#### AN ACT

#### **D.C. ACT 21-316**

#### IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

## **FEBRUARY 18, 2016**

To amend the District of Columbia Health Occupations Revision Act of 1985 to require continuing education for health occupations on the subject of cultural competence and appropriate clinical treatment for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "LGBTQ Cultural Competency Continuing Education Amendment Act of 2016".

- Sec. 2. Section 510 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1205.10), is amended as follows:
  - (a) Subsection (b) is amended as follows:
- (1) Paragraph (4)(B)(v) is amended by striking the phrase "prophylaxis treatment." and inserting the phrase "prophylaxis treatment; and" in its place.
  - (2) A new paragraph (5) is added to read as follows:
- "(5)(A) Except as provided in subsection (b-1)(4) of this section, require that any continuing education requirements for the practice of any health occupation licensed, registered, or certified under this section include 2 credits of instruction on cultural competency or specialized clinical training focusing on patients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTO").
- "(B) The instruction required by subparagraph (A) of this paragraph shall, at a minimum, provide information and skills to enable a health professional to care effectively and respectfully for patients who identify as LGBTQ, which may include:
- "(i) Specialized clinical training relevant to patients who identify as LGBTQ, including training on how to use cultural information and terminology to establish clinical relationships;
- "(ii) Training that improves the understanding and application, in a clinical setting, of relevant data concerning health disparities and risk factors for patients who identify as LGBTQ;

#### **ENROLLED ORIGINAL**

"(iii) Training that outlines the legal obligations associated with treating patients who identify as LGBTQ;

"(iv) Best practices for collecting, storing, using, and keeping confidential, information regarding sexual orientation and gender identity;

"(v) Best practices for training support staff regarding the treatment of patients who identify as LGBTO and their families;

"(vi) Training that improves the understanding of the intersections between systems of oppression and discrimination and improves the recognition that those who identify as LGBTQ may experience these systems in varying degrees of intensity; and

"(vii) Training that addresses underlying cultural biases aimed at improving the provision of nondiscriminatory care for patients who identify as LGBTQ.".

- (b) Subsection (b-1) is amended as follows:
  - (1) Paragraph (2) is amended by striking the word "and" at the end.
- (2) Paragraph (3) is amended by striking the phrase "considers appropriate." and inserting the phrase "considers appropriate; and" in its place.
  - (3) A new paragraph (4) is added to read as follows:
  - "(4) Waive by rule the requirement in subsection (b)(5) of this section for:

"(A) Any health occupation licensed, registered, or certified under this section if members of that health occupation do not see patients in a clinical setting; or

"(B) Any licensed health professional who can prove to the satisfaction of the relevant board that he or she did not see patients in a clinical setting in the District during the previous licensing cycle.".

#### Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

#### Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

### **ENROLLED ORIGINAL**

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Council of the District of Columbia

