



Written by [David Kelly](#) on August 7, 2023

Doctors Sue California Over Forced ‘Implicit Bias’ Training

The Pacific Legal Foundation ([PLF](#)) filed a lawsuit last week on behalf of two doctors and the nonprofit [Do No Harm](#), challenging California’s mandatory “implicit bias” training for physicians, which requires them to accept leftist political and racial indoctrination to continue practicing medicine.

The California Legislature enacted [Assembly Bill 241](#) with the full support of Governor Gavin Newsom, a diversity, equity, and inclusion (DEI) advocate. The legislation added to the state’s [Medical Practice Act](#) and, according to a PLF [press release](#), requires “all continuing medical education (CME) courses involving direct patient care to include implicit bias training — regardless of who teaches the course or what is taught. The efficacy of these trainings is not supported by evidence and instead promotes distrust and resentment in medical care.”



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The new law supports the progressive narrative of DEI initiatives, [stating](#) that “implicit bias, meaning the attitudes or internalized stereotypes that affect our perceptions, actions, and decisions in an unconscious manner, exists, and often contributes to unequal treatment of people based on race, ethnicity, gender identity, sexual orientation, age, disability, and other characteristics.” The bill adds that “implicit bias contributes to health disparities by affecting the behavior of physicians and surgeons, nurses, physician assistants, and other healing arts licensees.”

The lawsuit, [Khatibi v. Lawson](#), was filed on Aug. 1 in the U.S. District Court for the Central District of California. It states in the introduction:

The efficacy of implicit bias training in reducing disparities and negative outcomes in healthcare is controversial in the medical community and lacks evidence. Because of that controversy, because they prefer to teach different, evidence-based subjects, and because they do not want to espouse the government’s view on implicit bias, Plaintiffs Azadeh Khatibi and Marilyn Singleton, as well as at least one member of Plaintiff Do No Harm, do not want to be compelled to include discussion of implicit bias in the continuing medical education courses they teach.

The suit argues that, “under the First Amendment to the United States Constitution, the government cannot compel speakers to engage in discussions on subjects they prefer to remain silent about.



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Likewise, the government cannot condition a speaker's ability to offer courses for credit on the requirement that she espouse the government's favored view on a controversial topic. This case seeks to vindicate those important constitutional rights."

The Epoch Times [reported](#) that "lead plaintiff Dr. Azadeh Khatibi, an ophthalmologist whose first name means 'freedom,' was born in Iran and immigrated to the United States when she was 6 years old." PLF wrote in the lawsuit that Khatibi's family left Iran "as a result of increasingly theocratic changes to Iranian society following the [1979] Revolution."

According to the suit, Dr. Marilyn Singleton, a board-certified anesthesiologist and past president of the Association of American Physicians and Surgeons, is, based on the law, "required to include discussion of implicit bias in the courses she teaches," which forces her to "include information that is not relevant to her chosen topic." PLF added that "Dr. Singleton disagrees that including discussion of implicit bias in her courses is helpful and important. To the contrary, she believes that such trainings are harmful to physicians and patients."

One of the Do No Harm plaintiffs claims that she does not want "to include discussion of implicit bias in the continuing medical education courses she teaches because such trainings have not been shown to successfully reduce barriers to healthcare, and instead risk infecting healthcare decisions with divisive and discriminatory ideas."

Joshua Thompson, director of equality and opportunity litigation at PLF, told [The Epoch Times](#) that, "although his clients are medical practitioners, they're contesting the statute as CME instructors."

"They don't want to have to speak this nonsense. So we're challenging this as a violation of their First Amendment rights as speakers," he told *The Epoch Times* in an interview.

"The last thing we want a doctor performing an appendectomy or brain surgery to be doing is thinking, 'Hmmm, maybe I should be thinking about the race of this patient when I'm performing this medical function,'" Mr. Thompson said. "To inject race into the doctor-patient relationship like this can only produce bad results.

"Implicit bias itself is highly suspect, but even if you grant some sort of existence of implicit bias, the idea that you can shrink that through forcing people to think about race is highly controversial, and now forcing doctors to do this in every single CME course is just crazy town."

The plaintiffs should be applauded for their decision to question authority and invoke their constitutional rights to continue teaching with their personal freedoms intact, and for exposing the California law's leftist political and racial bias, and hopefully they will win their case. The California lawmakers' attempt at building their own Orwellian "ministry of truth" must be defeated.



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