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2022 article in the New England Journal of Medicine that summarized multiple studies



Clinical manager Wendy Greene, left, draws blood from Andrea Montañez during an appointment at Spektrum Health, on Nov. 22, 2023, in Orlando, Fla. PHELAN M. EBENHACK FOR THE CENTER FOR PUBLIC INTEGRITY

DEI attacks pose threats to medical training, care

Decadeslong efforts to address health disparities at risk

Danielle McLean

Center for Public Integrity

When Andrea Montañez visited her Orlando-area cardiologist two years ago to treat her abnormally fast heart rate, the receptionists and nurses often misgendered her.

For a couple of years following her transition, Montañez's insurance information still listed her previous

name and identified her as male. Despite informing the office of her new name and pronouns, clinic staff continued to call her "sir."

The feeling of being misgendered is "horrible," said Montañez, who worried about the quality of care she was receiving.

Over the past two decades, medical schools and residency programs have added diversity, equity and inclusion

training – DEI for short – to help counter documented and widespread biases and racism contributing to disparate health outcomes for certain populations, including transgender patients such as Montañez.

However, conservative state legislators have targeted such training over the past three years.

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Since 2021, Montañez's home state of Florida – along with Georgia, Idaho, Iowa, Mississippi, North Dakota, Oklahoma, South Dakota and Tennessee – have passed laws to restrict DEI education in public higher education curricula.

In Florida, medical students on rotation or residents at hospitals tied to a public university may no longer be prepared to provide high-quality care for every patient, said Zinzi Bailey, a social epidemiologist focused on cancer health disparities and a former assistant professor at the University of Miami Miller School of Medicine.

The state's anti-DEI law, which took effect in July, bans its public universities and colleges from using state or federal funds for DEI programs and restricts general education courses from including "identity politics" or critical race theory in curriculum. Another law passed in 2022, The Stop WOKE Act, which a federal court has since stayed, restricts discussion around certain concepts surrounding race and gender in higher education classrooms.

The anti-DEI laws are among several pieces of recent legislation restricting Florida doctors' ability to care for their patients. Last April, Republican Gov. Ron DeSantis signed a law banning abortion after six weeks. In June, a U.S. District Court judge struck down a Florida rule and a statute that prohibited state Medicaid payments for transgender health care, as well as a ban on youths under the age of 18 from receiving gender-affirming care, including hormone therapy and puberty blockers.

Some doctors and scholars fear the new anti-DEI laws could not only stall progress made in providing better care for patients from diverse backgrounds, but also make care for those populations worse.

Because of the laws, medical students may no longer learn key lessons about intergenerational trauma, the root causes of disparities, or how to think creatively and compassionately about helping address those inequities through health care, said Alison Yager, an attorney and executive director of the Florida Health Justice Project, a health advocacy group.

While medical schools are trying to find ways to continue providing that training, they don't fully know yet how the laws will be enforced or what educators must do to avoid running afoul of them. In that type of atmosphere, administrators, professors and doctors might decide that it's better to be safe from state authorities than to provide needed training, said Jeremy Young, PEN America's Freedom to Learn program director.

Montañez fears that under Florida's anti-DEI laws, as well as the other anti-transgender legislation, she'll be misgendered at doctor's offices more often – or worse, be denied service during medical emergencies.

Diagnosing disparities

Bailey, the social epidemiologist, left the University of Miami in September to work as an associate professor at the University of Minnesota School of Public Health. She said Florida's anti-DEI laws played a role in her departure.

Her work largely centers on structural racism and touches on critical race theory. And while the anti-DEI laws technically don't apply to the University of Miami because it's private, the insti-



Andrea Montañez says being misgendered by health providers is a "horrible feeling." PHELAN M. EBENHACK FOR THE CENTER FOR PUBLIC INTEGRITY



Dr. Cheryl Holder, president of Florida Black Doctors, worries about the impact new laws will have on trans and gender non-conforming patients, who already face high rates of depression, abuse, trauma and suicide. PROVIDED BY JAHAN SHARIF VIA THE CENTER FOR PUBLIC INTEGRITY

tuition still receives money and support from the state. She was concerned about the willingness of the university to continue supporting her work and other initiatives aimed at combating structural racism in health care.

A 2022 Association of American Medical Colleges survey found that 96% of 101 U.S. and Canadian medical schools deem diversity, inclusion and equity a key learning outcome. Seventy percent of institutions require a diversity, inclusion or cultural competency course as part of their core curricula, and 96% regularly sponsor speakers or events such as town halls or listening groups to encourage dialogue related to DEI.

