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California Department of Public Health



GAVIN NEWSOM
Governor

January 17, 2020

AFL 20-07

TO: General Acute Care Hospitals (GACH)
Alternative Birth Centers
Primary Care Clinics (PCC)

SUBJECT: California Dignity in Pregnancy and Childbirth Act

AUTHORITY: Health and Safety Code (HSC) Section 1262.6

All Facilities Letter (AFL) Summary

This AFL notifies GACHs of the chaptering of SB 464 ([Chapter 533, Statutes 2019](#)), requiring these facilities to provide each patient written information at the time of admission informing them of their right to be free of discrimination and how to file a complaint.

GACHs providing perinatal care, alternative birth centers, and PCCs providing services as an alternative birth center are required to develop and implement a training program for evidence-based implicit bias.

GACHs only:

Effective January 1, 2020, SB 464 requires GACHs to provide each patient, upon admission or as soon thereafter as reasonably practical, written information regarding the patient’s right to be free of discrimination on the basis of race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, citizenship, primary language, or immigration status.

The hospital must also provide written information at the time of admission to patients regarding how to file a complaint with the:

- California Department of Public Health (CDPH)
- Department of Fair Employment and Housing
- Medical Board of California

A hospital can include the new information required by SB 464 with other notices to the patient regarding patient rights. If a hospital chooses to include this new information along with existing notices to the patient regarding patient rights, the required



information can be provided when the hospital exhausts its existing inventory of written materials and prints new written materials.

GACHs providing perinatal care, alternative birth centers, and PCCs providing services as an alternative birth center:

Additional provisions outside the purview of CDPH's Licensing and Certification program require facilities to develop and implement a training program for evidence-based implicit bias for all health care providers involved in the perinatal care of patients within those facilities. Developing the training and complying with the law is the responsibility of the effected facilities.

An implicit bias program implemented pursuant to the new law must include all of the following:

- Identification of previous or current unconscious biases and misinformation.
- Identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion.
- Corrective measures to decrease implicit bias at the interpersonal and institutional levels, including ongoing policies and practices for that purpose.
- Information on the effects, including, but not limited to, ongoing personal effects, of historical and contemporary exclusion and oppression of minority communities.
- Information about cultural identity across racial or ethnic groups.
- Information about communicating more effectively across identities, including racial, ethnic, religious, and gender identities.
- Discussion on power dynamics and organizational decisionmaking.
- Discussion on health inequities within the perinatal care field, including information on how implicit bias impacts maternal and infant health outcomes.
- Perspectives of diverse, local constituency groups and experts on particular racial, identity, cultural, and provider-community relations issues in the community.
- Information on reproductive justice.

All health care providers involved in the perinatal care of patients in GACHs providing perinatal care, alternative birth centers, and PCCs providing services as an alternative birth center must complete the initial basic training through the implicit bias program based on the components described above. Once the initial basic training is completed, a refresher course under the implicit bias program must be completed every two years thereafter, or on a more frequent basis if deemed necessary by the facility, to keep current with changing racial, identity, and cultural trends and best practices in decreasing interpersonal and institutional implicit bias.

The facility must provide a certificate of training completion to another facility or a training attendee upon request. A facility may accept a certificate of completion from

another facility to satisfy the training requirement from a health care provider who works in more than one facility. If a physician involved in the perinatal care of patients is not directly employed by a facility, the facility shall offer the training to the physician.

CDPH's failure to expressly notify facilities of statutory or regulatory requirements does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of all applicable sections of HSC and the California Code of Regulations to ensure compliance.

If you have any questions about this AFL, please contact your local [district office](#).

Sincerely,

Original signed by Heidi W. Steinecker

Heidi W. Steinecker
Deputy Director