

March 29, 2022

During the 2021 session of the General Assembly, legislation was enacted mandating implicit bias training for many licensed healthcare professionals as part of maintaining their license. This memo serves to update members on those requirements.

P.A. 102-0004 – Illinois Health Care and Human Service Reform Act – Related to implicit bias training, this omnibus healthcare legislation amends the Department of Professional Regulation Law of the Civil Administrative Code to require implicit bias training for “health care professionals” as part of their license or registration renewal. Although P.A. 102-0004 had set an initial implementation date of Jan. 1, 2022, subsequent legislation was enacted that has pushed this requirement back to licensure renewals occurring after Jan. 1, 2023. Healthcare professionals must complete at least a one-hour course in training on implicit bias awareness, which may be counted toward their total required continuing education.

Additional requirements can be found in recently codified rules developed by the Illinois Department of Financial and Professional Regulation (IDFPR). 68 Illinois Administrative Code 1130.500 details the licensed professionals that must comply with the mandatory training, what entities can provide implicit bias training, and the minimum topics that must be covered in such training. As a result of IHA’s advocacy efforts, language was included in the final rule to ensure that hospitals are able to develop implicit bias training if they choose; however, hospitals are not mandated to provide this training to their staff. IDFPR has indicated to IHA that the Department will not be issuing compliance certifications to entities seeking to provide implicit bias training; however, those entities will be subject to review and audit.

IDFPR will provide further details about the program later this year. IHA will not be developing an implicit bias training course for members.

P.A. 102-0604 – ANCRA Implicit Bias Training – This law amends the Abused and Neglected Child Reporting Act to add a new section on implicit bias training to the mandated reporter training that much of a hospital’s staff is required to take. This requirement is in addition to the mandatory implicit bias training set forth in P.A. 102-0004. The Department of Children and Family Services (DCFS) will be required to develop the content and include it in these trainings within a year after the legislation’s enactment, which is also Jan. 1, 2023. At this time IHA is not aware of DCFS implementing this provision. There is no additional requirement for hospitals as part of this new law, as mandated reporters should see this training incorporated in programming developed by DCFS.

IHA will provide further member updates as they become available.

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