

A-Engrossed Senate Bill 97

Ordered by the Senate April 19
Including Senate Amendments dated April 19

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber for Oregon Health Authority)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Directs certain health professional regulatory boards to adopt rules by January 1, 2014, requiring licensees to document participation in continuing education opportunities relating to cultural competency approved by Oregon Health Authority.]

[Requires authority to collaborate with boards to define "cultural competency," develop list of approved continuing education opportunities and provide list to boards on or before January 1, 2013.]

Requires Oregon Health Authority and specified regulatory boards to develop standards and list of opportunities for continuing education in cultural competence and to develop and implement such education for licensed health care providers.

Requires authority and boards to study cost and operation of and opportunities in such education. Requires authority to report to legislative committee on or before December 31, 2012. Sunsets on January 2, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to continuing education for health care professionals; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) "Board" means the:

6 (A) State Board of Examiners for Speech-Language Pathology and Audiology;

7 (B) State Board of Chiropractic Examiners;

8 (C) State Board of Licensed Social Workers;

9 (D) Oregon Board of Licensed Professional Counselors and Therapists;

10 (E) Oregon Board of Dentistry;

11 (F) Board of Examiners of Licensed Dietitians;

12 (G) State Board of Massage Therapists;

13 (H) Oregon Board of Naturopathic Medicine;

14 (I) Oregon State Board of Nursing;

15 (J) Nursing Home Administrators Board;

16 (K) Oregon Board of Optometry;

17 (L) State Board of Pharmacy;

18 (M) Oregon Medical Board;

19 (N) Occupational Therapy Licensing Board;

20 (O) Physical Therapist Licensing Board;

21 (P) State Board of Psychologist Examiners;

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (Q) Board of Medical Imaging;

2 (R) State Mortuary and Cemetery Board; and

3 (S) Oregon Health Authority, to the extent that the authority certifies emergency med-
4 ical technicians.

5 (b) "Cultural competence" means the process by which individuals and systems respond
6 respectfully and effectively to people of all cultures, languages, economic statuses, races,
7 ethnic backgrounds, disabilities, religions, genders, sexual orientations and other character-
8 istics in a manner that recognizes, affirms, values the worth of and preserves the dignity
9 of individuals, families and communities.

10 (2) The Oregon Health Authority and the boards shall collaborate with other interested
11 parties to:

12 (a) Develop standards for continuing education in cultural competence for licensed health
13 care providers that emphasize increasing knowledge of health inequities and developing skills
14 that enable a health care provider to care effectively for patients from diverse cultures,
15 languages, groups and communities by:

16 (A) Using cultural information to establish therapeutic relationships;

17 (B) Eliciting, understanding and applying cultural and ethnic data in the process of clin-
18 ical care; and

19 (C) Understanding and applying civil rights laws and health care ethics to ensure quality
20 delivery of health care to diverse patient populations.

21 (b) Develop a list of opportunities for continuing education in cultural competence ap-
22 proved by the authority and make the list available to each board.

23 (c) Coordinate with other states and national entities to develop and implement continu-
24 ing education in cultural competence for licensed health care providers that are relevant to
25 provider specialty and geographic location.

26 (3) The authority may accept gifts, grants or contributions from any public or private
27 source for the purpose of carrying out this section. Moneys received by the authority under
28 this subsection shall be deposited into the Oregon Health Authority Fund established by ORS
29 413.031.

30 (4) The authority may contract with or award grant funding to a public or private entity
31 to develop a list of or offer approved opportunities for continuing education in cultural
32 competence. The authority is not subject to the requirements of ORS chapters 279A, 279B
33 and 279C with respect to contracts entered into under this subsection.

34 (5) If a board adopts rules requiring persons licensed by the board to document partic-
35 ipation in continuing education in cultural competence, the board shall collaborate with the
36 authority in developing the requirements.

37 **SECTION 2.** (1) The Oregon Health Authority and the boards listed in section 1 of this
38 2011 Act shall collaborate with other interested parties to:

39 (a) Evaluate the costs of implementation and logistical issues associated with the estab-
40 lishment of requirements for continuing education in cultural competence for licensed health
41 care providers.

42 (b) Examine operational issues, including but not limited to the feasibility of developing
43 a communication plan for continuing education in cultural competence for licensed health
44 care providers and maintaining a central listing of opportunities for continuing education in
45 cultural competence.

1 (c) Develop new, or identify existing, opportunities for continuing education in cultural
2 competence, which may include:

3 (A) Courses delivered electronically or in person;

4 (B) Experiential learning options such as cultural or linguistic immersion;

5 (C) Service learning; or

6 (D) Specially designed cultural experiences.

7 (2) The authority shall report to a legislative committee related to health care on the
8 objectives listed in subsection (1) of this section and section 1 (2) of this 2011 Act on or before
9 December 31, 2012.

10 (3) The authority may accept gifts, grants or contributions from any public or private
11 source for the purpose of carrying out this section. Moneys received by the authority under
12 this subsection shall be deposited into the Oregon Health Authority Fund established by ORS
13 413.031.

14 (4) The authority may contract with or award grant funding to a public or private entity
15 to develop opportunities for continuing education in cultural competence. The authority is
16 not subject to the requirements of ORS chapters 279A, 279B and 279C with respect to con-
17 tracts entered into under this subsection.

18 SECTION 3. Section 2 of this 2011 Act is repealed on January 2, 2014.

19 SECTION 4. This 2011 Act being necessary for the immediate preservation of the public
20 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
21 on its passage.

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