

**BOARD OF REGISTERED NURSING**  
**Agenda Item Summary**

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**AGENDA ITEM: 6.2**  
**DATE: November 14-15, 2022**

**ACTION REQUESTED:** Consideration of continuing education exemption for implicit bias training requirement established by [Assembly Bill \(AB\) 1407 \(Burke, Chapter 445, Statutes of 2021\)](#).

**REQUESTED BY:** Loretta Melby RN, MSN  
Executive Officer, California Board of Registered Nursing

**BACKGROUND:** In California, Registered Nurses (RN) are required by law to complete 30 contact hours of continuing education (CE) every two years to maintain an active license excluding the first two years immediately following their initial licensure in California or any other governmental jurisdiction. Passage of [AB 1407](#) created an exception for that renewal period and now requires Board licensees to complete one hour of implicit bias training as part of that initial licensure renewal period. This implicit bias CE requirement better aligns with California's broader effort to address the racial disparities that exist within the healthcare system and work towards a goal of health equity.

Starting January 1, 2023, a licensee still within the first 2 years of holding their license, immediately following their licensure, must complete one hour of direct participation in an implicit bias course offered by a CE provider that has been approved by the Board.

The Board submitted a Section 100 (Change without Regulatory Effect) to the Office of Administrative Law to comply with [Business and Professions Code \(BPC\) Section 2811.5\(g\)](#). The Section 100 requests language be added to [16 CCR Section 1452](#) that clarifies an exception will not be provided, and the Board will implement the implicit bias mandate in AB 1407 as written.

The proposed text is as follows: *"Notwithstanding subdivisions (a) or (b), beginning January 1, 2023, all licensees shall complete one hour of implicit bias training, meeting the requirements of section 2786 of the code, within the first two years of licensure, and may not request an exemption."*

Existing law, as outlined in [BPC Section 2811.5\(h\)](#), grants the Board discretion to provide exceptions to continuing education requirements for specified licensees if it wishes to do so. Circumstances in which exceptions are allowed for other CE requirements are outlined in 16 CCR 1452 and include, but are not limited to, being employed overseas for more than a year, being employed by the military, having a physical disability for more than a year, or a member of their family for whom they are responsible having a disability for more than one year.

The purpose of this discussion is for the Board to decide whether they would like to provide an exception to the requirement for licensees to complete one-hour of implicit bias training within their first two years of licensure under certain circumstances. If the Board decides to allow for an exception, a separate regular rulemaking package will be necessary.

**NEXT STEPS:**

If the Board wishes to provide an exemption to the one-hour implicit bias training requirement, a regular rulemaking package will need to be developed and Board staff will bring forward proposed language for review at a future meeting.

If the Board does not wish to provide an exemption to the one-hour implicit bias requirement, then no further action is needed.

**FISCAL IMPACT, IF ANY:** Staff estimates that there will be no fiscal impact to the Board.

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