



How Discrimination Affects Patient Safety

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Who We Are

- License and regulate over 35,000 MDs and PAs
- 21 Governor Appointed Clinical and Public Members
- Staff of 52
- Independent Commission from the Department of Health

Agenda

1. WMC Discrimination in Healthcare Policy
2. Policy Enforcement
3. Discrimination in Practice



WMC's Discrimination in Healthcare Policy

Discrimination is a violation of the standard of care

Unprofessional conduct under Uniform Disciplinary Act

Defines key discrimination terms in healthcare

Connects discrimination as a key determinant of health that leads to Healthcare Disparity



**FEDERATION OF
STATE MEDICAL BOARDS**

FSMB to address Discrimination in Healthcare

"The Federation of State Medical Boards (FSMB) acknowledges its role in a system that has allowed racist, biased, and inequitable influences to hinder patient safety and, in many instances, cause harm. The FSMB is committed to supporting an equitable health system by identifying and eliminating discriminatory practices which have no place in medical regulation or health care.

Impact of Discrimination



- African American women are 3–4 times more likely to die from pregnancy-related causes than white woman
- Black people undertreated for pain
- Black and Latinx children are less likely to be admitted to Emergency care
- Asian-Americans under-diagnosed for alcohol addiction
- Older adults may get over-treated or have treatable illness dismissed as feature of old age

Discipline

RCW 18.130.180(4):

Negligence that results in injury to a patient or which creates an unreasonable risk that a patient may be harmed

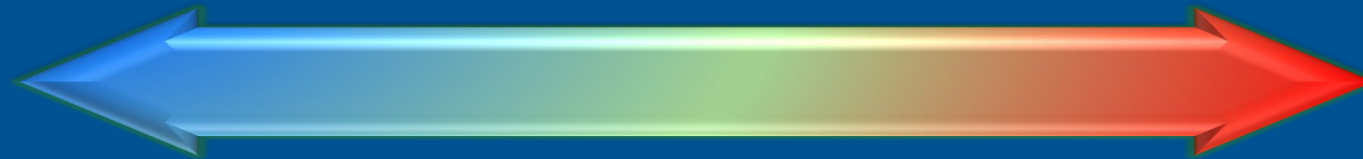
WAC 246-919-640 Abuse.

(1)(d) Conduct that unreasonably demeans, humiliates, embarrasses, threatens, or harms a patient.



WMC Action

Implicit bias
or
unintentional
behavior



Intentional
behavior

Education and
guidance

Letter of
apology

Mental or
physical
examination

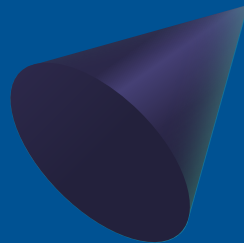
Restriction
of practice

Revocation



Other Applicable Laws

- Washington State Civil Rights Act, Chapter 49.60 RCW
- Federal Civil Rights Act of 1964
- Americans with Disabilities Act



Discrimination in a Clinical Setting

- Unintentional discrimination
 - transgender patients and elderly women will often not get asked about sexual habits, & health; not be offered pelvic exams due to clinician discomfort or assumptions that the patient won't want to be examined
- Insensitive or careless behavior
 - Patients with obesity, substance use...may be implicitly blamed for their medical problems
- Intentional Discrimination
 - Not treating a patient, not taking their concerns seriously, because: they use drugs, had an abortion, are LGBT, different religion, language, socioeconomic status

Discrimination in Practice

Experienced discrimination	21%
More than once	72%
Female	63%
Income <\$50,000/yr	61%
White	20%
Hispanic	23%
Black	23%
Other race	23%

Nong P, Raj M, Creary M, Kardia SLR, Platt JE. Patient-Reported Experiences of Discrimination in the US Health Care System. *JAMA Netw Open.* 2020;3(12):e2029650. doi:10.1001/jamanetworkopen.2020.29650



Discrimination in Practice-other factors

- Self-reported poor health
- Weight
- Age
- Insurance status
- Substance use
- Medication use
- Mental health status
- Lifestyle (e.g. tattoos)
- Language

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Discrimination in Practice-study of online reviews

- Highlight patient's perspective of discrimination
- Individual behaviors and institutional racism
- Recurring patterns:
 - Commission
 - Omission
 - Dehumanizing
 - Stereotyping
 - Intimidation
 - Unprofessionalism

Tong JKC, Akpek E, Naik A, et al. Reporting of Discrimination by Health Care Consumers Through Online Consumer Reviews. *JAMA Netw Open*. 2022;5(2):e220715. doi:10.1001/jamanetworkopen.2022.0715



Thank You

WMC Mission

Promoting patient safety and enhancing the integrity of the profession through licensing, discipline, rule making, and education.

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