



# OHIO LEGISLATIVE SERVICE COMMISSION

---

## Bill Analysis

Lisa Musielewicz

### **S.B. 16**

132nd General Assembly  
(As Introduced)

**Sens.** Tavares, Thomas

---

### **BILL SUMMARY**

- Repeals recently enacted provisions that require state health care professional licensing boards to consider race and gender-based disparities in health care treatment decisions and to provide information to licensees on training and continuing education opportunities in cultural competency.
  - Requires, instead, that certain health care professionals obtain instruction or continuing education in cultural competency in order to receive or renew a professional license.
  - Requires the pertinent licensing boards to adopt rules establishing the number of hours of cultural competency instruction to be completed and the criteria to be used in granting a waiver of the instruction requirement.
  - Requires the boards, in developing the rules, to consider race and gender-based disparities in health care treatment decisions and to consult with outside professional organizations.
- 

### **CONTENT AND OPERATION**

#### **Cultural competency for health care professionals**

##### **Overview**

The bill repeals provisions recently enacted by Sub. S.B. 332 of the 131st General Assembly concerning cultural competency for health care professionals. Specifically, the provisions require specified state health care professional licensing boards to make certain considerations and provide information to their licensees and certificate holders

on continuing education and training opportunities in cultural competency. The bill replaces those provisions with requirements that certain health care professionals obtain instruction or continuing education in cultural competency in order to receive or renew a professional license.

### **Cultural competency requirement for licensure**

The bill generally requires applicants for and holders of certain health care professional licenses, certificates, or registrations to obtain instruction or continuing education in cultural competency in order to receive or renew their professional licensure, certification, or registration.<sup>1</sup> The individuals subject to the bill's requirements are those seeking to practice, or those seeking to renew licensure, certification, or registration to continue practicing, as dentists, registered nurses, licensed practical nurses, optometrists, pharmacists, physicians, psychologists, independent social workers, social workers, and social work assistants.<sup>2</sup>

Current law does not require health care professionals to complete certain amounts of training, instruction, or continuing education in cultural competency. Rather, newly enacted law that takes effect April 6, 2017, requires that each board regulating the professionals specified above must, not later than August 4, 2017, consider the problems of race and gender-based disparities in health care treatment decisions. When doing so, each board must consult with the Commission on Minority Health and one or more professionally relevant and nationally recognized organizations or similar entities that review the curricula and experiential learning opportunities offered by applicable health care professional schools, colleges, and other educational institutions. In addition, each board must annually provide its licensees or certificate holders with a list of continuing education courses and experiential learning opportunities addressing cultural competency in health care treatment. If a board determines that a sufficient number of courses or experiential learning opportunities do not exist, the board must collaborate with the organizations or similar entities to create the courses or opportunities.<sup>3</sup> The bill repeals these requirements.

### **Waiver**

The bill provides that its requirements for instruction or continuing education in cultural competency do not apply to an applicant or health care professional if the licensing board has granted the applicant or professional a waiver of those

---

<sup>1</sup> R.C. 4743.08(B).

<sup>2</sup> R.C. 4743.08(A)(1) and (2).

<sup>3</sup> R.C. 4743.08(B).

requirements.<sup>4</sup> In adopting rules under the bill, each board must establish the criteria it will consider in deciding whether to grant a waiver. The criteria must include demonstration to the board's satisfaction that the person has attained experience that is substantially equivalent to the required number of hours of instruction or continuing education in cultural competency.<sup>5</sup>

### **Board rules for cultural competency**

The bill requires the licensing boards that oversee each of the professions subject to the bill to adopt rules regarding the number of hours of instruction or continuing education in cultural competency each applicant or professional must complete in order to receive or renew licensure, certification, or registration. This rule-making requirement applies to the State Dental Board, the Board of Nursing, the State Board of Optometry, the State Board of Pharmacy, the State Medical Board, the State Board of Psychology, and the Counselor, Social Worker, and Marriage and Family Therapist Board.<sup>6</sup> In developing the rules, the boards must consider the problems of race and gender-based disparities in health care treatment decisions. The boards must consult with at least one professionally relevant and nationally recognized organization, or similar entity, that reviews the curricula offered by educational institutions in the applicable health care field. Each board must adopt the rules in accordance with the Administrative Procedure Act (R.C. Chapter 119.).<sup>7</sup>

### **Approval of continuing education courses**

Not later than 90 days after the bill's effective date, each licensing board must approve one or more continuing education courses that address cultural competency in health care treatment. To be approved, a course must include instruction in addressing the problems of race and gender-based disparities in health care treatment decisions. The bill authorizes the boards to approve courses that are included within continuing education programs certified by professional associations or similar entities.<sup>8</sup>

---

<sup>4</sup> R.C. 4743.08(C).

<sup>5</sup> R.C. 4743.08(D)(3).

<sup>6</sup> R.C. 4743.08(D)(1) and (2).

<sup>7</sup> R.C. 4743.08(E).

<sup>8</sup> R.C. 4743.08(F).

---

## HISTORY

ACTION

DATE

Introduced

01-31-17

S0016-I-132.docx/emr

