

# HOUSE BILL 756

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By: **Delegates Nathan–Pulliam, Ali, Benson, Braveboy, Gutierrez, Haynes, Ivey, Kaiser, Lee, Levy, Montgomery, Pena–Melnyk, Ramirez, Reznik, Taylor, and Valderrama**

Introduced and read first time: February 11, 2009

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Cultural and Linguistic Health Care Provider Competency Program**

3 FOR the purpose of establishing a Cultural and Linguistic Health Care Provider  
4 Competency Program; providing for the purpose of the Program; requiring the  
5 Program to operate through certain professional associations; requiring certain  
6 professional societies to develop a certain training program; providing for the  
7 funding for the Program; requiring the Office of Minority Health and Health  
8 Disparities to convene a certain workgroup; requiring the Department of Health  
9 and Mental Hygiene to develop a certain method through which certain training  
10 is recognized by certain licensing boards; defining certain terms; and generally  
11 relating to the Cultural and Linguistic Health Care Provider Competency  
12 Program.

13 BY adding to

14 Article – Health – General

15 Section 20–1301 through 20–1306 to be under the new subtitle “Subtitle 13.

16 Cultural and Linguistic Competency of Health Care Providers”

17 Annotated Code of Maryland

18 (2005 Replacement Volume and 2008 Supplement)

19 Preamble

20 WHEREAS, Research suggests that health care providers’ diagnostic and  
21 treatment decisions, as well as their feelings about patients, are influenced by  
22 patients’ race or ethnicity; and

23 WHEREAS, Health care providers may not recognize manifestations of  
24 prejudice in their own behavior; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Education programs regarding cultural competence, sensitivity,  
2 and health literacy have been developed to enhance health professionals' awareness of  
3 how cultural and social factors influence health care, while providing methods to  
4 obtain, negotiate, and manage this information clinically once it is obtained; now,  
5 therefore,

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article - Health - General**

9 **SUBTITLE 13. CULTURAL AND LINGUISTIC COMPETENCY OF HEALTH CARE**  
10 **PROVIDERS.**

11 **20-1301.**

12 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
13 INDICATED.

14 (B) "CULTURAL AND LINGUISTIC COMPETENCY" MEANS CULTURAL AND  
15 LINGUISTIC ABILITIES THAT CAN BE INCORPORATED INTO THERAPEUTIC AND  
16 MEDICAL EVALUATION AND TREATMENT, INCLUDING:

17 (1) DIRECT COMMUNICATION IN THE PATIENT'S PRIMARY  
18 LANGUAGE;

19 (2) UNDERSTANDING AND APPLYING THE ROLES THAT CULTURE,  
20 ETHNICITY, AND RACE PLAY IN DIAGNOSIS, TREATMENT, AND CLINICAL CARE;  
21 AND

22 (3) AWARENESS OF HOW THE ATTITUDES, VALUES, AND BELIEFS  
23 OF HEALTH CARE PROVIDERS AND PATIENTS INFLUENCE AND IMPACT  
24 PROFESSIONAL AND PATIENT RELATIONS.

25 (C) "HEALTH CARE PROVIDER" INCLUDES A PHYSICIAN, NURSE,  
26 DENTIST, SOCIAL WORKER, PSYCHOLOGIST, OR OTHER ALLIED HEALTH  
27 PROFESSIONAL.

28 (D) "PROGRAM" MEANS THE CULTURAL AND LINGUISTIC HEALTH  
29 CARE PROVIDER COMPETENCY PROGRAM.

30 **20-1302.**

31 (A) THERE IS A CULTURAL AND LINGUISTIC HEALTH CARE PROVIDER  
32 COMPETENCY PROGRAM.