Mayor

District of Columbia
APPROVED

February 18, 2016



# COUNCIL OF THE DISTRICT OF COLUMBIA WASHINGTON, D.C. 20004

											200110	t No. B	21-10	ð	
[X] ITEM ON CO		CALE	NDAR												
[X] ACTION & D	ATE				ADOPTED	<b>FIRS</b>	T RE	ADIN	G, 01	/05/2016					
[X] VOICE VOTE RECORDED VOTE ON REQUEST				APPROVED											
ABSENT					ATTROVE										
	V/OTE	D 1													
[ ] ROLL CALL	VOTE -	- Result													
Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	A	
Chmn. Mendelson	X				Evans	X				Orange	X				
Alexander	X				Grosso	X				Silverman	X				
Allen	X				May	X				Todd	X				
Bonds	X				McDuffie	X									
Cheh	X				Nadeau	X									
	– Indi	cate Vot	e			AB -	Absent			NV -	Present,	Not Vo	ting		
					CERTIF	ICATIO	ON REC	ORD							
		-			_					251	2016	)			
Secre	tary to t	ne Coun	cil								Dat	te			
X I ITEM ON CO	NSENT	CALE	NDAR												
[X] ACTION & D		C. ILL			ADOPTED	FINA	LPF	ADIN	IG 02	/02/2016					
					ADULTED	THIA	LKE	ADII	10, 02	10212010					
RECORDED	VOTE (	ON REC	UEST		APPROVE	D									
ABSENT															
[ ]ROLL CALL	VOTE -	- Result										(			
Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	A	
Councillicinoci	-	Ivay	144	AD	Evans	X	Ivay	144	110	Orange	X	1 tuj	1111	+	
Chmn Mendelson	V				Grosso	X	-	-	-	Silverman	X			-	
Chmn. Mendelson		-				A			1		-	+	-	-	
Alexander	X			-		V				Todd	Y	1		-	
Alexander Allen	X				May	X				Todd	X	-	-	1	
Alexander Allen Bonds	X X X				May McDuffie	X				Todd	X			-	
Alexander Allen Bonds Cheh	X X X	nta Vota			May	X	heent					Not Vo	oting		
Alexander Allen Bonds Cheh	X X X	ate Vote			May McDuffie Nadeau	X X AB – A		CORD				, Not Vo	oting		
Alexander Allen Bonds Cheh	X X X	ate Vote			May McDuffie	X X AB – A		CORD				, Not Vo	oting		
Alexander Allen Bonds Cheh X	X X X - Indica	2			May McDuffie Nadeau	X X AB – A		CORD			Present	16	oting		
Alexander Allen Bonds Cheh X	X X X - Indicated tary to t	he Cour	ncil		May McDuffie Nadeau	X X AB – A		CORD				16	oting		
Alexander Allen Bonds Cheh X Secre	X X X X - Indicatory to the consensity of the consensity to the consensity of the co	he Cour	ncil		May McDuffie Nadeau	X X AB – A		CORD			Present	16	oting		
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO	X X X X - Indicatory to to NSENT	he Cour	ncil		May McDuffie Nadeau	X X AB – A		CORD			Present	16	otting		
Alexander Allen Bonds Cheh  X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI	X X X - Indicatory to the transfer of the tran	he Cour	ncil NDAR		May McDuffie Nadeau	X X AB – A		CORD			Present	16	ting		
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED	X X X - Indicatory to the transfer of the tran	he Cour	ncil NDAR		May McDuffie Nadeau	X X AB – A		CORD			Present	16	ting		
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED ABSENT	X X X - Indica tary to to NSENT ATE	he Cour CALE	ncil NDAR QUEST		May McDuffie Nadeau	X X AB – A		CORD			Present	16	oting		
Alexander Allen Bonds Cheh  X  Secre  [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTE RECORDED ABSENT [ ] ROLL CALL	X X X - Indicatory to the stary	he Cour CALE	ncil NDAR QUEST		May McDuffie Nadeau  CERTII	X X AB – A	ON REC			NV - 2/5	Present.	te (			
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED ABSENT [ ] ROLL CALL Councilmember	X X X - Indica tary to to NSENT ATE E VOTE (	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII	X X AB – A		CORD	AB	NV -	Present	16	oting	A	
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED ABSENT [ ] ROLL CALL Councilmember Chmn. Mendelson	X X X - Indica tary to to NSENT ATE E VOTE (	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII  Councilmember Evans	X X AB – A	ON REC		AB	NV – 2/5  Councilmember Orange	Present.	te (		A	
Alexander Allen Bonds Cheh X Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED ABSENT [ ] ROLL CALL Councilmember	X X X - Indica tary to to NSENT ATE E VOTE (	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII	X X AB – A	ON REC		AB	NV – 2   5	Present.	te (		A	
Alexander Allen Bonds Cheh  X Secre [] ITEM ON CO [] ACTION & D [] VOICE VOTH RECORDED ABSENT [] ROLL CALL Councilmember Chmn. Mendelson Alexander Allen	X X X - Indica tary to to NSENT ATE E VOTE (	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII  Councilmember Evans Grosso May	X X AB – A	ON REC		AB	NV – 2/5  Councilmember Orange	Present.	te (		A	
Alexander Allen Bonds Cheh  X  Secre [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTH RECORDED ABSENT [ ] ROLL CALL Councilmember Chmn. Mendelson Alexander	X X X - Indica tary to to NSENT ATE E VOTE (	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII  Councilmember Evans Grosso	X X AB – A	ON REC		AB	NV – 2   5	Present.	te (		A	
Alexander Allen Bonds Cheh  X  Secre  [ ] ITEM ON CO [ ] ACTION & D [ ] VOICE VOTI RECORDED ABSENT [ ]ROLL CALL  Councilmember Chmn. Mendelson Alexander Allen Bonds Cheh	X X X - Indicatory to the stary	he Cour CALE	ncil NDAR QUEST	AB	May McDuffie Nadeau  CERTII  Councilmember Evans Grosso May	X X AB – A	Nay		AB	NV – 2 (5)  Councilmember Orange Silverman Todd	Present.  Da  Aye	te (	NV	A	

Date

Secretary to the Council