



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

**Maryland State Board of Acupuncture
Maryland Health Occupations Boards**
4201 Patterson Avenue
Baltimore, MD 21215

2025 SESSION POSITION PAPER

BILL NO: SB 458
COMMITTEE: Finance
POSITION: Support with Amendment

TITLE: Health Occupations – Structural Racism Training

BILL ANALYSIS: The bill requires applicants for renewal of certain health occupations licenses and certificates, issued by corresponding health occupation boards, to attest that he/she has completed an implicit bias and structural racism training program, updating prior law that only required an implicit bias training program, approved by the Cultural and Linguistic Health Care Professional Competency Program (the “Program”).

POSITION AND RATIONALE: For the reasons set forth in this position paper, the State Acupuncture Board (the “Board”), as well as the following health occupation boards: the State Board of Audiologists, Hearing Aid Dispensers, Speech/Language Pathologists & Music Therapists; the State Board for Certification of Residential Child Care Program Professionals; the State Board of Dietetic Practice; the State Board of Morticians & Funeral Directors; the State Board of Occupational Therapy Practice; the State Board of Examiners in Optometry; the State Board of Physical Therapy Examiners; the State Board of Podiatric Medical Examiners; the State Board of Professional Counselors & Therapists; and the State Board of Social Work Examiners, (the “Boards”) support Senate Bill 458 with the following amendments:

Amendment 1

Page 3, Strike lines 19-22 and replace with: **(B) IT IS SOLELY THE RESPONSIBILITY OF THE PROGRAM AND OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES TO APPROVE IMPLICIT BIAS AND STRUCTURAL RACISM TRAINING PROGRAMS UNDER PARAGRAPH (1) OF THIS SUBSECTION AND NOT THE RESPONSIBILITY OF THE HEALTH OCCUPATIONS BOARDS.**

Amendment 2

Page 3, line 23 renumber (b) to (c); amend lines 23-24 to: **AT LEAST SIX MONTHS BEFORE THE APPLICANTS AND LICENSEES ATTESTATIONS ARE REQUIRED,**

THE PROGRAM SHALL PROVIDE THE HEALTH OCCUPATIONS BOARDS WITH A LIST OF TRAINING PROGRAMS APPROVED UNDER SUBSECTION (A) OF THIS SECTION THAT WILL SATISFY THE TRAINING REQUIREMENT.

Amendment 3

Page 3, line 35, strike 2026 and replace with **2027**.

The Boards support this bill, with the requested amendments based on their experience implementing the original bill (SB 5, Acts of 2021). The Department's Office of Minority Health and Health Disparities (the "Office") has expertise in the subject matter and therefore has been tasked with identifying and approving the resources needed to comply with the law. The Boards neither have one approach to recognizing training programs, nor have the expertise required to determine the adequacy of training related to this subject matter as defined by the Office. While the Boards believe that identifying courses that satisfy this requirement and approving the courses are clearly the responsibility of the Program and the Office, the Office has suggested that this requirement is the Boards' responsibility to conduct research, identify courses, and recognize courses that would satisfy the requirements. The Office also claimed that the Boards are responsible for reviewing outlines, course content, and learning objectives for implicit bias courses. The imposition of this responsibility on the Boards caused an unproductive administrative burden. The Boards have no expertise to review courses to determine whether they satisfy the legislature's goals pertaining to implicit bias and structural racism. Nevertheless, the Office informed the Boards that they should not refer licensees to the Office to determine appropriate courses. The Boards seek clear and explicit language in this bill to prevent the same situation where Boards become *de facto* responsible for determining the adequacy of programs outside their area of expertise. As the valuable work of the Program progresses, the Boards recommend that the ambiguous language that appeared to require Board participation in recognizing programs be stricken to clarify Program execution responsibility is on the Program and the Office alone, and that the Boards' sole role is to collect the attestation from licensees at the time of their first renewal. We further propose a revision to make it clear that the Program or the Office will provide licensees with sufficient resources to comply with the statute.

Finally, the Boards found last time that there were insufficient number of courses available at the beginning of the implementation period. We would request that the implementation date for SB 458 be set for 2027 to allow the Program and the Office of Minority Health and Health Disparities sufficient time to approve a sufficient number of relevant courses.

It is for these reasons that the Boards respectfully request a favorable vote on SB 458 with amendment.

For more information, please contact Tiffany L. Smith Williams, Executive Director for the Board of Acupuncture at (410)764-5925 or tiffany.smith-williams@maryland.gov; or Lillian Reese, the Legislative Liaison for the Health Occupations Boards & Commissions at 443-794-4757 or at lillian.reese@maryland.gov.

The opinion of the Boards expressed in this document do not necessarily reflect that of the Department of Health or the Administration.