1           **(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FOR A VOLUNTARY**  
2 **PROGRAM IN WHICH EDUCATIONAL CLASSES ARE OFFERED TO HEALTH CARE**  
3 **PROVIDERS TO TEACH HEALTH CARE PROVIDERS:**

4           **(1) METHODS TO IMPROVE THE HEALTH CARE PROVIDER'S**  
5 **CULTURAL AND LINGUISTIC COMPETENCY TO COMMUNICATE WITH**  
6 **NON-ENGLISH SPEAKING PATIENTS AND PATIENTS FROM OTHER CULTURES**  
7 **WHO ARE ENGLISH SPEAKING;**

8           **(2) CULTURAL BELIEFS AND PRACTICES THAT MAY IMPACT**  
9 **PATIENT HEALTH CARE PRACTICES AND ALLOW HEALTH CARE PROVIDERS TO**  
10 **INCORPORATE THE KNOWLEDGE OF THE BELIEFS AND PRACTICES IN THE**  
11 **DIAGNOSIS AND TREATMENT OF PATIENTS; AND**

12           **(3) METHODS TO ENABLE HEALTH CARE PROVIDERS TO**  
13 **INCREASE THE HEALTH LITERACY OF THEIR PATIENTS TO IMPROVE THE**  
14 **PATIENT'S ABILITY TO OBTAIN, PROCESS, AND UNDERSTAND BASIC HEALTH**  
15 **INFORMATION AND SERVICES TO MAKE APPROPRIATE HEALTH CARE**  
16 **DECISIONS.**

17 **20-1303.**

18           **(A) THE PROGRAM SHALL OPERATE THROUGH THE MEDICAL AND**  
19 **CHIRURIGICAL FACULTY OF MARYLAND, THE STATE MEDICAL SOCIETY, THE**  
20 **MARYLAND NURSES ASSOCIATION, THE MARYLAND STATE DENTAL**  
21 **ASSOCIATION, THE NATIONAL ASSOCIATION OF SOCIAL WORKERS -**  
22 **MARYLAND CHAPTER, AND THE MARYLAND PSYCHOLOGICAL ASSOCIATION.**

23           **(B) EACH PROFESSIONAL SOCIETY LISTED IN SUBSECTION (A) OF THIS**  
24 **SECTION SHALL DEVELOP A TRAINING PROGRAM TO ADDRESS ETHNIC**  
25 **LANGUAGE OR RACIAL GROUPS OF INTEREST TO THE HEALTH CARE PROVIDER**  
26 **MEMBERS THAT:**

27           **(1) IS BASED ON THE ESTABLISHED KNOWLEDGE OF HEALTH**  
28 **CARE PROVIDERS SERVING TARGET POPULATIONS;**

29           **(2) IS DEVELOPED IN COLLABORATION WITH THE OFFICE OF**  
30 **MINORITY HEALTH AND HEALTH DISPARITIES; AND**

31           **(3) INCLUDES STANDARDS THAT IDENTIFY THE DEGREE OF**  
32 **COMPETENCY FOR PARTICIPANTS TO QUALIFY FOR COMPLETION OF THE**  
33 **PROGRAM.**

1 **20-1304.**

2 **THE PROGRAM SHALL BE FUNDED THROUGH FEES PAID BY THE HEALTH**  
3 **CARE PROVIDERS WHO ENROLL IN THE TRAINING PROGRAMS AND BY ANY**  
4 **OTHER SOURCE OF FUNDING OBTAINED BY THE APPROPRIATE PROFESSIONAL**  
5 **SOCIETY.**

6 **20-1305.**

7 **THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES SHALL**  
8 **CONVENE A WORKGROUP INCLUDING PATIENTS, HEALTH CARE PROVIDERS,**  
9 **AND THE PROFESSIONAL SOCIETIES LISTED IN § 20-1303(A) OF THIS SUBTITLE**  
10 **TO EVALUATE THE TRAINING PROGRAMS ESTABLISHED UNDER THIS SUBTITLE.**

11 **20-1306.**

12 **THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL DEVELOP A**  
13 **METHOD THROUGH WHICH THE APPROPRIATE PROFESSIONAL LICENSING**  
14 **BOARD RECOGNIZES THE TRAINING RECEIVED BY HEALTH CARE PROVIDERS**  
15 **UNDER THIS SUBTITLE, EITHER THROUGH CONTINUING EDUCATION CREDITS**  
16 **OR OTHERWISE.**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
18 **October 1, 2009.**