

The mandatory character of HB 2011 raises troubling concerns for all patients. The bill's sole intent appears to be using political power to make mandatory "competencies" that are outside the relevant skilled expertise of providers rather than voluntary as they should be. Quite arguably this bill evidences that sponsors and supporters believe that they have right to intrude the state into the private relationship between licensed providers and patients to serve their own political goals.

The fundamental hypocrisy of this bill seems apparent: With this legislation the bill's sponsors and supporters would put their political goals ahead of the rights of patients. Any patient who chooses a provider based on the quality of skilled care the provider delivers, regardless of the provider's state-assessed "cultural competence", would be denied access to that provider if the provider doesn't comply with the bill's sponsors' and supporters' political objectives.

This bill may have honorable motivations. But it's not clear that the expressed intent falls within the Legislature's legal authority to regulate professional licensure based on insuring providers have appropriate technical preparation and relevant skills for the specific care they provide. It also raises questions about the harms including impaired availability of providers and increased economic costs the Legislature would inflict on an already burdened health care system. The absence in OLIS of any public record of the political interests that sponsors have worked with to produce this bill, and the lack of other easily accessible public information about the origins of this bill like for so many bills, make it another example of the troubling opacity that supermajority has brought to the legislative process.