AN ACT

To amend chapter 192, RSMo, by adding thereto two new sections relating to the health care professionals cultural competency act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 192, RSMo, is amended by adding thereto two new sections, to be known as sections 192.340 and 192.345, to read as follows:

192.340. 1. Sections 192.340 and 192.345 shall be known and may be cited as the "Health Care Professionals Cultural Competency Act".

2. As used in sections 192.340 and 192.345, the following terms shall mean:

(a) The state board of registration for the healing arts;
(b) The state board of chiropractic examiners;
(c) The state board of podiatric medicine;
(d) The state board of nursing;
(e) The Missouri dental board;
(f) The Missouri state board of optometry;
(g) The state board of pharmacy;
(h) The state committee of psychologists;
(i) The state committee for professional counselors;
(j) The state committee for marital and family therapists;
(k) The state committee for social workers;
(l) The state board of occupational therapy;
(m) The state board of therapeutic massage;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.
(n) The state committee on dietitians;
(o) The Missouri board of nursing home administrators;
(p) The department of health and senior services, to the extent that the department establishes training and licensure requirements for health care professionals; and
(q) Any other state governing body for the registration, certification, or licensure of health care professionals in this state;

(2) "Department", the department of health and senior services;
(3) "School for health care professionals", any school of medicine, school of nursing, or any other institution of higher education or postsecondary educational program that provides training of health care professionals for licensure in this state.

192.345. 1. Every licensing board in this state shall require completion of cultural competency training under this section for any person authorized to practice the profession regulated by the licensing board in this state. The department of health and senior services, in collaboration with the department of higher education, shall require the following:

(1) The curriculum in each school for health care professionals in this state shall include instruction in cultural competency designed to address the problem of race and gender-based disparities in medical treatment decisions and developed in consultation with nationally recognized organizations which review school curricula for health care professionals;

(2) Completion of cultural competency instruction as provided in subdivision (1) of this subsection shall be required as a condition of receiving a diploma from a school for health care professionals in this state;

(3) A school for health care professionals which includes instruction in cultural competency as provided in subdivision (1) of this subsection in its curricula shall offer for continuing education credit cultural competency training which is provided through classroom instruction, workshops, or other educational programs sponsored by the school and which meets criteria established by the department under subsection 5 of this section which is consistent with the instruction developed under subdivision (1) of this subsection;

(4) A person who received a diploma from a school for health care professionals in this state prior to the effective date of regulations adopted to effectuate the purposes of this section shall be required, as a condition of initial licensure by the licensing board, to document completion of cultural competency training which is offered under subdivision (3) of this subsection to the satisfaction of the licensing board;

(5) A health care professional licensed, certified, or registered to practice in this state shall be required, as a condition of relicensure, to document completion of cultural
competency training approved by the department and subject to the satisfaction of the licensing board no later than three years after the effective date of this section;

(6) The licensing board may waive the requirements under subdivision (4) or (5) of this subsection if an applicant demonstrates to the satisfaction of the licensing board that the applicant has attained the substantial equivalent of such requirement through completion of a similar course in his or her postsecondary education which meets criteria established by the department and the licensing board.

2. In collaboration with the department of health and senior services, each licensing board shall require a person authorized to practice the profession regulated by the licensing board to receive a minimum of one hour of cultural competency continuing education approved by the department under subsection 5 of this section during the first renewal period in which continuing education is required and not less than once every three years thereafter. Cultural competency continuing education courses shall be taken in addition to any other continuing education requirements imposed by the licensing board.

3. (1) A licensing board, or the state agency for such licensing board for which the agency issues and renews authorizations to practice the profession regulated by the licensing board, shall document participation in cultural competency continuing education by persons authorized to practice a profession regulated by the licensing board.

(2) For purposes of documenting participation under this subsection, a licensing board may adopt rules requiring persons authorized to practice the profession regulated by the licensing board to submit documentation to the licensing board, or to the agency for such licensing board for which the agency issues and renews authorizations to practice the profession regulated by the licensing board, of participation in cultural competency continuing education.

4. A licensing board shall report biennially to the department on the participation documented under subsection 3 of this section. The department, on or before August first of each even-numbered year, shall report to the general assembly the information submitted to the department under this subsection.

5. (1) The department of health and senior services shall approve continuing education opportunities relating to cultural competency. The department shall develop a list of continuing education opportunities relating to cultural competency including, but not limited to, training under subdivision (3) of subsection 1 of this section, and make the list available to each licensing board. The continuing education opportunities may include, but shall not be limited to:

(a) Courses delivered either in person or electronically;
(b) Experiential learning such as cultural or linguistic immersion;
(c) Service learning; or
(d) Specially designed cultural experiences.

(2) The continuing education opportunities shall teach attitudes, knowledge, and skills that enable a health care professional to care effectively for patients from diverse cultures, groups, and communities including, but not limited to:

(a) Applying linguistic skills to communicate effectively with patients from diverse cultures, groups, and communities;
(b) Using cultural information to establish therapeutic relationships; and
(c) Eliciting, understanding, and applying cultural and ethnic data in the process of clinical care.

(3) The department may contract with public or private entities to offer approved continuing education opportunities relating to cultural competency.

(4) The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.