

HOUSE BILL 1404

J2, J1

4lr3044

By: **Delegates Nathan–Pulliam, Costa, Cullison, Donoghue, Hubbard, A. Kelly, Murphy, Oaks, Pena–Melnyk, Reznik, and V. Turner**

Introduced and read first time: February 13, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of requiring certain applicants and health care professionals to
5 provide to certain boards evidence of completion of certain continuing education
6 requirements; requiring certain boards, in consultation with the Department of
7 Health and Mental Hygiene, to adopt certain regulations; stating the intent of
8 the General Assembly that the regulations require a certain percentage of the
9 total required continuing education credits be in health care disparities,
10 cultural and linguistic competency, and health literacy; requiring certain
11 boards, on or before a certain date, to approve certain continuing education
12 courses; requiring courses approved by a board to include certain instruction;
13 authorizing a board to approve certain courses; defining certain terms; and
14 generally relating to continuing education in health care disparities, cultural
15 and linguistic competency, and health literacy for health care providers.

16 BY adding to

17 Article – Health Occupations

18 Section 1–801 through 1–804 to be under the new subtitle “Subtitle 8.

19 Continuing Education in Health Care Disparities, Cultural and
20 Linguistic Competency, and Health Literacy”

21 Annotated Code of Maryland

22 (2009 Replacement Volume and 2013 Supplement)

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

25 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **1-801.**

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

6 **(B) “APPLICANT” MEANS AN INDIVIDUAL WHO APPLIES OR REAPPLIES**
7 **FOR LICENSURE TO PRACTICE AS A HEALTH CARE PROFESSIONAL.**

8 **(C) “BOARD” MEANS:**

9 **(1) THE STATE BOARD OF DENTAL EXAMINERS;**

10 **(2) THE STATE BOARD OF NURSING;**

11 **(3) THE STATE BOARD OF EXAMINERS IN OPTOMETRY;**

12 **(4) THE STATE BOARD OF PHARMACY;**

13 **(5) THE STATE BOARD OF PHYSICIANS;**

14 **(6) THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS;**

15 **(7) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND**
16 **THERAPISTS;**

17 **(8) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS; AND**

18 **(9) THE STATE BOARD OF SOCIAL WORK EXAMINERS.**

19 **(D) “HEALTH CARE PROFESSIONAL” MEANS:**

20 **(1) A DENTIST LICENSED BY THE STATE BOARD OF DENTAL**
21 **EXAMINERS;**

22 **(2) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE**
23 **LICENSED BY THE STATE BOARD OF NURSING;**

24 **(3) AN OPTOMETRIST LICENSED BY THE STATE BOARD OF**
25 **EXAMINERS IN OPTOMETRY;**

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

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

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

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

9 (8) A PSYCHOLOGIST LICENSED BY THE STATE BOARD OF
10 EXAMINERS OF PSYCHOLOGISTS; AND

11 (9) AN ASSOCIATE SOCIAL WORKER, GRADUATE SOCIAL WORKER,
12 CERTIFIED SOCIAL WORKER, OR CERTIFIED SOCIAL WORKER-CLINICAL
13 LICENSED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS.

14 **1-802.**

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

21 **1-803.**

22 (A) EACH BOARD, IN CONSULTATION WITH THE DEPARTMENT, SHALL
23 ADOPT REGULATIONS REQUIRING AN APPLICANT OR A HEALTH CARE
24 PROFESSIONAL, AS A CONDITION OF LICENSURE, TO DOCUMENT PARTICIPATION
25 IN CONTINUING EDUCATION IN HEALTH CARE DISPARITIES, CULTURAL AND
26 LINGUISTIC COMPETENCY, AND HEALTH LITERACY.

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

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

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

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

15 **1-804.**

16 **(A) ON OR BEFORE JANUARY 1, 2015, EACH BOARD SHALL APPROVE**
17 **ONE OR MORE CONTINUING EDUCATION COURSES ADDRESSING HEALTH CARE**
18 **DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH**
19 **LITERACY.**

20 **(B) A COURSE APPROVED BY A BOARD UNDER SUBSECTION (A) OF THIS**
21 **SECTION SHALL INCLUDE INSTRUCTION IN ADDRESSING RACIAL, ETHNIC, AND**
22 **GENDER-BASED DISPARITIES IN HEALTH CARE TREATMENT DECISIONS.**

23 **(C) A BOARD MAY APPROVE A COURSE THAT IS INCLUDED IN A**
24 **CONTINUING EDUCATION PROGRAM CERTIFIED BY A PROFESSIONAL**
25 **ASSOCIATION OR SIMILAR ENTITY.**

26 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
27 **October 1, 2014.**