

[First Reprint]

SENATE SUBSTITUTE FOR
**SENATE, No. 144 and SENATE
SUBSTITUTE for ASSEMBLY, No. 492**

STATE OF NEW JERSEY
211th LEGISLATURE

ADOPTED MARCH 29, 2004

Sponsored by:

Senator WAYNE R. BRYANT

District 5 (Camden and Gloucester)

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Senators Baer, Madden and Turner

SYNOPSIS

Requires physician cultural competency training as a condition of licensure.

CURRENT VERSION OF TEXT

As amended by the Assembly on December 13, 2004.

(Sponsorship Updated As Of: 2/15/2005)

1 **AN ACT** concerning medical education and supplementing chapter 9
2 of Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. The Legislature finds and declares that:

8 a. The findings of a recently reported, federally-funded study by
9 Georgetown University, in conjunction with the Rand Corporation and
10 the University of Pennsylvania, which were published in the New
11 England Journal of Medicine, indicate that physicians are far less likely
12 to refer blacks and women than white men with identical complaints
13 of chest pain to heart specialists for cardiac catheterization; and the
14 authors of this study suggest that the difference in referral rates stems
15 from racial and sexual biases;

16 b. These findings are the latest in a growing body of medical
17 literature which documents race and gender-based disparities in the
18 provision of health care, especially in the treatment of cardiovascular
19 disease; however, according to the Surgeon General of the United
20 States, the Georgetown University study represents the best attempt
21 to date to document the racial attitudes of physicians as a factor in the
22 poorer health of African Americans;

23 c. It is estimated that the minority population in the United States
24 will increase by 60% between now and the year 2010;

25 d. Cultural awareness and cultural competence are essential skills
26 for providing quality health care to a diverse patient population;

27 e. Only a small percentage of medical schools nationwide currently
28 provide some formal training in cultural competence;

29 f. The Association of American Medical Colleges is working to
30 help medical schools improve the teaching of cultural competency; and

31 g. The public interest in providing quality health care to all
32 segments of society dictates the need for a formal requirement that
33 medical professionals be trained in the provision of culturally
34 competent health care as a condition of licensure to practice medicine
35 in New Jersey.

36

37 2. The State Board of Medical Examiners shall prescribe the
38 following requirements for physician training, by regulation, in
39 consultation with the Commission on Higher Education:

40 a. The curriculum in each college of medicine in this State shall
41 include instruction in cultural competency designed to address the
42 problem of race and gender-based disparities in medical treatment

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted December 13, 2004.

1 decisions and developed in consultation with the Association of
2 American Medical Colleges or another nationally recognized
3 organization which reviews medical school curricula.

4 b. Completion of cultural competency instruction as provided in
5 subsection a. of this section shall be required as a condition of
6 receiving a diploma from a college of medicine in this State.

7 c. A college of medicine which includes instruction in cultural
8 competency as provided in subsection a. of this section in its curricula
9 shall offer for continuing education credit, cultural competency
10 training which is provided through classroom instruction, workshops
11 or other educational programs sponsored by the college and which
12 meets criteria established by the board consistent with the instruction
13 developed pursuant to subsection a. of this section.

14 d. A person who received a diploma from a college of medicine in
15 this State prior to the effective date of this act, who was not required
16 to receive and did not receive instruction in cultural competency as
17 part of a medical school curriculum, shall be required as a condition of
18 relicensure by the board, to document completion of cultural
19 competency training which is offered pursuant to subsection c. of this
20 section to the satisfaction of the board. The training required by this
21 subsection shall be in addition to any continuing medical education
22 required pursuant to section 10 of P.L.2001, c.¹[37] 307¹ (C.45:9-
23 7.1).

24 e. A physician licensed to practice medicine in this State prior to
25 the effective date of this act, who was not required to receive and did
26 not receive instruction in cultural competency as part of a medical
27 school curriculum, shall be required, as a condition of relicensure, to
28 document completion of cultural competency training which is offered
29 pursuant to subsection c. of this section to the satisfaction of the board
30 ¹[prior to relicensure] no later than three years after the effective date
31 of this act¹. The training required pursuant to this subsection shall be
32 in addition to any continuing medical education required pursuant to
33 section 10 of P.L.2001, c.¹[37]307¹ (C.45:9-7.1).

34 f. The board may waive the requirement in subsection d. or e. of
35 this section if an applicant for ¹[licensure or]¹ relicensure ¹[, as
36 applicable,]¹ demonstrates to the satisfaction of the board that the
37 applicant has attained the substantial equivalent of this requirement
38 through completion of a similar course in his post-secondary education
39 which meets criteria established by regulation of the board.

40
41 3. The State Board of Medical Examiners, pursuant to the
42 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
43 seq.), shall adopt rules and regulations to effectuate the purposes of
44 this act.

45
46 4. This act shall take effect immediately.