

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5516

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 18, 2023

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 5516 (1R).

As amended by the committee, a homemaker-home health aide and any other health care professional certified or licensed pursuant to Title 45 of the Revised Statutes, who provides in-home health care services, is to be required to complete one credit of continuing education in cultural competency and implicit bias training, within one year following the effective date of this bill and biennially thereafter.

The cultural competency and implicit bias training curriculum is to include, but not be limited to:

(1) identification and understanding of implicit biases and stereotypes related to race, ethnicity, religion, sexual orientation, gender identity, and disability;

(2) communication techniques that account for potential impacts of implicit biases;

(3) strategies for recognizing and mitigating unconscious biases in healthcare decision-making processes, care, or treatment;

(4) cultural awareness and cultural competence in healthcare; and

(5) understanding health disparities and social determinants of health.

COMMITTEE AMENDMENTS:

The committee amendments revise the definition of “implicit bias” to mean a bias in judgment or behavior that results from subtle cognitive processes, including implicit prejudice and implicit stereotypes, that often operate at a level below conscious awareness and without intentional control. As introduced, the term referred to attitudes or stereotypes that affect understanding, actions, and decisions in an unconscious manner.

The committee amendments require the cultural competency and implicit bias training curriculum to include strategies for recognizing and mitigating unconscious biases in healthcare decision-making processes, care, or treatment. As introduced, the curriculum was only

required to include strategies for recognizing and mitigating unconscious biases in healthcare decision-making processes.

The committee amendments remove a require of the cultural competency and implicit bias training curriculum to include a review of applicable federal and State laws regarding discrimination in health care services.

The committee amendments remove a provision under the bill that required the Division of Consumer Affairs in the Department of Law and Public Safety to develop and maintain an electronic database to record compliance with the bill.

The committee amendments provide that the Director of the Division of Consumer Affairs in the Department of Law and Public Safety may adopt rules and regulations to effectuate the provisions of the bill. As introduced the Director was required to adopt rules and regulations. Moreover, the committee amendments add a provision that any adopted rules and regulations are to be effective immediately upon filing with the Office of Administrative Law for a period not to exceed 18 months and are thereafter to be adopted.

The committee amendments provide that the bill is to be effective 180 days following enactment. As introduced, the bill was to be effective 90 days following enactment.

The committee amendments make technical changes to streamline the provisions of the bill and to correct certain grammar and syntax errors.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.