

HOUSE BILL 580

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5lr1513
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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2015

CHAPTER _____

1 AN ACT concerning

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

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; requiring the Office of Minority Health and Health Disparities to~~
14 provide to certain health occupations boards a list of certain recommended courses;
15 requiring each board to post a certain list in a certain manner on the board's Web
16 site, provide information about the courses to certain health care professionals at a
17 certain time, and advertise the availability of certain courses in certain newsletters
18 and media; defining certain terms; and generally relating to ~~continuing education~~
19 recommended courses in health care disparities, cultural and linguistic competency,
20 and health literacy for health care ~~providers~~ professionals.

21 BY adding to

22 Article – Health Occupations

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 1-801 ~~through 1-804~~ and 1-802 to be under the new subtitle "Subtitle 8.
2 Continuing Education in Health Care Disparities, Cultural and Linguistic
3 Competency, and Health Literacy"
4 Annotated Code of Maryland
5 (2014 Replacement Volume)

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

8 **Article – Health Occupations**

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

11 **1-801.**

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

14 (B) "APPLICANT" MEANS AN INDIVIDUAL WHO APPLIES FOR LICENSURE TO
15 PRACTICE AS A HEALTH CARE PROFESSIONAL.

16 (C) "BOARD" MEANS:

17 (1) THE STATE BOARD OF DENTAL EXAMINERS;

18 (2) THE STATE BOARD OF NURSING;

19 (3) THE STATE BOARD OF EXAMINERS IN OPTOMETRY;

20 (4) THE STATE BOARD OF PHARMACY;

21 (5) THE STATE BOARD OF PHYSICIANS;

22 (6) THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS;

23 (7) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND
24 THERAPISTS;

25 (8) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS; AND

26 (9) THE STATE BOARD OF SOCIAL WORK EXAMINERS.

27 (D) "HEALTH CARE PROFESSIONAL" MEANS:

1 (1) A DENTIST LICENSED BY THE STATE BOARD OF DENTAL
2 EXAMINERS;

3 (2) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE
4 LICENSED BY THE STATE BOARD OF NURSING;

5 (3) AN OPTOMETRIST LICENSED BY THE STATE BOARD OF
6 EXAMINERS IN OPTOMETRY;

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

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

9 (6) A PODIATRIST LICENSED BY THE STATE BOARD OF PODIATRIC
10 MEDICAL EXAMINERS;

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

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

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

18 1-802.

19 (A) THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES SHALL
20 PROVIDE TO EACH BOARD A LIST OF RECOMMENDED COURSES IN CULTURAL AND
21 LINGUISTIC COMPETENCY, HEALTH DISPARITIES, AND HEALTH LITERACY.

22 (B) EACH BOARD SHALL:

23 (1) POST THE LIST OF RECOMMENDED COURSES PROVIDED TO THE
24 BOARD UNDER SUBSECTION (A) OF THIS SECTION PROMINENTLY ON THE BOARD'S
25 WEB SITE;

26 (2) PROVIDE INFORMATION ABOUT THE RECOMMENDED COURSES TO
27 HEALTH CARE PROFESSIONALS AT THE TIME OF RENEWAL OF LICENSURE; AND

28 (3) ADVERTISE THE AVAILABILITY OF THE RECOMMENDED COURSES
29 IN NEWSLETTERS AND ANY OTHER MEDIA PUBLISHED BY THE BOARD.

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

~~1-803.~~

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

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

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

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

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

~~1-804.~~

~~(A) ON OR BEFORE JANUARY 1, 2016, EACH BOARD, IN CONSULTATION WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, SHALL APPROVE ONE OR MORE CONTINUING EDUCATION COURSES ADDRESSING HEALTH~~

1 ~~CARE DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH~~
2 ~~LITERACY.~~

3 ~~(B) A COURSE APPROVED BY A BOARD UNDER SUBSECTION (A) OF THIS~~
4 ~~SECTION SHALL INCLUDE INSTRUCTION IN ADDRESSING RACIAL, ETHNIC, AND~~
5 ~~GENDER-BASED DISPARITIES IN HEALTH CARE TREATMENT DECISIONS.~~

6 ~~(C) A BOARD MAY APPROVE A COURSE THAT IS INCLUDED IN A CONTINUING~~
7 ~~EDUCATION PROGRAM CERTIFIED BY A PROFESSIONAL ASSOCIATION OR SIMILAR~~
8 ~~ENTITY.~~

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.