

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 458

(Senator Gile)

Finance

Rules and Executive Nominations

Health Occupations - Implicit Bias and Structural Racism Training

This bill expands the scope of required training for individuals licensed or certified by a health occupations board to include implicit bias *and structural racism*. Applicants for the renewal of a license or certificate issued by a health occupations board must attest to completion of an approved implicit bias *and structural racism* training program the first time they renew their license or certificate after April 1, 2026. The Cultural and Linguistic Health Care Professional Competency Program, in coordination with the Office of Minority Health and Health Disparities (OMHHD), must identify and approve implicit bias *and structural racism* training programs, as specified.

Fiscal Summary

State Effect: Maryland Department of Health (MDH) general fund expenditures may increase by an indeterminate amount in FY 2026 only for contractual assistance to identify and approve new training courses, as discussed below. Special fund expenditures for each health occupations board may increase in FY 2026 to the extent each board must update its licensing system to accept revised attestations. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Structural racism” means the totality of ways in which societies foster racial discrimination by mutually reinforcing systems of housing, education, employment, earnings, benefits, credit, media, health care, and criminal justice.

The Cultural and Linguistic Health Care Professional Competency Program, in coordination with OMHHD, must identify and approve implicit bias *and structural racism* training programs that are recognized by a health occupations board or accredited by the Accreditation Council for Continuing Medical Education (ACCME) or the Accreditation Council for Pharmacy Education.

Each health occupations board may adopt regulations allowing an applicant for license renewal to receive continuing education credits for completing an implicit bias and structural racism training program.

Uncodified language in the bill specifies that, if an applicant for renewal of a license or certificate is applying between October 1, 2025, and April 1, 2026, for the applicant's first renewal, the applicant must attest that they have completed an approved implicit bias training program, as required under current law.

Uncodified language also expresses the intent of the General Assembly that the structural racism training required under the bill be developed and offered using grant funding provided to the Maryland Nurses Association (MNA) from the American Nurses Association to advance antiracism efforts.

Current Law:

Implicit Bias Training

“Implicit bias” means a bias in judgment that results from subtle cognitive processes, including the following prejudices and stereotypes that often operate at a level below conscious awareness and without intentional control: (1) prejudicial negative feelings or beliefs about a group that an individual holds without being aware of the feelings or beliefs; and (2) unconscious attributions of particular qualities to a member of a specific social group that are influenced by experience and based on learned associations between various qualities and social categories, including race and gender.

Chapter 745 of 2021 requires applicants for the renewal of a license or certificate issued by a health occupations board to attest to completion of an approved implicit bias training program the first time they renew their license or certificate after April 1, 2022. The Cultural and Linguistic Health Care Professional Competency Program, in coordination with OMHHD, must identify and approve implicit bias training programs that must be recognized by a health occupations board or accredited by ACCME.

Chapter 337 of 2020 requires the Cultural and Linguistic Health Care Professional Competency Program to establish and provide an evidence-based implicit bias training program for health care professionals involved in perinatal care of patients.

Cultural and Linguistic Health Care Provider Professional Competency Program

“Cultural and linguistic competency” means cultural and linguistic abilities that can be incorporated into therapeutic and medical evaluation and treatment, including (1) direct communication in the patient’s primary language; (2) understanding and applying the roles that culture, ethnicity, and race play in diagnosis, treatment, and clinical care; and (3) awareness of how the attitudes, values, and beliefs of health care providers and patients influence and impact professional and patient relations.

Chapter 414 of 2009 established a voluntary Cultural and Linguistic Health Care Provider Competency Program to offer classes to health care providers on cultural and linguistic competency. The program must work collaboratively with universities and colleges of medicine, nursing, pharmacy, and dentistry and other health care professional training programs to develop courses with cultural competency, sensitivity, and health literacy that are designed to address the problems of racial and ethnic disparities in health care access, utilization, treatment decisions, quality, and outcomes.

State Fiscal Effect: MDH indicates that it requires one full-time program manager at a cost of \$165,545 in fiscal 2026 to oversee the training program and ensure successful implementation of the bill. However, the Department of Legislative Services (DLS) disagrees. Given that the Cultural and Linguistic Health Care Professional Competency Program and OMHHD already approve and oversee implicit bias training, and the updated requirements would not be in place until April 2026, MDH would likely need only contractual assistance to identify and approve implicit bias and structural racism training for all health occupations boards. Thus, MDH general fund expenditures may increase by an indeterminate amount in fiscal 2026 only for those contractual services.

MDH reports that MNA received an \$8,000 grant that was used to develop a web-based training program focused on systemic racism. MNA plans to offer the training at no cost to health care professionals in the State. To the extent that this training is recognized by a health occupations board and approved by the Cultural and Linguistic Health Care Professional Competency Program and OMHHD, additional contractual expenditures to identify and approve training are likely not required.

While several health occupations boards indicated that the bill would not have any fiscal or operational impact on them, the Maryland Board of Nursing (MBON) advises that it would need to update its licensing software to change the attestation on renewal applications from “implicit bias training program” to “implicit bias and structural racism training program.” It estimates a cost of \$1,500 in fiscal 2026 for this update. To the extent that MBON and any other health occupations board needs to update licensing software, special fund expenditures increase anywhere from \$1,500 to \$30,000 in fiscal 2026 for each board to complete these updates.

The Maryland Board of Physicians advises that it would need to hire one licensure analyst at a \$29,503 annual salary to assist with outreach to physicians about the updated requirements. DLS disagrees and believes any necessary outreach can be completed with existing staff and resources.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced in the last three years.

Designated Cross File: HB 783 (Delegate Pena-Melnyk, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2025
js/jc Third Reader - April 5, 2025
Revised - Amendment(s) - April 5, 2025

Analysis by: Eliana R. Prober

Direct Inquiries to:
(410) 946-5510
(301) 970-5510