



## **Report – Cultural Competency SB 332 (131<sup>st</sup> G.A.)**

### Ohio Board of Nursing (Board) Background

The mission of the Board is to actively safeguard the health of the public through the effective regulation of nursing care. The Board regulates over 285,000 licenses and certificates, as compared to 233,000 in 2009. The Board licenses and regulates registered nurses (RNs), licensed practical nurses (LPNs) and Advanced Practice Registered Nurses (APRNs), in addition to Dialysis Technicians (DTs), Community Health Workers (CHWs) and Medication Aides. The Board also regulates 232 nursing education programs and various types of training programs.

The Board's public protection role is critical; nursing touches virtually every citizen of Ohio. Ohioans expect nurses to obtain an adequate level of educational preparation, follow established practice standards, and provide competent nursing care. They also expect the Board to address unsafe practitioners so vulnerable populations are protected. Board operations are designed to meet these public and professional expectations.

The Board is made up of thirteen members, including nurses holding licensure as LPNs, RNs and APRNs, and a consumer member. The Board meets six times a year and for a Board Retreat in April of each calendar year to discuss issues and develop a strategic plan.

### HB 332 of the 131<sup>st</sup> General Assembly

The Board understands that House Bill 322 of the 131<sup>st</sup> General Assembly requires certain health profession licensing boards to consider the problems of race and gender based disparities in health care treatment decisions. When considering these problems, the boards are to 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 health care professional schools, colleges, and other educational institutions.

In addition each board is to annually provide its licensees and certificate holders with a list of continuing education (CE) courses and experiential learning opportunities addressing cultural competency in health care treatment. If a state board determines that a sufficient number of courses or experiential learning opportunities does not exist, the board must collaborate with those nationally recognized organizations or similar entities to create such courses and opportunities.

### Consideration of Race And Gender Based Disparities in Treatment Decisions

Coincident with the passage of HB 332, the Board addressed its commitment to the important role of cultural competency in the education and curriculum offered by the pre-licensure RN and LPN nursing education programs regulated by the Board through its five-year review and revisions of Chapter 4723-5, Ohio Administrative Code (OAC), the

nursing education program rules. The revised rules became effective on April 1, 2017. Certain aspects of the rules reflect the Board's consideration of cultural competency in the education and curriculum offered by the pre-licensure RN and LPN nursing education programs regulated by the Board, which in turn will impact disparity in health care treatment

Specifically, Rules 4723-5-13 and 4723-5-14, OAC, address the curriculum for a registered nurse education program and licensed practical nurse education program respectively. Paragraphs (F)(7) and (E)(2) respectively of each rule require the curriculum to consist of course content in "social and behavioral sciences that are necessary to understand the effect of a patient's religious, spiritual, cultural, gender identity, sexuality, and growth and developmental experiences on the patient's health, the patient's attitude toward health maintenance, and to effectively communicate with the patient." While this curriculum requirement for cultural competency has been in place since at least 1996, the Board added a reference during the five-year review to "gender identity" and "sexuality" in both the RN and LPN curriculum rules.

The nursing education program curriculum rules reflect the long-standing commitment of the Board and nursing education programs to cultural competency learning and documents the education acquired by the licensed nursing profession prior to licensure. In addition, to become licensed as a nurse, the applicant is required to successfully pass the National Council Licensure Examination (NCLEX), which contains questions related to cultural competency practice.

The Board is also addressing cultural competency for nurses providing health care through nursing workforce data collection, a vital component of health care planning and policymaking. The Board has been collecting comprehensive nursing workforce data each year since 2013. All Nursing Workforce Data Reports and the raw data collected by the Board are made available to interested parties and the public through the Board website. The Board collects information on race, gender, ethnicity, and language proficiency through the workforce data questions.

In addition, each year the Board collects data from nursing education programs through required Annual Reports submitted to the Board. The Board collects information on race, gender, and ethnicity for faculty members and students upon entry and completion of the nursing education program.

The race, gender, and ethnicity data from the nursing workforce collection and the education program Annual Reports are provided to the Ohio Action Coalition (Coalition), a consortium of nursing associations and organizations throughout Ohio. The Board is an active member of the Coalition and the Board President and the Executive Director are members of the Steering Committee of the Coalition. Diversity and cultural competency is a focus of the Coalition. It is one of the Coalition's Work Groups and is focused on the diversity and cultural competency in the nursing profession in Ohio.

