



DEPARTMENT OF HEALTH

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

Board of Acupuncture
Board of Chiropractic Examiners
Metro Executive Plaza
4201 Patterson Avenue, Third Floor
Baltimore, Maryland 21215

2025 SESSION POSITION PAPER

BILL NO: SB 72
COMMITTEE: Finance
POSITION: Support with Amendment

TITLE: Health Occupations Boards – English Proficiency Requirements and Licensure by Endorsement for Nursing

BILL ANALYSIS:

The bill prohibits a health occupations board from requiring additional evidence of English proficiency as a condition for licensure, certification, or registration when an applicant has satisfactorily met the same standard to become credentialed in another State, continued to be in good standing in that State, and can provide documentation of such.

The bill further requires that the Board of Nursing, and generally the health occupation boards, make available on their websites a list of States that meet English proficiency requirements as well as the types of acceptable documentation to fulfill this requirement.

POSITION AND RATIONALE:

For the reasons set forth fully in this position paper, the State Acupuncture Board and State Board of Chiropractic Examiners (the “Boards”) support Senate Bill 72 with the following amendment:

Amendment 1

Page 2, strike lines 10-14.

The Boards, like the Board of Nursing, have experience serving foreign nationals, guiding them through the credentialing process, and providing multiple options for meeting the English proficiency requirement when necessary. For example, the State Acupuncture Board accepts: (1) a passing test score on the TOEFL within two years preceding licensure; (2) 60-credits from a

higher education institution where English is the primary language (with action being taken at present to reduce this to 30-credits); and (3) passing test scores from the National Certification Commission on Acupuncture and Oriental Medicine (NCCAOM) when the Diplomate exams are administered in English. The Board of Chiropractic Examiners does not have an English proficiency requirement for Chiropractors; however, COMAR 10.43.07.02.A(4) requires chiropractic assistants to “[b]e proficient in the English language sufficiently to allow for clear interaction with patients.”

The Boards supporting this bill, with a requested amendment, are two examples of requirements with differing approaches. The commonality is that this credentialing requirement is the least difficult to meet for the overwhelming majority of our licensees and therefore it is not a barrier to obtaining Maryland practice credentials. Additionally, the Boards are offering the above-referenced amendment because requiring the health occupations boards to display English proficiency licensing requirements of other State regulatory agencies on our websites creates risk. First, there is an implied expectation of accuracy. This expectation is unrealistic because the Boards cannot control, nor can they sufficiently monitor the licensing requirements of up to 50 states. Because statutes and regulations can change, the Boards believe the potential for inaccuracy is high. Furthermore, it makes the Boards possibly responsible for interpreting the statutes and regulations of those entities. The Boards should not be responsible for providing legal advice interpreting other states’ laws and determining whether they comply with Maryland rules related to English proficiency.

It is for these reasons that the Boards respectfully request a favorable vote on SB 72 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; Sharon J. Oliver, Executive Director of the Board of Chiropractic Examiners at 410-764-5985 or sharon.oliver@maryland.gov; or Lillian Reese, the Legislative Liaison for the boards 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.