

Department of Legislative Services  
 Maryland General Assembly  
 2020 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 639 (Delegate P. Young, *et al.*)  
 Health and Government Operations

Public Health - Health Care Professionals - Cultural Competency Coursework or Training

This bill requires specified “health care professionals” to complete coursework or training on cultural awareness and competence in the provision of medical services by January 1, 2022, and once during each applicable license renewal period thereafter. The Maryland Department of Health (MDH) must adopt regulations by January 1, 2021, that establish standards for the coursework or training, as specified. Beginning January 1, 2022, a hospital or related institution may not employ or grant privileges to a health care professional unless the health care professional provides documentation of completion of the coursework or training or an exemption from the appropriate health occupations board. Each board must collect a \$5 fee from each health care professional required to complete the coursework or training at the time of license renewal and remit the fee to MDH to cover costs associated with development of standards for the coursework or training.

Fiscal Summary

**State Effect:** No effect in FY 2021. MDH can adopt the required regulations using existing budgeted resources. Special fund revenues for the health occupations boards increase by as much as \$471,300 annually beginning in FY 2022 from fees. Special fund expenditures increase by an indeterminate amount for at least some health occupations boards beginning in FY 2022 to implement the bill, as discussed below.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
GF Revenue	\$0	\$471,300	\$471,300	\$471,300	\$471,300
SF Expenditure	\$0	-	-	-	-
Net Effect	\$0	-	-	-	-

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

## Analysis

**Bill Summary:** “Health care professional” means the following individuals *licensed* by the respective health occupations board: dentists, registered nurses, registered nurse practitioners, licensed practical nurses, optometrists, pharmacists, physicians, physician assistants, podiatrists, graduate professional counselors, clinical professional counselors, graduate alcohol and drug counselors, clinical alcohol and drug counselors, graduate marriage and family therapists, clinical marriage and family therapists, graduate professional art therapists, clinical professional art therapists, behavior analysts, psychologists, associate social workers, graduate social workers, certified social workers, and certified social workers-clinical.

### *Coursework or Training and Required Documentation*

Each health care professional who provides direct medical services to a patient in the State must (1) complete coursework or training on cultural awareness and competence in the provision of medical services for a health care professional that meets specified standards or coursework or training determined by the appropriate health occupations board to be equivalent to the coursework or training required and (2) provide documentation satisfactory to the appropriate board that the health care professional completed the coursework or training required.

### *Exemptions*

A health occupations board must exempt from the coursework or training requirement a health care professional who (1) clearly demonstrates to the satisfaction of the board that coursework or training is unnecessary because of the nature of the health care professionals’ practice; (2) has completed coursework or training on cultural awareness and competence that is a part of a risk management education program offered by a hospital if the content of the program is approved by MDH; or (3) is a medical professional on a tour of extended active duty with the armed forces of the United States.

A board may not renew the license of a health care professional if the health care professional has not completed the coursework or training as required unless the board has exempted the individual.

**Current Law/Background:** MDH advises that many of the impacted health occupations boards currently have cultural competency courses as part of their continuing education.

The 2013 Maryland Cultural Competency Workgroup [report](#) found that some states have already developed cultural and linguistic competency continuing education requirements for health professional license renewal. These states include: California, Connecticut,

New Jersey, Oregon, and Washington. For example, in Connecticut physicians are required to have one contact hour of education or training in cultural competency every two years.

**State Revenues:** The bill requires health occupations boards that license health care professionals subject to the coursework and training requirement to collect a \$5 fee from each licensee (except for those granted an exemption from the requirement) at license renewal. The fee must be used by MDH for costs associated with the development of standards for the coursework or training and the implementation of and personnel required to carry out the provisions of the bill.

On average in any given year, approximately 94,255 health care professionals (as defined by the bill) renew their license, including 44,962 nurses; 15,600 physicians and physician assistants; 11,154 pharmacists; 6,486 dentists; and 16,053 optometrists, podiatrists, psychologists, counselors and therapists, and social workers. The amount of health care professionals who will be determined exempt from the requirement is unknown. Thus, general fund revenues increase by *as much as* \$471,275 annually beginning in fiscal 2022 from fees.

**State Expenditures:** MDH advises that it can adopt regulations that establish standards for the coursework or training on cultural awareness and competence using existing budgeted resources. Each health occupations board can also adopt any additional regulations using existing budgeted resources.

Each health occupations board must exempt certain health care professionals under the bill, collect fees, and confirm that a licensee required to complete the coursework or training has completed it as a condition of license renewal. Smaller health occupations boards may be able to absorb any related expenditures within existing budgeted resources. However, special fund expenditures increase for at least some boards to issue and track exemptions, collect the fee, and confirm completion of the training as a condition of license renewal. For example, the State Board of Nursing advises that its costs increase by an estimated \$99,326, including \$50,000 in one-time only vendor costs to update their database to permit collection of a new fee and \$49,326 for one full-time position to issue exemptions and/or track completing of the coursework or training for nearly 50,000 licensees annually. Although the bill requires the health occupations boards to remit the fees collected to MDH, the boards themselves will bear any costs associated with implementing the bill. Therefore this analysis assumes that any fees collected are used by the boards to cover these costs.

**Small Business Effect:** Each specified health care provider (unless determined to be exempt by the appropriate health occupations board) must take at least two hours of specified coursework or training on cultural competency by January 1, 2022, and once during each subsequent license renewal period (typically every two years for most health care professionals) and pay a \$5 fee during each renewal process.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

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