The Board convenes Advisory Groups for the purpose of informing the Board about relevant issues, reviewing proposed rules, and making recommendations to the Board. Discussion of curricula and experiential learning opportunities will be held with two of the Board's Advisory Groups. The Advisory Group on Continuing Education meeting is March 23, 2018 and the Advisory Group on Nursing Education meeting is June 14,

2018. Invitations are being extended to representatives of the Commission on Minority Health to attend.

In addition, nationally recognized accrediting organizations review the curricula and learning opportunities of nursing educational programs that are approved by the Board. Many individual members of the Advisory Group on Nursing Education represent Board approved education programs and their programs are also accredited. The discussion about curricula and experiential learning opportunities will include consultation with these Advisory Group members regarding the requirements of the nationally recognized accrediting organizations for the curricula and learning opportunities offered by the nursing education programs related to cultural competency.

#### Nursing Board CE Requirements

Nursing CE is defined as a learning activity that builds upon a pre-licensure or precertification education program and enables a licensee or certificate holder to acquire or improve knowledge or skills that promote professional or technical development to enhance the licensee's or certificate holder's contribution to quality health care and pursuit of health care career goals. See Rule 4723-14-01(G), OAC. Category A is CE directly related to the Ohio Nurse Practice Act and the administrative rules of the Ohio Board of Nursing.

The following summarizes the activities/events that meet the requirements for CE. See Rule 4723-14-05(A), OAC.

- A CE activity approved by an OBN approver or provided by an approved provider unit (see list in the response below);
- A CE activity approved by a board or agency regulating the licensee or certificate holder in another jurisdiction;
- A CE activity approved or provided by a nationally recognized accreditation system of CE or a national certifying organization that meets the requirements in Section 4723.46(A), ORC;
- Academic credit for successful completion of a course taken through an accredited educational institution, such as a college course.
- Independent study;
- Inter-professional CE that is a planned, organized learning experience designed for a target audience made up of members of two or more different professions;
- A CE activity approved by a board or an agency that regulates a health care profession or related discipline in Ohio or another jurisdiction.

An OBN approver is an entity or organization headquartered in Ohio authorized by the Board to approve CE activities. OBN Approvers are:

- Licensed Practical Nurse Association of Ohio
- Northwest State Community College, Division of Nursing
- Ohio Department of Developmental Disabilities
- Ohio Department of Mental Health and Addiction Services
- Ohio League for Nursing
- Ohio Nurses Association
- Omnicare Great Lakes Region, Division of Education
- UC Health
- University of Cincinnati, College of Nursing
- UVMC – Education and Development

The Board's Advisory Group on Continuing Education consists of representatives of the nursing population and OBN CE Approvers. The Advisory Groups meets 2-3 times each year, and provide opportunities for discussion and input on CE. The Group will discuss how CE may be better disseminated. The discussion will be provided to the Board for review and consideration.

Nursing appears to be at the forefront of cultural competency educational efforts in pre-licensure programs, experiential learning opportunities and continuing education and the Internet provides links to relevant course work at the state and federal levels. Discussion in Advisory Group will include further identification of cultural competency course work and ways that public listing can identify the specifics and focus of that course work.

Certain course work is available at no cost to licensees and is approved under our rules. For example, the United States Department of Health and Human Services (HHS) through their Office of Minority Health, provides a free, online educational program accredited for nurses and social workers entitled "Culturally Competent Nursing Care: A Cornerstone of Caring." This e-learning program is provides additional knowledge, skills, and awareness for nurses to provide optimum care for all patients, regardless of cultural or linguistic background. The HHS website has additional listings for educational and training programs focused on cultural competency, and the Board is requesting assistance from the Advisory Group to help identify common approval mechanisms.

The National Council of State Boards of Nursing also offers a comprehensive CE course entitled "Diversity: Building Cultural Competence" for a minimal cost.

Links to continuing education coursework in cultural competency are listed on the Board website. The Board is working through their Advisory Groups on Continuing Education and Nursing Education to help identify, specify and disseminate additional listings for CE and experiential learning opportunities.

### Summary

The Board is addressing cultural competency by promulgating rule revisions; gathering data on race, gender, ethnicity, and language proficiencies for the nursing workforce in Ohio and also for nursing education faculty and nursing students for policy making decisions; participating as Steering Committee members of the Ohio Action Coalition and contributing information for the Coalition's Diversity Work Group; convening the Advisory Group on Continuing Education and the Advisory Group on Nursing Education for focused discussions regarding curricula and experiential learning opportunities, consulting with state and nationally recognized organizations; and disseminating relevant CE opportunities through the Board's website and publications. Further discussion will be held at the Board Retreat in April 2018.

The Board remains committed to continuing its work and promoting a workforce that addresses cultural competency in treatment decisions and the provision of patient care.