

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 410

AN ACT

To amend chapters 174 and 324, RSMo, by adding thereto two new sections relating to diversity-equity-inclusion requirements.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 174 and 324, RSMo, are amended by adding thereto two new sections, to be known as sections 174.900 and 324.019, to read as follows:

174.900. 1. This section and section 324.019 shall be known and may be cited as the "Do No Harm Act".

2. As used in this section, the following terms mean:

(1) "Academic standards", the grade point average, standardized test score, or other objective metric used to gauge a student's achievements for the purposes of admissions into, advancement in, or graduation from an institution of higher education;

(2) "Department", the department of higher education and workforce development;

(3) "Diversity-Equity-Inclusion" or "DEI", education or training requirements, policies, or programs on the subjects of antiracism, implicit bias, health equity, and any other related instructions or that promote differential treatment based on race, gender, religion, ethnicity, and sexual preference, but not including equal opportunity or equal employment opportunity designed to inform individuals about the prohibition on discrimination based on protected class under state and federal law;

(4) "Health care-related academic programs", any health care-related area of study designed to prepare

students for employment as or with a health care provider by conferring a degree or certification, including, but not limited to, premedical school majors, medical doctor, nursing, psychiatry, clinical social work, dentistry, dental hygiene, physical or occupational therapy, chiropractic care, medical equipment technicians, and all related fields;

(5) "Institution of higher education", any community college, college, or university offering associate's, bachelor's, master's, or doctorate degrees, or any trade school; provided such college, university, or trade school receives state funding;

(8) "MCAT", the Medical College Admission Test, designed by the Association of American Medical Colleges.

3. Each institution of higher education shall certify to the department by December thirty-first each year that the institution does not:

(1) Require students to agree with any statement ascribing to DEI ideologies or to answer any questions relating to DEI ideologies during the course of students' application to or education through the institution;

(2) Require or consider any student's statements on DEI ideologies when determining a student's acceptance or academic advancement at the institution;

(3) Offer or provide students with any incentive, benefit, grant, or other compensation for taking any coursework related to DEI ideologies or otherwise for participating in any activities related to DEI ideologies if such incentive, benefit, grant, or other compensation is not equally available to students taking any coursework or participating in any activity that is not related to DEI ideologies;

(4) Require employees, or prospective employees, who are involved with the instruction of students to agree with

any statement ascribing to DEI ideologies or to answer any questions relating to DEI ideologies in any job application or interview or during the course of the individual's employment;

(5) Require or consider any employee's or applicant's statements on DEI ideologies in any employment-related decisions, including, but not limited to, compensation, terms, conditions, or privileges of employment, hiring, promotions, and tenure;

(6) Offer or provide any employees, or prospective employees, who are involved with the instruction of students with any incentive, benefit, grant, or other compensation for receiving any instruction, including any professional development materials, related to DEI ideologies or otherwise for participating in any activities related to DEI ideologies if such incentive, benefit, grant, or other compensation is not equally available to any employees, or prospective employees, who are involved with the instruction of students receiving any instruction, including any professional development materials, or participating in any activity that is not related to DEI ideologies; and

(7) Require employees, contractors, volunteers, vendors, or agents, to ascribe to, study, or be instructed with DEI ideologies or materials.

4. (1) Each allopathic or osteopathic school of medicine in this state, excluding any combined bachelors of arts or sciences and medical doctorate programs, shall require the MCAT or academic standards for admission.

(2) Each institution of higher education shall not reduce the academic standards for the admission of new students into, or the advancement of current students within, health care-related academic programs without

receiving prior approval by the general assembly through a concurrent resolution.

5. Institutions of higher education in violation of the provisions of this section shall not be eligible for state funding, grants, contracts, or any other state benefit and shall repay to the state treble the amount of funds that they received from the date of the initial violation until the date the acts in violation of this section cease.

324.019. 1. As used in this section, the following terms mean:

(1) "Diversity-Equity-Inclusion" or "DEI", education or training requirements, policies, or programs on the subjects of antiracism, implicit bias, health equity, and any other related instructions or that promote differential treatment based on race, gender, religion, ethnicity, and sexual preference, but not including equal opportunity or equal employment opportunity designed to inform individuals about the prohibition on discrimination based on protected class under state and federal law;

(2) "Oversight body", any board, department, agency, or office of the state that issues professional or occupational licenses.

2. No oversight body shall impose any requirements upon an applicant for licensure or renewal that subjects the applicant to DEI ideologies or materials in any way.

3. No organization that issues professional or occupational certifications for continuing education recognized or utilized by an oversight body, or provides materials for such certifications, shall use DEI ideologies or materials or require DEI training as part of the certification process.

4. No continuing education courses, credits, seminars, webinars, or online instructions that use DEI ideologies or

materials shall be counted towards any continuing education requirements for a profession or occupation regulated by an oversight body.