

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3088

By: Pittman and **Albright** of the
House

and

Hicks of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

22 A. As used in this section:

23 1. "Implicit bias" means a bias in judgment or behavior that
24 results from subtle cognitive processes, including implicit

1 prejudice and implicit stereotypes, that often operate at a level
2 below conscious awareness and without intentional control; and

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

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

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

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

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- e. information about communicating more effectively across racial, ethnic, religious, and gender identities,
- f. information about reproductive justice,
- g. a discussion on power dynamics and organizational decision-making and their effects on implicit bias,
- h. a discussion on health inequities and racial and ethnic disparities within the field of perinatal care, and how implicit bias may contribute to pregnancy-related deaths and maternal and infant health outcomes, and
- i. corrective measures to decrease implicit bias at the interpersonal and institutional levels.

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

- a. complete the training program on implicit bias at such times and intervals as the hospital or birthing center shall require,
- b. complete a refresher course under the training program, designed to provide the health care professional with updated information about racial,

1 ethnic, and cultural identity, and best practices in
2 decreasing interpersonal and institutional implicit
3 bias, every two (2) years or on a more frequent basis,
4 if deemed necessary by the hospital or birthing
5 center, and

6 c. receive a certification from the hospital or birthing
7 center upon successful completion of the training
8 program.

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

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

17 SECTION 2. This act shall become effective November 1, 2020.
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19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/26/2020 -
20 DO PASS, As Amended and Coauthored.
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