

Impending AB 2319 Implicit Bias Training Deadline for Perinatal Providers Amid Shifting Federal Landscape

Insights

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Recent amendments to California's Dignity in Pregnancy and Childbirth Act under [AB 2319](#) require enhanced implicit bias training for healthcare providers as part of the state's effort to reduce disparities in pregnancy and infant healthcare outcomes related to race, ethnicity, and gender identity. As the June 1st deadline to implement the training approaches, recent actions by the Trump administration may complicate providers' efforts to comply with the updated law. Recent federal actions, including Executive Orders 14173 and 14151, reflect a broader push to target federally funded programs that incorporate diversity, equity and inclusion (DEI) principles and seek to advance equity. Such actions could potentially be interpreted to reach programs that address racial disparities in health, such as the training programs soon required by AB 2319.

Healthcare providers thus face the challenge of balancing efforts to comply with AB 2319's requirements with the uncertainty posed by federal executive action. As courts begin to assess the reach and enforceability of these executive actions, HLB is closely monitoring developments and will continue to provide timely updates.

Summary of AB 2319

AB 2319 requires hospitals, alternative birth centers, and primary care clinics providing perinatal care to implement evidence-based implicit bias training programs for all healthcare providers involved in perinatal care, including both those who provide perinatal care or simply interact with perinatal care patients.

Program Requirements

The implicit bias program must include the following elements:

1. Identification of previous or current unconscious biases and misinformation.
2. Identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion.
3. Corrective measures to decrease implicit bias at the interpersonal and institutional levels, including ongoing policies and practices for that purpose.

PROFESSIONAL



**SUNAYA
PADMANABHAN**
Associate
San Francisco



**STEPHANIE
GROSS**
Partner
Los Angeles
San Francisco



ALICIA MACKLIN
Partner
Los Angeles



ANDREA FREY
Partner
San Francisco
San Diego



**JENNIFER A.
HANSEN**
Partner
San Diego

4. Information on the effects of historical and contemporary exclusion and oppression of minority communities.
5. Information about cultural identity across racial or ethnic groups.
6. Information about communicating more effectively across identities, including racial, ethnic, religious, and gender identities.
7. Discussion on power dynamics and organizational decision-making.
8. Discussion on health inequities within the perinatal care field, including information on how implicit bias impacts maternal and infant health outcomes.
9. Perspectives of diverse, local constituency groups and experts on particular racial, identity, cultural, and provider-community relations issues in the community.
10. Information on reproductive justice.
11. Recognition of intersecting identities, including nonbinary persons and persons of transgender experience, and the multiple layers of potential biases that could result in harm to patients and their infants.

Timing

Healthcare professionals working at facilities subject to AB 2319 must complete initial basic training through the implicit bias program by **June 1, 2025**. Going forward, new hires must complete the training within six months of starting work at the facility. After the initial training, providers must complete a refresher course every two years to stay up to date with changing racial, identity, and cultural trends and best practices for reducing implicit bias. All trainings must be offered during paid work time.

Reporting Requirements

Beginning February 1, 2026, facilities subject to AB 2319 must provide proof of compliance to the California Attorney General, including lists of trained providers, training dates, written materials used, descriptions of the training, and lists of providers who did not participate in the training. Documentation should include whether the providers are employed as the requirements differ slightly with respect to whether providers are employed by the facilities or not.

Compliance with AB 2319

On February 13, 2025, sixteen attorneys general, including California's Attorney General, issued [guidance](#) characterizing recent Executive Orders issued by the Trump Administration on DEI as attempts to confuse the private sector into believing that policies focused on encouraging diversity, equity, and inclusion are unlawful. However, the guidance states that "Executive Order 14173 cannot and does not prohibit otherwise lawful practices and policies to promote diversity, equity, inclusion and accessibility." Furthermore, the guidance states that the Executive Orders "do not and cannot strip employers and workers of their federal and state constitutional rights to speak freely — in their policies, training, and daily interactions — about lawful best practices for growing and supporting private and public sector workforces. Accordingly, companies should continue to implement initiatives aimed at complying with their legal obligations, opening the door for prospective and current employees, no matter their identity or background, to reach their full potential, and ensuring the health of their organizations."

California Attorney General Rob Bonta, who [co-sponsored](#) AB 2319, emphasized the importance of the newly enacted law in improving care and reducing maternal mortality rates, particularly for people of color. The United States has the highest maternal mortality rate globally, and in California, the rate is three to four times higher for women of color, especially women, compared to their white counterparts.

Covered healthcare facilities that fail to implement the implicit bias program or submit proof of compliance are subject to civil penalties of \$5,000 for the first violation and \$15,000 for subsequent violations. If a certain number of providers fail to complete the training, then the facility may be found to have "systemic failure" which can also result in civil penalties. The Attorney General may post lists of noncompliant facilities and penalties on their website.

Facilities subject to AB 2319 should consult legal counsel to navigate compliance with the **June 1, 2025**, training deadline, particularly in light of the uncertainty posed by recent federal actions.

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