

SENATE BILL 198

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5lr1509
CF HB 580

By: **Senators Nathan–Pulliam, Kelley, Lee, Manno, Montgomery, Pugh, Raskin,
and Rosapepe**

Introduced and read first time: February 2, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 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, encourage certain applicants and health care professionals to take certain
17 courses, provide information about the courses to certain health care professionals
18 at a certain time, and advertise the availability of certain courses in certain
19 newsletters and media; defining certain terms; and generally relating to ~~continuing~~
20 education recommended courses in health care disparities, cultural and linguistic
21 competency, and health literacy for health care ~~providers~~ professionals.

22 BY adding to
23 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) ENCOURAGE ALL APPLICANTS AND HEALTH CARE
27 PROFESSIONALS TO TAKE ONE OR MORE OF THE RECOMMENDED COURSES;

28 (3) PROVIDE INFORMATION ABOUT THE RECOMMENDED COURSES TO
29 HEALTH CARE PROFESSIONALS AT THE TIME OF RENEWAL OF LICENSURE; AND

1 **(4) ADVERTISE THE AVAILABILITY OF THE RECOMMENDED COURSES**
2 **IN NEWSLETTERS AND ANY OTHER MEDIA PUBLISHED BY THE BOARD.**

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

9 ~~1-803.~~

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

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

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

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

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

34 ~~1-804.~~

1 ~~(A) ON OR BEFORE JANUARY 1, 2016, EACH BOARD, IN CONSULTATION~~
2 ~~WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, SHALL~~
3 ~~APPROVE ONE OR MORE CONTINUING EDUCATION COURSES ADDRESSING HEALTH~~
4 ~~CARE DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH~~
5 ~~LITERACY.~~

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.