language (Charter).

- ✓ Every English-speaking person has the [right to](#) receive health and social services in English to the extent provided by [access programs](#). Thus, all services provided by institutions [designated](#) by government decree, and services indicated in the access programs must be offered in English. No restrictions have been placed on this right.
- ✓ Health and social services provided by recognized institutions may be offered in the language of [recognition](#).
- ✓ In all other cases, health and social services may be offered in [a language other than French](#), upon request, **when the health of any person so requires**<sup>1</sup>.

All these situations enable RSSS interveners<sup>2</sup> to communicate in a language other than French. **No validation of the user's identity is required to access services.**

These health and social services situations are presented in the table below (partial list).

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- 1. Health requires it:** Any physical, mental, psychosocial or population-related circumstance in which the user must: receive assistance throughout the continuum of health care and social services; give his or her consent to care before it is provided; participate in decisions affecting his or her state of health, well-being or safety, as well as any emergency situation. It being understood that care must be provided in a scientific, humane and social manner, with continuity and in a personalized and safe manner ([article 5](#) of the LSSSS), **compliance with the law, the code of ethics and the clinical judgment** of each caregiver.
  - 2. Intervener:** any member of the network organization's staff who deals closely (clinical intervention) or remotely (administrative intervention) with the population, a user or his or her representative as part of the provision of health and social services, including reception services. A physician, dentist or midwife, other than a manager of the organization, is deemed not to be a member of the organization's staff.

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### PERSON'S LANGUAGE: FRENCH (FR)

CIRCUMSTANCE	ORAL	WRITTEN
In all circumstances, users <sup>3</sup> are entitled to communications and services in French.	FR	FR

### PERSON'S LANGUAGE: ENGLISH (ENG) OR OTHER LANGUAGE (OL)

English or another language may be used with a user<sup>3</sup> under the following circumstances:

	CIRCUMSTANCE	ORAL	WRITTEN
<b>Designated institutions and access programs *</b>	All health and social services offered in institutions designated by government decree and the services indicated by the access programs of other institutions.	ENG	ENG
<b>Recognized institutions *</b>	Institutions or facilities recognized for offering all their services in the language of recognition.	Recognized language	FR and recognized languages (English, Italian, Polish, Chinese)
<b>When the health of any person requires it * – art. 22.3, Charter.</b>	If a user does not understand or does not appear to understand French well enough, or if he or she expresses a desire to communicate in a language other than French for health and social services, including reception services, or at the discretion of the intervener.	ENG or OL - The intervener can communicate in the user's ENG or OL if he/she has the ability to do so or use interpreting services <sup>4</sup> .	FR and ENG or OL - The intervener can write in ENG or OL if he or she has the ability to do so or use translation services.

\* No validation of user identity required to access services.

3. For the purposes of this document, the term "user" also refers to the user's legal representative, de facto representative, family member, caregiver or companion.

4. The [Orientations ministérielles concernant la pratique de l'interprétariat dans les services de santé et les services sociaux au Québec](#) (Ministerial guidelines concerning the practice of interpreting in health and social services in Quebec) provide for the use of interpreters to ensure access to safe, high-quality clinical interventions for both users with difficulty expressing themselves in French and the professionals who provide these interventions.