

**Department of Health**  
**Washington State Board of Nursing**

**Notice of Adoption – Policy Statement**

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**Title:** Discrimination in Healthcare | POL2024-01

**Issuing Entity:** Washington State Board of Nursing

**Subject Matter:** The Washington State Board of Nursing provides clarity on discriminatory acts and its Diversity, Equity, Inclusion, and Belonging Commitment Statement.

**Effective Date:** September 13, 2024

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OFFICE OF THE CODE REVISER  
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# Washington State Department of Health

## Washington State Board of Nursing

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## Policy Statement

<b>Title:</b>	Discrimination in Healthcare
<b>Policy Statement Number:</b>	POL2024-01
<b>References:</b>	RCW 18.130.180(4)
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<b>Effective Date:</b>	September 13, 2024
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<b>Approved By:</b>	Washington State Board of Nursing

Discrimination violates the standard of care and is unprofessional conduct under [RCW 18.130.180\(4\)](#). If the Washington State Board of Nursing (board) identifies discriminatory behavior in a report or investigation, the board will take appropriate action based on the severity of the conduct.

Discrimination is a social determinant of health that violates fundamental human rights and impedes access to quality and equitable healthcare under [chapter 18.130 RCW](#). The impacts of discrimination have been studied and documented in the healthcare system.<sup>1</sup> It is associated with both increased incidence and adverse patient outcomes.<sup>2</sup> In healthcare, it is primarily but not exclusively implicit bias, which occurs at the subconscious level, that results in health disparities and health inequities.

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<sup>1</sup> National Academies of Sciences, Engineering, and Medicine. 2021. The Future of Nursing 2020-2030: Charting a Path to Achieve Health Equity. Washington, DC: The National Academies Press. <https://doi.org/10.17226/25982>.

<sup>2</sup> FitzGerald, C., & Hurst, S. (2017). Implicit bias in healthcare professionals: a systematic review. BMC medical ethics, 18, 1-18. Chicago

Discrimination types include but are not limited to:

- Age
- Race
- Ethnic origin/place of origin
- Citizenship/immigration status
- Religion/ideology
- Sex
- Gender identity/expression
- Language/accent
- Weight
- Socio-economic/housing status
- Relationship/marital arrangement
- Disability (including mental, physical, developmental or learning disabilities)
- Criminal record
- Sexual orientation
- Close relationship with a person identified by one of the above types
- Veteran/active military status

Discriminatory behavior can encompass a broad continuum of behavior, ranging from unintentional behavior, to conduct with reckless disregard for the patient, to deliberate discriminatory behavior. At one end of the continuum, the behavior may be remediated with education and guidance. At the other end, when the behavior is deemed reckless and intentional, the board may consider stronger measures. Nurses should be aware that discriminatory behavior may also violate both state and federal law, including the Washington Law Against Discrimination ([chapter 49.60 RCW](#)), the Civil Rights Act of 1964, and the American with Disabilities Act.

The board has identified diversity, equity, inclusion, and anti-racism as a strategic goal and seeks to make our work in this area visible and measurable. The board's [Diversity, Equity, Inclusion, and Belonging \(DEIB\) Commitment Statement](#) can be found on the board's website at [nursing.wa.gov](http://nursing.wa.gov). The board commits to identifying potential discriminatory acts in the delivery of healthcare through careful screening of reports at complaint intake and processing, and through thorough examination of evidence collected during the investigative process. The board also commits to ongoing research and internal audits of complaint intake to ensure that all reports are viewed with an anti-discrimination lens.