

## CHAPTER 414

(House Bill 756)

AN ACT concerning

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

FOR the purpose of establishing a Cultural and Linguistic Health Care Provider Competency Program; providing for the purpose of the Program; ~~requiring the Program to operate through certain professional associations; requiring encouraging certain professional societies to develop a~~ identify certain training ~~program~~ programs or to develop or collaborate in the development of certain training programs, if feasible; ~~providing for the funding for the Program; requiring the Office of Minority Health and Health Disparities to convene a certain workgroup;~~ requiring the Department of Health and Mental Hygiene to develop a certain method through which certain training is recognized by certain licensing boards; defining certain terms; and generally relating to the Cultural and Linguistic Health Care Provider Competency Program.

BY adding to

Article – Health – General

Section 20–1301 through ~~20–1306~~ 20–1304 to be under the new subtitle

“Subtitle 13. Cultural and Linguistic Competency of Health Care Providers”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

#### Preamble

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

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

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

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

**Article – Health – General**

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

**20-1301.**

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

(B) “CULTURAL AND LINGUISTIC COMPETENCY” MEANS CULTURAL AND LINGUISTIC ABILITIES THAT CAN BE INCORPORATED INTO THERAPEUTIC AND MEDICAL EVALUATION AND TREATMENT, INCLUDING:

(1) DIRECT COMMUNICATION IN THE PATIENT’S PRIMARY LANGUAGE;

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

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

(C) “HEALTH CARE PROVIDER” INCLUDES A PHYSICIAN, NURSE, DENTIST, SOCIAL WORKER, PSYCHOLOGIST, OR OTHER ALLIED HEALTH PROFESSIONAL.

(D) “PROGRAM” MEANS THE CULTURAL AND LINGUISTIC HEALTH CARE PROVIDER COMPETENCY PROGRAM.

**20-1302.**

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

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

(1) METHODS TO IMPROVE THE HEALTH CARE PROVIDER’S CULTURAL AND LINGUISTIC COMPETENCY TO COMMUNICATE WITH

NON-ENGLISH SPEAKING PATIENTS AND PATIENTS FROM OTHER CULTURES WHO ARE ENGLISH SPEAKING;

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

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

**20-1303.**

~~(A) THE PROGRAM SHALL OPERATE THROUGH THE~~ THE MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND, THE STATE MEDICAL SOCIETY, THE MARYLAND NURSES ASSOCIATION, THE MARYLAND STATE DENTAL ASSOCIATION, THE NATIONAL ASSOCIATION OF SOCIAL WORKERS - MARYLAND CHAPTER, AND THE MARYLAND SOCIETY FOR CLINICAL SOCIAL WORK, THE MARYLAND PSYCHOLOGICAL ASSOCIATION, OR ANY OTHER HEALTH PROFESSIONAL ASSOCIATION IN THE STATE IS ENCOURAGED TO IDENTIFY TRAINING PROGRAMS, OR, IF FEASIBLE, TO DEVELOP OR COLLABORATE IN THE DEVELOPMENT OF TRAINING PROGRAMS, THAT,

~~(B) EACH PROFESSIONAL SOCIETY LISTED IN SUBSECTION (A) OF THIS SECTION SHALL DEVELOP A TRAINING PROGRAM TO ADDRESS;~~

(1) ADDRESS ETHNIC LANGUAGE OR RACIAL GROUPS OF INTEREST TO THE HEALTH CARE PROVIDER MEMBERS ~~THAT;~~;

~~(1) (2)~~ IS ARE BASED ON THE ESTABLISHED KNOWLEDGE OF HEALTH CARE PROVIDERS SERVING TARGET POPULATIONS;

~~(2) (3)~~ IS ARE DEVELOPED IN COLLABORATION WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES; AND

~~(3) (4)~~ INCLUDES INCLUDE STANDARDS THAT IDENTIFY THE DEGREE OF COMPETENCY FOR PARTICIPANTS TO QUALIFY FOR COMPLETION OF ~~THE A~~ PROGRAM.

**~~20-1304.~~**

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

~~20-1305.~~

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

~~20-1306.~~ 20-1304.

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

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

Approved by the Governor, May 7, 2009.