

Governor Phil Murphy

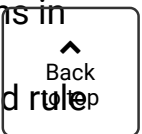
# ICYMI: AG Platkin, Division of Consumer Affairs Announce Proposed Rules Requiring Healthcare Professionals to Undergo Bias Training to Improve Quality of Maternal Care in New Jersey

07/16/2024

*New Rules Aimed at Reducing Racial Disparities in Maternal and Infant Mortality Rates in NJ*

**TRENTON** – Advancing ongoing efforts to address pronounced racial disparities in maternal and infant health outcomes in New Jersey, Attorney General Matthew J. Platkin and the Division of Consumer Affairs today announced proposed rules aimed at eliminating biases that negatively impact the quality of care delivered by health care providers to women of color during pregnancy, labor, delivery, postpartum, and neonatal periods.

The proposed rules, published in the New Jersey Register today, would require physicians, nurses, and midwives who provide perinatal treatment and care to pregnant persons in New Jersey to undergo implicit and explicit bias training to root out prejudices and stereotypes that may affect the quality of care that they provide. A similar proposed rule for physician assistants was published on June 17, 2024.



The rules implement P.L. 2021, c.079, which Governor Murphy signed as part of his Administration's efforts to reduce the rates of maternal and infant mortality in New Jersey and to ensure equitable care among women and children of all races, religions, and ethnicities.

"For far too long, far too many expecting mothers of color have been disrespected, overlooked, and underserved during their pregnancies and birthing experiences. Our Administration has made it a priority to trust women and to root out these injustices through a number of means. Today's rule proposal is a critical addition to that list," **said Governor Murphy**. "I thank Attorney General Platkin and his office for continuing to prioritize some of our most vulnerable communities. Our Administration is committed to building on our ongoing efforts to protect the health of mothers and newborns in our State."

"In order to achieve our goal of reducing racial disparities in birth outcomes, it's important that each and every mother receive culturally competent care from their health care providers," **said First Lady Tammy Murphy**. "Today's rule proposal by Attorney General Platkin and the Division of Consumer Affairs is a necessary step that builds on the work of the Nurture NJ initiative. The knowledge obtained through these trainings will help ensure members of an expecting mother's care team approach their essential work without prejudice or bias. These steps will further advance New Jersey's mission to become the safest and most equitable state in the nation to deliver and raise a baby."

"Despite advances in medical care, women of color from across the income spectrum and from all walks of life are dying from pregnancy-related complications at much higher rates than white women," **said Attorney General Platkin**. "We're committed to eradicating underlying biases that serve as a barrier to quality healthcare for too many women of color in our state."

"Our healthcare professionals are on the frontline of our efforts to ensure a healthy start for every New Jersey mother and child," **said Cari Fais, Acting Director of the Division of Consumer Affairs**. "Requiring them to become trained in implicit and explicit biases will raise their awareness and help them identify and prevent bias in the delivery of maternal health care."

"Systemic racism and implicit bias are not myths, and have contributed to a long history of racial and ethnic disparities in preventable pregnancy-related deaths. While some progress has been made, especially through the dedicated work of the Murphy Administration, significant work still remains to reduce disparities," **said Health Commissioner Kaitlan Baston, MD**. "Requiring implicit and explicit bias training is another step in the right direction to help close the gap in maternal health care quality and to ensure safe and equitable maternal outcomes for all birthing people in New Jersey."

"Time and time again, we have heard from women of color who have had their concerns

ignored or neglected when receiving maternal health care services simply due to prejudices and biases surrounding the color of their skin. Today, we move closer to a reality where all mothers receive the culturally competent care that they deserve,” **said Lisa Asare, President and Chief Executive Officer of the New Jersey Maternal and Infant Health Innovation Authority.** “The rules proposed by the Attorney General Platkin and his office seek to ensure that all women receive unbiased maternal care and respect regardless of who they are.”

Under existing rules for the State Board of Medical Examiners and the New Jersey Board of Nursing, licensees are required to complete continuing education credit hours as a condition of biennial licensure. Under new rules proposed by both Boards, licensees who provide perinatal treatment and care to pregnant persons would be required to complete one of those training hours in programs or topics concerning explicit and implicit bias.

The proposed rules address a key recommendation in the Nurture NJ Maternal and Infant Health Strategic Plan, which calls for the State to institute continuing education requirements for licensed health professionals on implicit bias.

The proposed rules set forth the topics that the continuing education course must cover, including:

- identifying previous and current unconscious biases and misinformation when providing perinatal treatment and care to, or interacting with, pregnant persons;
- identifying environmental, personal, interpersonal, institutional, and cultural barriers to inclusion;
- information on the effects of historical and contemporary exclusion and oppression of minority communities;
- information about cultural identity across racial, ethnic, and other marginalized groups;
- information about communicating more effectively across racial, ethnic, religious, and gender identities;
- information about reproductive justice;
- a discussion on power dynamics and organizational decision-making and their effects on explicit and implicit bias;
- a discussion on inequities and racial, ethnic, and other disparities within the field of perinatal care, and how explicit and implicit bias may contribute to pregnancy-related deaths and maternal and infant health outcomes;
- corrective measures to decrease explicit and implicit bias at the interpersonal and institutional levels; and
- review of the annual report of the New Jersey Maternal Mortality Review Committee.

Following the publication of the proposed rules, there will be a 60-day public comment period during which stakeholders have an opportunity to submit written comments on the proposed rules.

The comment period for the proposed rules for physicians, nurses, and midwives ends on September 13, 2024. The comment period for the proposed rules for physician assistants closes on August 16, 2024.

After the close of the public comment period, the Boards will review comments. A summary of the public comments and the Boards' responses to them will be published in a Notice of Adoption expected in 2025. Upon publication of the Notice of Adoption, the rule becomes final and will take effect in 90 days.

To view the proposed rules and obtain information on how to submit a comment go to:

- For Physician Assistants - 56 N.J.R. 1067(a)  
(<https://www.njconsumeraffairs.gov/Proposals/Pages/pa-06172024-proposal.aspx>).
- For Physicians - 56 N.J.R. 1230(a)  
(<https://www.njconsumeraffairs.gov/Proposals/Pages/bme2-07152024-proposal.aspx>).
- For Nurses - 56 N.J.R. 1231(a)  
(<https://www.njconsumeraffairs.gov/Proposals/Pages/nursing-07152024-proposal.aspx>).
- For Midwives - 56 N.J.R. 1228(b)  
(<https://www.njconsumeraffairs.gov/Proposals/Pages/bme-07152024-proposal.aspx>).

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