

HOUSE BILL No. 1071

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-22.5; IC 25-23-1; IC 25-27.5.

Synopsis: Implicit bias continuing education. Requires the medical licensing board of Indiana to adopt rules requiring a physician and a physician assistant who apply for a license or renewal to complete continuing education addressing the topic of implicit bias. Requires the Indiana state board of nursing to adopt rules requiring a nurse who applies for a license or renewal to complete continuing education addressing the topic of implicit bias. Establishes certain requirements for an implicit bias continuing education course. Provides that the Indiana professional licensing agency must maintain on the agency's website a schedule of or link to implicit bias continuing education courses that are available.

Effective: Upon passage.

Shackleford

January 9, 2023, read first time and referred to Committee on Public Health.



First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1071

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-22.5-1-1.2, AS AMENDED BY P.L.2-2007,
2 SECTION 327, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 1.2. As used in this article:

4 **"Implicit bias" means an attitude or internalized stereotype that**
5 **affects an individual's perceptions, actions, and decisions in an**
6 **unconscious manner.**

7 "Nursing school" includes a hospital nursing school, a nursing
8 program, and a nursing department of a postsecondary educational
9 institution. This shall include two (2), three (3), and four (4) year
10 programs of nursing education.

11 "Shortage area" is an area in which there is a less than adequate
12 supply of physicians or nurses relative to the need for nursing or
13 physician services.

14 SECTION 2. IC 25-22.5-5-7 IS ADDED TO THE INDIANA CODE
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
16 UPON PASSAGE]: **Sec. 7. (a) Before July 1, 2024, the board shall**
17 **adopt rules in accordance with IC 25-1-4 to require a physician**



1 who applies for a license or renewal under this article to obtain
2 continuing education addressing the topic of implicit bias.

3 (b) A continuing education course required under subsection (a)
4 must include at least one (1) of the following topics:

5 (1) Examples of how implicit bias:

6 (A) affects perceptions and treatment decisions of
7 physicians; and

8 (B) leads to disparities in health outcomes.

9 (2) Strategies to address how unintended biases in decision
10 making may contribute to health care disparities by:

11 (A) shaping behavior; and

12 (B) producing differences in medical treatment in regards
13 to race, ethnicity, gender identity, sexual orientation, age,
14 socioeconomic status, or other characteristics.

15 (c) All continuing education courses required under subsection
16 (a) must be:

17 (1) approved by the board; or

18 (2) offered by an approved organization (as defined in
19 IC 25-1-4-0.2).

20 (d) The agency shall maintain on the agency's website a schedule
21 of or link to implicit bias continuing education courses that are
22 available under subsection (c).

23 SECTION 3. IC 25-23-1-1.7 IS ADDED TO THE INDIANA CODE
24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
25 UPON PASSAGE]: Sec. 1.7. As used in this chapter, "implicit bias"
26 means an attitude or internalized stereotype that affects an
27 individual's perceptions, actions, and decisions in an unconscious
28 manner.

29 SECTION 4. IC 25-23-1-36 IS ADDED TO THE INDIANA CODE
30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
31 UPON PASSAGE]: Sec. 36. (a) Before July 1, 2024, the board shall
32 adopt rules in accordance with IC 25-1-4 to require an applicant
33 for a license or renewal under this article to obtain continuing
34 education addressing the topic of implicit bias.

35 (b) A continuing education course required under subsection (a)
36 must include at least one (1) of the following topics:

37 (1) Examples of how implicit bias:

38 (A) affects perceptions and treatment decisions of a nurse
39 practicing the nurse's profession under this article; and

40 (B) leads to disparities in health outcomes.

41 (2) Strategies to address how unintended biases in decision
42 making may contribute to health care disparities by:



- 1 (A) shaping behavior; and
 2 (B) producing differences in medical treatment in regards
 3 to race, ethnicity, gender identity, sexual orientation, age,
 4 socioeconomic status, or other characteristics.
- 5 (c) All continuing education courses required under subsection
 6 (a) must be:
 7 (1) approved by the board; or
 8 (2) offered by an approved organization (as defined in
 9 IC 25-1-4-0.2).
- 10 (d) The Indiana professional licensing agency shall maintain on
 11 the agency's website a schedule of or link to implicit bias
 12 continuing education courses that are available under subsection
 13 (c).
- 14 SECTION 5. IC 25-27.5-2-7.4 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE UPON PASSAGE]: **Sec. 7.4. "Implicit bias" means an**
 17 **attitude or internalized stereotype that affects an individual's**
 18 **perceptions, actions, and decisions in an unconscious manner.**
- 19 SECTION 6. IC 25-27.5-4-10 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) Before July 1, 2024,**
 22 **the board shall adopt rules in accordance with IC 25-1-4 to require**
 23 **an individual who applies for a license or renewal under this article**
 24 **to obtain continuing education addressing the topic of implicit bias.**
- 25 (b) A continuing education course required under subsection (a)
 26 must include at least one (1) of the following topics:
 27 (1) Examples of how implicit bias:
 28 (A) affects perceptions and treatment decisions of
 29 physician assistants licensed under this article; and
 30 (B) leads to disparities in health outcomes.
 31 (2) Strategies to address how unintended biases in decision
 32 making may contribute to health care disparities by:
 33 (A) shaping behavior; and
 34 (B) producing differences in medical treatment in regards
 35 to race, ethnicity, gender identity, sexual orientation, age,
 36 socioeconomic status, or other characteristics.
- 37 (c) All continuing education courses required under subsection
 38 (a) must be:
 39 (1) approved by the board; or
 40 (2) offered by an approved organization (as defined in
 41 IC 25-1-4-0.2).
- 42 (d) The Indiana professional licensing agency shall maintain on



1 the agency's website a schedule of or link to implicit bias
2 continuing education courses that are available under subsection
3 (c).
4 SECTION 7. An emergency is declared for this act.

