

HOUSE BILL 367

J2

5lr1739
CF SB 72

By: **Delegates Martinez, Acevero, and Young**

Introduced and read first time: January 16, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations Boards – English Proficiency Requirements and Licensure**
3 **by Endorsement for Nursing**

4 FOR the purpose of prohibiting a health occupations board from requiring additional
5 evidence of English proficiency as a condition for licensure, certification, or
6 registration if an applicant holds a valid, unrestricted license, certification, or
7 registration from another state that requires evidence of English proficiency for
8 licensure, certification, or registration; requiring each health occupations board that
9 requires evidence of English proficiency as a condition for licensure, certification, or
10 registration to maintain on their website a list of states that meet certain
11 requirements; adding manners of acceptable proof of English proficiency for the
12 State Board of Nursing; altering the conditions of licensure by endorsement for the
13 State Board of Nursing; and generally relating to health occupations boards, English
14 proficiency requirements, and licensure by endorsement.

15 BY adding to
16 Article – Health Occupations
17 Section 1–230
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2024 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Health Occupations
22 Section 8–302(e), 8–307, and 12–302(g)
23 Annotated Code of Maryland
24 (2021 Replacement Volume and 2024 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

27 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **1-230.**

2 **(A) IF A HEALTH OCCUPATIONS BOARD REQUIRES EVIDENCE OF ENGLISH**
3 **PROFICIENCY AS A CONDITION FOR LICENSURE, CERTIFICATION, OR**
4 **REGISTRATION, THE HEALTH OCCUPATIONS BOARD MAY NOT REQUIRE AN**
5 **APPLICANT WHO HOLDS A VALID, UNRESTRICTED LICENSE, CERTIFICATION, OR**
6 **REGISTRATION FROM ANOTHER STATE THAT REQUIRES EVIDENCE OF ENGLISH**
7 **PROFICIENCY FOR LICENSURE, CERTIFICATION, OR REGISTRATION TO PROVIDE**
8 **ADDITIONAL EVIDENCE OF ENGLISH PROFICIENCY.**

9 **(B) EACH HEALTH OCCUPATIONS BOARD THAT REQUIRES EVIDENCE OF**
10 **ENGLISH PROFICIENCY AS A CONDITION FOR LICENSURE, CERTIFICATION, OR**
11 **REGISTRATION SHALL MAINTAIN ON ITS WEBSITE A LIST OF OTHER STATES THAT**
12 **HAVE AN ENGLISH PROFICIENCY REQUIREMENT THAT MEETS THE HEALTH**
13 **OCCUPATION BOARD'S ENGLISH PROFICIENCY REQUIREMENT.**

14 **8-302.**

15 (e) (1) Except as otherwise provided in this subsection, the Board shall require
16 as part of its examination or licensing procedures that an applicant for a license to practice
17 registered nursing or licensed practical nursing demonstrate a written and oral competency
18 in the English language.

19 (2) Acceptable proof of proficiency in the communication of the English
20 language under this section includes:

21 (i) After at least 3 years of enrollment, graduation from a recognized
22 English-speaking undergraduate school;

23 (ii) Graduation from a recognized English-speaking professional
24 school; [or]

25 (iii) Completion of at least 5 years of practicing nursing in another
26 state or English-speaking territory of the United States;

27 **(IV) PASSING AN ENGLISH PROFICIENCY EXAM APPROVED BY**
28 **THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; OR**

29 **(V) HOLDING A VALID, UNENCUMBERED MULTISTATE LICENSE**
30 **UNDER THE NURSE LICENSURE COMPACT.**

31 (3) If any disciplinary charge or action that involves a problem with
32 communicating in the English language is brought against a licensee under this title, the

1 Board shall require the licensee to take and pass a Board approved standardized test of
2 English language competency.

3 (4) The Board may not require that an applicant for a license to practice
4 registered nursing or licensed practical nursing who **IS OR** was previously licensed in any
5 other state to practice registered nursing or licensed practical nursing to demonstrate
6 competency in the English language as part of its examination or licensing procedures if
7 the other state has [a similar] **AN** English language competency component as part of its
8 examination or licensing procedures.

9 (5) (i) The Board may issue a temporary license to any applicant for a
10 license to practice registered nursing or licensed practical nursing who was previously
11 licensed in any other state to practice registered nursing or licensed practical nursing and
12 who, except for the competency in the English language component, is otherwise qualified
13 for a license.

14 (ii) A temporary license issued under this subsection is valid only
15 until the date when the next test to demonstrate competency in the English language is
16 given.

17 8–307.

18 (a) Subject to the provisions of this section, the Board may issue a license by
19 endorsement and waive any appropriate examination requirement of this title for an
20 applicant who has an active unencumbered license to practice registered nursing or
21 licensed practical nursing in any other state or country.

22 (b) The Board may issue a license by endorsement under this section only if the
23 applicant:

24 (1) Submits to the Board an application on the form that the Board
25 requires;

26 (2) Submits to a criminal history records check in accordance with § 8–303
27 of this subtitle;

28 (3) Pays the application fee set by the Board under § 8–304 of this subtitle;
29 and

30 (4) **(i) 1. HOLDS A VALID, UNENCUMBERED MULTISTATE**
31 **LICENSE UNDER THE NURSE LICENSURE COMPACT; OR**

32 **2. Provides adequate evidence that:**

1 [(i)] **A.** At the time the applicant graduated from a nursing
2 education program approved in the other state or country, the applicant met the
3 educational qualifications then required by the laws of this State; **AND**

4 [(ii)] **B.** At the time the applicant became licensed or registered in
5 the other state or country, the applicant passed in that or any other state or country an
6 examination that was similar to the examination that then was given in this State; and

7 [(iii)] **(II)** [The applicant meets] **MEETS** the qualifications
8 otherwise required by this title.

9 12-302.

10 (g) (1) Except as otherwise provided in this subsection, the Board shall
11 require, as part of its examination or licensing procedures, an applicant for a license to
12 practice pharmacy to demonstrate an oral competency in the English language by passing
13 a Board approved standardized test of oral competency.

14 (2) The Board shall adopt regulations that establish a procedure for testing
15 an individual who because of the individual's speech or hearing impairment is unable to
16 complete satisfactorily a Board approved standardized test of oral competency.

17 (3) If any disciplinary charge or action that relates to a problem with the
18 oral communication of the English language is brought against a licensee under this title,
19 the Board shall require the licensee to pass a Board approved standardized test of oral
20 competency.

21 (4) The Board may not require an applicant for a license to practice
22 pharmacy, who **IS OR** was previously licensed in another state to practice pharmacy, to
23 demonstrate an oral competency in the English language, if the other state's examination
24 and licensing procedures at the time the applicant was licensed in the other state included
25 an oral competency component [similar to the oral competency component in this State's
26 examination and licensing procedures].

27 (5) Graduation from a recognized English-speaking professional school
28 accredited by the Accreditation Council for Pharmacy Education is acceptable as proof of
29 proficiency in the oral communication of the English language under this subsection.

30 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
31 October 1, 2025.