

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3088

By: Pittman

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5  
6 AS INTRODUCED

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

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

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

19 A. As used in this section:

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

24 2. "Implicit stereotypes" means the unconscious attributions of  
particular qualities to a member of a certain social group,

1 influenced by experience, and based on learned associations between  
2 various qualities and social categories, including race and gender.

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

- 9 2. The training program shall include, but not be limited to:
- 10 a. identifying previous and current unconscious biases  
11 and misinformation when providing perinatal treatment  
12 and care to pregnant women,
  - 13 b. identifying personal, interpersonal, institutional,  
14 and cultural barriers to inclusion,
  - 15 c. information on the effects of historical and  
16 contemporary exclusion and oppression of minority  
17 communities,
  - 18 d. information about cultural identity across racial and  
19 ethnic groups,
  - 20 e. information about communicating more effectively  
21 across racial, ethnic, religious, and gender  
22 identities,
  - 23 f. information about reproductive justice,
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- 1           g. a discussion on power dynamics and organizational
- 2           decision-making and their effects on implicit bias,
- 3           h. a discussion on health inequities and racial and
- 4           ethnic disparities within the field of perinatal care,
- 5           and how implicit bias may contribute to pregnancy-
- 6           related deaths and maternal and infant health
- 7           outcomes, and
- 8           i. corrective measures to decrease implicit bias at the
- 9           interpersonal and institutional levels.

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

- 15           a. complete the training program on implicit bias at such
- 16           times and intervals as the hospital or birthing center
- 17           shall require,
- 18           b. complete a refresher course under the training
- 19           program, designed to provide the health care
- 20           professional with updated information about racial,
- 21           ethnic, and cultural identity, and best practices in
- 22           decreasing interpersonal and institutional implicit
- 23           bias, every two (2) years or on a more frequent basis,
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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 SECTION 2. This act shall become effective November 1, 2020.

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