Many DEI efforts in medical schools emerged after a landmark 2003 report from a national panel of experts convened by Congress. "Unequal Treatment" showed racial health care disparities are "remarkably consistent" – even after adjusting for patient income and other differences. The report warned that bias, stereotyping and prejudice could be playing a contributing role.

But conservative groups claim medical schools are teaching cultural competency and racial bias to push a "woke" agenda – a catchall phrase used to denounce transgender and gay rights, critical race theory and discussions about diversity, among other things.

The conservative medical advocacy group Do No Harm has filed several lawsuits and more than 100 U.S. Department of Education Office for Civil Rights

complaints aimed at rolling back medical school diversity efforts and implicit-bias training requirements.

In a statement provided to Public Integrity, Dr. Stanley Goldfarb, chairman of Do No Harm, said: "The answer to health care disparities is health education regarding personal habits that improve outcomes ... not implicit bias training. We have been teaching about the need to be sensitive to patients' individual cultural characteristics and social conditions for many decades before the entire DEI establishment was created."

Other conservative think tanks, including the Manhattan Institute and the Goldwater Institute, have pushed for the new anti-DEI laws, including Florida's Stop WOKE Act, claiming that public and private research funding is being redirected from science to political projects.

Effects could ripple in unexpected ways

Biases in health care – and the negative effects that follow – have a long-documented history in the United States. DEI lessons are more than just training sessions to learn buzzwords, said Bailey, the social epidemiologist. They can help health care professionals understand the root of health disparities.

Without the training, "there are going to be some problems," said Dr. William McDade, chief for diversity, equity and inclusion at the Accreditation Council for Graduate Medical Education, the body that sanctions medical residency programs.

A 2019 study by more than a dozen researchers across the country found that curriculum focused on minority health and disparities increased students' intention to care for minority patients.

Even so, physicians often develop negative stereotypes in medical school: Nearly 49% of U.S. medical students reported having been exposed to negative comments about Black patients by attending or resident physicians, according to a 2022 article in the *New England Journal of Medicine* that summarized multiple studies. Researchers found that those students "demonstrated significantly greater implicit racial bias" in year four than in year one.

The lawmakers pushing anti-DEI legislation don't fully understand the ramifications of those laws and the impact their restrictions will have on patients, said Dr. David Acosta, the Association of American Medical Colleges' chief diversity and inclusion officer.

Dr. Cheryl Holder, who until recently served as associate dean for diversity, equity, inclusivity and community initiatives at Florida International University's Herbert Wertheim College of Medicine, completed a systematic review of the state of gender-affirming care in education in 2023. She is particularly nervous about the impact the new laws will have on trans and gender non-conforming patients, who already face high rates of depression, abuse, trauma and suicide.

Holder, also president of Florida Black Doctors, co-authored a report published in the *Annals of Family Medicine* in 2023 that found medical students and residents nationwide lack sufficient training on how to provide gender-affirming and inclusive care to trans and gender-diverse patients.

McDade, with the Accreditation Council for Graduate Medical Education, said residency program administrators in Florida, Oklahoma, Arkansas and Texas are concerned about the impact of dismantling and defunding DEI offices.

The effects could ripple in unexpected ways. As hormone specialists, endocrinologists can support patients receiving gender-affirming care. But Dr. Michael Haller, a Gainesville, Florida-based pediatric endocrinologist and higher education professor who provides care for transgender youths, fears that as the profession comes under political pressure, it will become harder for children to find a specialized doctor in the state who can treat diabetes, thyroid disease and delayed puberty – examples of other work that pediatric endocrinologists do.

Some doctors fear other medical specialties in the state could be affected by the anti-DEI laws as well, potentially exacerbating the already dire shortage of doctors there.

Guidance on anti-DEI laws unclear

How medical schools and residency programs chart a path forward between the laws restricting DEI and the national standards calling for it remains to be determined.

All medical schools will still be held to the same accreditation standards, said Acosta, of the Association of American Medical Colleges. Cultural competency education is part of the accreditation standards of the Liaison Committee on Medical Education.

The Accreditation Council for Graduate Medical Education includes cultural competency education standards in its U.S. residency program for several specialties, including psychiatry and family medicine.

According to the organization's accreditation requirements, all residents must demonstrate competence in acknowledging differences and displaying respect for patients of all races, genders, religions, ages, sexual orientations and other backgrounds, McDade said.

But against those practicalities is the specter of how the anti-DEI laws will be enforced. Florida has not yet made that clear.

The state's anti-DEI law was in force at the start of this school year's fall semester, but the state's Board of Governors did not release guidance to higher education institutions about the law until November – leaving medical schools uncertain how to avoid violating it. That guidance is vague, in some cases, about what aspects of traditional medical education are not allowed.

This story was published in partnership with the Center for Public Integrity, a newsroom that investigates inequality.