

HOUSE BILL 580

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CF SB 198

By: **Delegates Pena–Melnyk, Atterbeary, Campos, Carr, Cullison, Davis, Kelly, Oaks, B. Robinson, Sophocleus, and Tarlau**

Introduced and read first time: February 12, 2015

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Disparities, Cultural and Linguistic Competency, and Health**
3 **Literacy – Continuing Education**

4 FOR the purpose of requiring certain applicants and health care professionals to provide to
5 certain boards evidence of completion of certain continuing education requirements;
6 requiring certain boards, in consultation with the Office of Minority Health and
7 Health Disparities and State experts, to adopt certain regulations; stating the intent
8 of the General Assembly that the regulations require a certain percentage of the total
9 required continuing education credits be in health care disparities, cultural and
10 linguistic competency, and health literacy; requiring certain boards, on or before a
11 certain date, to approve certain continuing education courses; requiring courses
12 approved by a board to include certain instruction; authorizing a board to approve
13 certain courses; defining certain terms; and generally relating to continuing
14 education in health care disparities, cultural and linguistic competency, and health
15 literacy for health care providers.

16 BY adding to

17 Article – Health Occupations

18 Section 1–801 through 1–804 to be under the new subtitle “Subtitle 8. Continuing
19 Education in Health Care Disparities, Cultural and Linguistic Competency,
20 and Health Literacy”

21 Annotated Code of Maryland
22 (2014 Replacement Volume)

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

25 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 8. CONTINUING EDUCATION IN HEALTH CARE DISPARITIES, CULTURAL**
2 **AND LINGUISTIC COMPETENCY, AND HEALTH LITERACY.**

3 **1-801.**

4 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
5 **INDICATED.**

6 **(B) “APPLICANT” MEANS AN INDIVIDUAL WHO APPLIES FOR LICENSURE TO**
7 **PRACTICE AS A HEALTH CARE PROFESSIONAL.**

8 **(C) “BOARD” MEANS:**

9 **(1) THE STATE BOARD OF DENTAL EXAMINERS;**

10 **(2) THE STATE BOARD OF NURSING;**

11 **(3) THE STATE BOARD OF EXAMINERS IN OPTOMETRY;**

12 **(4) THE STATE BOARD OF PHARMACY;**

13 **(5) THE STATE BOARD OF PHYSICIANS;**

14 **(6) THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS;**

15 **(7) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND**
16 **THERAPISTS;**

17 **(8) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS; AND**

18 **(9) THE STATE BOARD OF SOCIAL WORK EXAMINERS.**

19 **(D) “HEALTH CARE PROFESSIONAL” MEANS:**

20 **(1) A DENTIST LICENSED BY THE STATE BOARD OF DENTAL**
21 **EXAMINERS;**

22 **(2) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE**
23 **LICENSED BY THE STATE BOARD OF NURSING;**

24 **(3) AN OPTOMETRIST LICENSED BY THE STATE BOARD OF**
25 **EXAMINERS IN OPTOMETRY;**

1 (4) A PHARMACIST LICENSED BY THE STATE BOARD OF PHARMACY;

2 (5) A PHYSICIAN LICENSED BY THE STATE BOARD OF PHYSICIANS;

3 (6) A PODIATRIST LICENSED BY THE STATE BOARD OF PODIATRIC
4 MEDICAL EXAMINERS;

5 (7) AN INDIVIDUAL LICENSED BY THE STATE BOARD OF
6 PROFESSIONAL COUNSELORS AND THERAPISTS;

7 (8) A PSYCHOLOGIST LICENSED BY THE STATE BOARD OF
8 EXAMINERS OF PSYCHOLOGISTS; AND

9 (9) AN ASSOCIATE SOCIAL WORKER, A GRADUATE SOCIAL WORKER, A
10 CERTIFIED SOCIAL WORKER, OR A CERTIFIED SOCIAL WORKER–CLINICAL LICENSED
11 BY THE STATE BOARD OF SOCIAL WORK EXAMINERS.

