

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3088

6 By: Pittman

7 COMMITTEE SUBSTITUTE

8 An Act relating to maternal and infant mortality;  
9 defining terms; requiring hospitals and birthing  
10 centers to implement an implicit bias training  
11 program; providing requirements of program; requiring  
12 training program for certain health care  
13 professional; directing the State Department of  
14 Health to promulgate rules; providing for  
15 codification; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-242.5 of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Implicit bias" means a bias in judgment or behavior that  
22 results from subtle cognitive processes, including implicit  
23 prejudice and implicit stereotypes, that often operate at a level  
24 below conscious awareness and without intentional control; and

1        2. "Implicit stereotypes" means the unconscious attributions of  
2 particular qualities to a member of a certain social group,  
3 influenced by experience, and based on learned associations between  
4 various qualities and social categories, including race and gender.

5        B. 1. Every hospital that provides inpatient maternity  
6 services and every birthing center licensed pursuant to Sections 1-  
7 701 through 1-706 of Title 63 of the Oklahoma Statutes may implement  
8 an evidence-based implicit bias training program for all health  
9 professionals who provide perinatal treatment and care to pregnant  
10 women at the hospital or birthing center.

11        2. The training program may include, but not be limited to:

- 12            a. identifying previous and current unconscious biases  
13                    and misinformation when providing perinatal treatment  
14                    and care to pregnant women,
- 15            b. identifying personal, interpersonal, institutional,  
16                    and cultural barriers to inclusion,
- 17            c. information on the effects of historical and  
18                    contemporary exclusion and oppression of minority  
19                    communities,
- 20            d. information about cultural identity across racial and  
21                    ethnic groups,
- 22            e. information about communicating more effectively  
23                    across racial, ethnic, religious, and gender  
24                    identities,

- 1 f. information about reproductive justice,
- 2 g. a discussion on power dynamics and organizational
- 3 decision-making and their effects on implicit bias,
- 4 h. a discussion on health inequities and racial and
- 5 ethnic disparities within the field of perinatal care,
- 6 and how implicit bias may contribute to pregnancy-
- 7 related deaths and maternal and infant health
- 8 outcomes, and
- 9 i. corrective measures to decrease implicit bias at the
- 10 interpersonal and institutional levels.

11 3. A health care professional who provides perinatal treatment  
12 and care to pregnant women at a hospital that provides inpatient  
13 maternity services or a birthing center licensed pursuant to  
14 Sections 1-701 through 1-706 of Title 63 of the Oklahoma Statutes  
15 shall:

- 16 a. complete the training program on implicit bias at such
- 17 times and intervals as the hospital or birthing center
- 18 shall require,
- 19 b. complete a refresher course under the training
- 20 program, designed to provide the health care
- 21 professional with updated information about racial,
- 22 ethnic, and cultural identity, and best practices in
- 23 decreasing interpersonal and institutional implicit
- 24 bias, every two (2) years or on a more frequent basis,

1 if deemed necessary by the hospital or birthing  
2 center, and

3 c. receive a certification from the hospital or birthing  
4 center upon successful completion of the training  
5 program.

6 C. The State Department of Health shall promulgate rules to  
7 effectuate the purpose of this section.

8 D. The State Department of Health shall track the results of  
9 the training program, infant and maternal mortality rates and  
10 causes, infant and maternal mortality rates by race or ethnicity,  
11 location in Oklahoma, age, and any other relevant factors deemed  
12 necessary by the State Department of Health to help create a strong  
13 evidence-based training program to be used in the future.

14 SECTION 2. This act shall become effective November 1, 2020.

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