

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 88

Senator Maharath

A BILL

To amend section 4743.08 of the Revised Code to
require certain health care professionals to
complete instruction in cultural competency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4743.08 of the Revised Code be
amended to read as follows:

Sec. 4743.08. (A) As used in this section, ~~"state";~~

(1) "Applicant" means an individual who applies to a state
licensing board for initial authority to practice as a health
care professional.

(2) "Health care professional" means all of the following:

(a) A dentist licensed by the state dental board under
Chapter 4715. of the Revised Code;

(b) A registered nurse, advanced practice registered
nurse, or licensed practical nurse licensed by the board of
nursing under Chapter 4723. of the Revised Code;

(c) An optometrist licensed by the state board of
optometry under Chapter 4725. of the Revised Code;

(d) A pharmacist licensed by the state board of pharmacy 18
under Chapter 4729. of the Revised Code; 19

(e) A physician authorized to practice medicine and 20
surgery, osteopathic medicine and surgery, or podiatric medicine 21
and surgery by the state medical board under Chapter 4731. of 22
the Revised Code; 23

(f) A psychologist licensed by the state board of 24
psychology under Chapter 4732. of the Revised Code; 25

(g) An independent social worker, social worker, or social 26
work assistant licensed or registered by the counselor, social 27
worker, and marriage and family therapist board under Chapter 28
4757. of the Revised Code. 29

(3) "State licensing board" means the state dental board, 30
the board of nursing, the state board of pharmacy, the state 31
medical board, the state board of psychology, or the counselor, 32
social-~~workers~~ worker, and marriage and family therapist board. 33

~~(B) Not later than one hundred twenty days after the~~ 34
~~effective date of this section, each state board shall consider~~ 35
~~the problems of race and gender-based disparities in health care~~ 36
~~treatment decisions. When doing so, the boards shall consult~~ 37
~~with the commission on minority health and one or more~~ 38
~~professionally relevant and nationally recognized organizations~~ 39
~~or similar entities that review the curricula and experiential~~ 40
~~learning opportunities offered by the applicable health care~~ 41
~~professional schools, colleges, and other educational~~ 42
~~institutions.~~ 43

~~(C) Each state board shall annually provide its licensees~~ 44
~~or certificate holders with a list of continuing education~~ 45
~~courses and experiential learning opportunities addressing~~ 46

~~cultural competency in health care treatment. If a state board~~ 47
~~determines that a sufficient number of courses or experiential~~ 48
~~learning opportunities does not exist, the board shall~~ 49
~~collaborate with the organizations or similar entities described~~ 50
~~in division (B) of this section to create such courses and~~ 51
~~opportunities. Except as provided in division (C) of this~~ 52
~~section, to be eligible for or to renew a license, certificate,~~ 53
~~or registration issued by a state licensing board, an applicant~~ 54
~~or health care professional shall complete instruction or~~ 55
~~continuing education, as applicable, in cultural competency.~~ 56
When submitting an initial or renewal application, the applicant 57
or professional shall provide to the relevant board evidence of 58
successfully completing the board's cultural competency 59
requirements, as established in rules adopted under division (D) 60
of this section. 61

(C) A state licensing board may waive requirements for 62
instruction or continuing education in cultural competency if an 63
applicant or health care professional meets the criteria 64
established in rules adopted under division (D) of this section. 65

(D) In accordance with Chapter 119. of the Revised Code, a 66
state licensing board shall adopt rules that establish all of 67
the following: 68

(1) The number of hours of instruction in cultural 69
competency an applicant must complete to be eligible for a 70
board-issued license, certificate, or registration; 71

(2) The number of hours of continuing education in 72
cultural competency required for renewal of a board-issued 73
license, certificate, or registration; 74

(3) The criteria to be considered by the board when 75

determining whether to waive cultural competency requirements 76
for an applicant or health care professional, including evidence 77
that the applicant or professional has attained experience that 78
is substantially equivalent to the required number of hours of 79
instruction or continuing education in cultural competency. 80

(E) When adopting rules as described in division (D) of 81
this section, a state licensing board shall consider race and 82
gender-based disparities in health care and shall consult with 83
one or more professionally relevant and nationally recognized 84
organizations that review curricula offered by health care 85
professional schools, colleges, and other educational 86
institutions. 87

(F) Not later than ninety days after the effective date of 88
this section, a state licensing board shall approve one or more 89
continuing education courses that address cultural competency in 90
health care and that provide instruction in race and gender- 91
based disparities in health care. The board may approve courses 92
that are included within continuing education programs certified 93
by professional associations or similar entities. 94

Section 2. That existing section 4743.08 of the Revised 95
Code is hereby repealed. 96