12 **1-802.**

13 AN APPLICANT OR A HEALTH CARE PROFESSIONAL, AS A CONDITION OF
14 INITIAL LICENSURE OR RENEWAL OF LICENSURE, SHALL PROVIDE TO THE
15 APPROPRIATE BOARD EVIDENCE THAT THE APPLICANT OR HEALTH CARE
16 PROFESSIONAL HAS SUCCESSFULLY COMPLETED THE REQUIREMENTS OF THE
17 BOARD FOR CONTINUING EDUCATION IN HEALTH CARE DISPARITIES, CULTURAL
18 AND LINGUISTIC COMPETENCY, AND HEALTH LITERACY.

19 **1-803.**

20 (A) EACH BOARD, IN CONSULTATION WITH THE OFFICE OF MINORITY
21 HEALTH AND HEALTH DISPARITIES AND OTHER STATE EXPERTS, SHALL ADOPT
22 REGULATIONS REQUIRING AN APPLICANT OR A HEALTH CARE PROFESSIONAL, AS A
23 CONDITION OF LICENSURE OR RENEWAL OF LICENSURE, TO DOCUMENT
24 PARTICIPATION IN CONTINUING EDUCATION IN HEALTH CARE DISPARITIES,
25 CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH LITERACY.

26 (B) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION
27 SHALL INCLUDE:

28 (1) THE NUMBER OF HOURS OF CONTINUING EDUCATION IN HEALTH
29 CARE DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH
30 LITERACY TO BE REQUIRED AS A CONDITION OF LICENSURE OR RENEWAL OF
31 LICENSURE; AND

1 **(2) THE CRITERIA TO BE USED BY A BOARD IN DETERMINING**
2 **WHETHER TO GRANT AN APPLICANT OR A HEALTH CARE PROFESSIONAL A WAIVER**
3 **FROM THE CONTINUING EDUCATION REQUIREMENT UNDER SUBSECTION (A) OF**
4 **THIS SECTION, INCLUDING DEMONSTRATION TO THE SATISFACTION OF THE BOARD**
5 **THAT THE APPLICANT OR HEALTH CARE PROFESSIONAL HAS ATTAINED**
6 **EXPERIENCE THAT IS SUBSTANTIALLY EQUIVALENT TO THE REQUIRED NUMBER OF**
7 **HOURS OF CONTINUING EDUCATION IN HEALTH CARE DISPARITIES, CULTURAL AND**
8 **LINGUISTIC COMPETENCY, AND HEALTH LITERACY.**

9 **(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE REGULATIONS**
10 **ADOPTED UNDER SUBSECTION (A) OF THIS SECTION REQUIRE THAT 5% TO 10% OF**
11 **THE TOTAL REQUIRED CONTINUING EDUCATION CREDITS BE IN HEALTH CARE**
12 **DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH LITERACY.**

13 **1-804.**

14 **(A) ON OR BEFORE JANUARY 1, 2016, EACH BOARD, IN CONSULTATION**
15 **WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, SHALL**
16 **APPROVE ONE OR MORE CONTINUING EDUCATION COURSES ADDRESSING HEALTH**
17 **CARE DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH**
18 **LITERACY.**

19 **(B) A COURSE APPROVED BY A BOARD UNDER SUBSECTION (A) OF THIS**
20 **SECTION SHALL INCLUDE INSTRUCTION IN ADDRESSING RACIAL, ETHNIC, AND**
21 **GENDER-BASED DISPARITIES IN HEALTH CARE TREATMENT DECISIONS.**

22 **(C) A BOARD MAY APPROVE A COURSE THAT IS INCLUDED IN A CONTINUING**
23 **EDUCATION PROGRAM CERTIFIED BY A PROFESSIONAL ASSOCIATION OR SIMILAR**
24 **ENTITY.**

25 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
26 **October 1, 2015.**