

OFFICE OF THE SECRETARY OF STATE
SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 943

OREGON HEALTH AUTHORITY

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updating rules for Advisory Committee representation and approval criteria for cultural competence continuing education trainings.

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CONTACT: Emily Wang
503-884-4456
emily.l.wang@state.or.us

Oregon Health Authority
421 SW Oak St., Suite. 750
Portland, OR 97204

Filed By:
Colleen Needham
Rules Coordinator

RULES:

943-090-0000, 943-090-0010, 943-090-0020

AMEND: 943-090-0000

RULE TITLE: Purpose

NOTICE FILED DATE: 04/30/2021

RULE SUMMARY: Due to HB 2011 (2019), the Authority is removing requirements for the Authority to compile a report of health care professional board's reports for the Oregon State Legislature, because they are no longer required.

RULE TEXT:

OAR chapter 943, division 90 define requirements for the Oregon Health Authority to provide education resources and support to identified healthcare provider Boards for improving the cultural competence of regulated health care professionals in Oregon.

STATUTORY/OTHER AUTHORITY: ORS 413.042, 2013 OL Ch. 240, ORS 676.850

STATUTES/OTHER IMPLEMENTED: 2013 OL Ch. 240, ORS 676.850, HB 2011 (2019), ORS 413.450

AMEND: 943-090-0010

RULE TITLE: Definitions

NOTICE FILED DATE: 04/30/2021

RULE SUMMARY: Updated the "cultural competence" and "provider" definitions.

RULE TEXT:

The following definitions apply to OAR 943-090-0000 through 943-090-0020:

(1) "Authority" means the Oregon Health Authority.

(2) "Continuing Education" means a unit or units of education as defined by the Authority or the specified Boards listed in ORS 676.850.

(3) "Cultural competency" means a life-long process of examining values and beliefs, then developing and applying an inclusive approach to health care practice that improves health outcomes by reducing health disparities and inequities. This approach is conducted in a manner that recognizes the context and complexities of provider-patient communication and interaction and preserves the dignity of individuals, families and communities.

(a) Cultural competence applies to all patients, their families, and any support individuals.

(b) Culturally competent providers do not make assumptions on the basis of an individual's actual or perceived abilities, disabilities or traits whether inherent, genetic or developmental including race, color, spiritual beliefs, creed, age, tribal affiliation, national origin, immigration or refugee status, marital status, socio-economic status, veteran's status, sexual orientation, gender identity, gender expression, gender transition status, level of formal education, physical or mental disability, medical condition or any consideration recognized under federal, state and local law.

(4) "Patient" represents individuals in the broadest spectrum of the roles in health and home care services, including but not limited to patient, consumer, client, patient representative, resident, and patient families or communities.

(5) "Provider" means a person authorized to practice the profession regulated by the boards listed in ORS 676.850, in the broadest spectrum of roles in health and home care services, including but not limited to physicians, nurses, social workers, medical technicians, and home care workers, personal support workers, and personal care attendants.

STATUTORY/OTHER AUTHORITY: ORS 413.042, 2013 OL Ch. 240

STATUTES/OTHER IMPLEMENTED: 2013 OL Ch. 240, HB 2011 (2019), ORS 413.450, 676.850

AMEND: 943-090-0020

RULE TITLE: Cultural Competency Continuing Education Resources and Support

NOTICE FILED DATE: 04/30/2021

RULE SUMMARY: Due to HB 2011 (2019), under the rule, 943-090-0020, below, the Authority is:

- Using the opportunity to update Advisory Committee representation to be more inclusive of Oregon's federally recognized tribes, and other key community partners/stakeholder — some of whom are members of our current Advisory Committee.

- Clarifying Authority approval criteria domains for cultural competence continuing education opportunities, beyond just "skills", as stated in Section 1(2)(d) of the statute. "Skills" is just 1 of 4 domains that Authority's criteria are organized under, for approving high quality cultural competence continuing education. This clarification will help many key community partners/stakeholders who rely upon the Authority's criteria to guide their development/approval of quality cultural competence continuing education opportunities for health care professionals working with: the Authority, Oregon's health care professional boards, Coordinated Care Organizations, clinics, hospitals, health or health care systems, and academia.

- Removing Authority requirement to collect cultural competence continuing education (CCCE) reports from health care professional boards, because they are no longer required.

- Removing Authority requirements to develop compiled report of health care professional board reports for the Oregon State Legislature, because they are no longer required.

RULE TEXT:

(1) The Authority, through its Office of Equity and Inclusion, shall create, maintain and make available a registry of approved continuing education opportunities for developing cultural competence for regulated health care professionals. The continuing education opportunities may include, but are not 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 Authority, through its Office of Equity and Inclusion, shall create, maintain and make available the criteria used to evaluate and approve continuing education opportunities for developing cultural competency in regulated health care professionals.

(3) Affected boards that choose to develop, review, or approve their own or other continuing education opportunities shall use the Authority criteria in developing, reviewing, or approving their own or other continuing education opportunities for regulated health care professionals.

(4) The Authority shall establish an advisory committee to:

- (a) Develop or update criteria for approving cultural competency continuing education opportunities.
- (b) Review, discuss and recommend for approval to the Authority, submitted applications for cultural competence continuing education opportunities.

(5) The advisory committee shall include, at minimum:

- (a) A representative from an Oregon federally recognized tribe.
- (b) Members of communities that experience health disparities or inequities because of race, ethnicity or culture.
- (c) A representative of intersecting identities of race, ethnicity, or culture, with LGBTQ, disability, or other

disenfranchised community identity.

(d) A patient advocate.

(e) Representatives of impacted health care professional boards.

(f) A representative of Coordinated Care Organizations.

(g) A representative of an association or educational entity that offers continuing education to health professionals.

(6) Authority approved continuing education opportunities shall teach attitudes, knowledge and skills enabling health care professionals to effectively communicate with and care for patients from diverse cultures, groups, and communities. These skills may include:

(a) Applying linguistic skills to communicate effectively with patients.

(b) Using cultural information to establish therapeutic relationships.

(c) Eliciting, understanding and applying cultural and ethnic data in the process of clinical care.

(7) The Authority shall base the list of approved opportunities for cultural competency continuing education on the criteria established by the advisory committee. The criteria for culturally competent opportunities, as defined in the Cultural Competency Education Criteria document, fall into four domains:

(a) Domain I: Culturally competent practice requires self-awareness and self-assessment of providers' beliefs, attitudes, emotions and values.

(b) Domain II: Culturally competent practice requires the acquisition of knowledge by providers.

(c) Domain III: Culturally competent practice requires the acquisition of skills by providers.

(d) Domain IV: Culturally competent training requires specific educational approaches.

STATUTORY/OTHER AUTHORITY: ORS 413.042, 2013 OL Ch. 240

STATUTES/OTHER IMPLEMENTED: 2013 OL Ch. 240, HB 2011 (2019)