

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)

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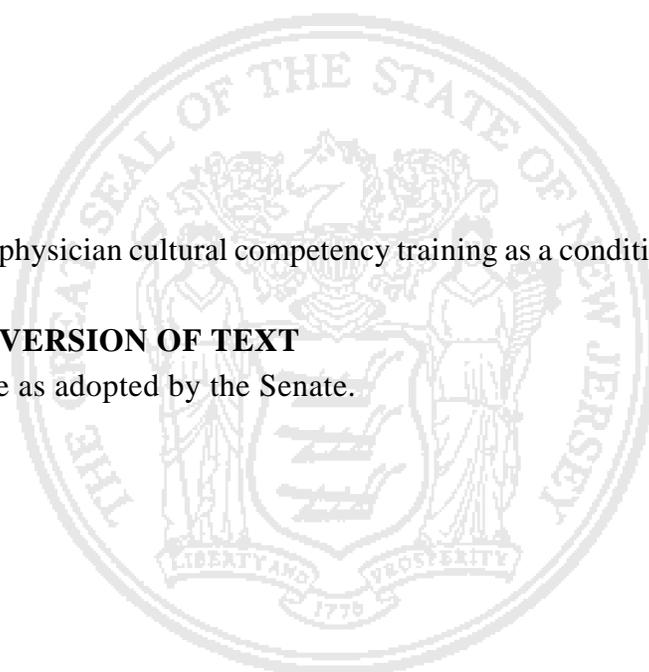
Senator Baer

SYNOPSIS

Requires physician cultural competency training as a condition of licensure.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate.



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
43 decisions and developed in consultation with the Association of
44 American Medical Colleges or another nationally recognized
45 organization which reviews medical school curricula.

46 b. Completion of cultural competency instruction as provided in

1 subsection a. of this section shall be required as a condition of
2 receiving a diploma from a college of medicine in this State.

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

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

19 e. A physician licensed to practice medicine in this State prior to
20 the effective date of this act, who was not required to receive and did
21 not receive instruction in cultural competency as part of a medical
22 school curriculum, shall be required, as a condition of relicensure, to
23 document completion of cultural competency training which is offered
24 pursuant to subsection c. of this section to the satisfaction of the board
25 prior to relicensure. The training required pursuant to this subsection
26 shall be in addition to any continuing medical education required
27 pursuant to section 10 of P.L.2001, c.37 (C.45:9-7.1).

28 f. The board may waive the requirement in subsection d. or e. of
29 this section if an applicant for licensure or relicensure, as applicable,
30 demonstrates to the satisfaction of the board that the applicant has
31 attained the substantial equivalent of this requirement through
32 completion of a similar course in his post-secondary education which
33 meets criteria established by regulation of the board.

34
35 3. The State Board of Medical Examiners, pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), shall adopt rules and regulations to effectuate the purposes of
38 this act.

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40 4. This act shall take effect immediately.

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STATEMENT

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45 This Senate Substitute requires that physicians in New Jersey take
46 cultural competency training as a condition of licensure, or relicensure,

1 as the case may be, by the State Board of Medical Examiners.

2 Specifically, the bill mandates that the board prescribe the
3 following requirements for physician training in New Jersey, by
4 regulation, in consultation with the Commission on Higher Education:

5 a. The curricula in each college of medicine in this State shall
6 include instruction in cultural competency designed to address the
7 problem of race and gender-based disparities in medical treatment
8 decisions and developed in consultation with the Association of
9 American Medical Colleges or another nationally recognized
10 organization which reviews medical school curricula.

11 b. Completion of cultural competency instruction shall be required
12 as a condition of receiving a diploma from a college of medicine in this
13 State.

14 c. A college of medicine in this State which includes cultural
15 competency instruction as provided in this bill in its curricula shall
16 offer for continuing education credit, cultural competency training
17 which is provided through classroom instruction, workshops or other
18 educational programs sponsored by the college and which meets
19 criteria established by the board consistent with instruction developed
20 pursuant to this bill.

21 d. A person who received a diploma from a college of medicine in
22 this State prior to the effective date of this bill who was not required
23 and did not receive instruction in cultural competency as part of a
24 medical school curriculum, shall be required, as a condition of
25 relicensure by the board, to document completion of cultural
26 competency training which is offered pursuant to this bill to the
27 satisfaction of the board. This training requirement is in addition to
28 existing continuing medical education requirements.

29 e. A physician licensed to practice medicine in this State prior to
30 the effective date of the bill who was not required to receive and did
31 not receive instruction in cultural competency as part of a medical
32 school curriculum shall be required, as a condition of relicensure, to
33 document completion of cultural competency training which is offered
34 through continuing education pursuant to this bill to the satisfaction
35 of the board. This training requirement is in addition to existing
36 continuing medical education requirements.

37 f. The board may waive the requirement to complete cultural
38 competency training offered pursuant to this bill for initial licensure or
39 relicensure if an applicant demonstrates to the satisfaction of the board
40 that he has attained the substantial equivalent of this requirement
41 through completion of a similar course in his post-secondary education
42 which meets criteria established by regulation of the board.