

RESOLUTION

Subject: Confidential Physician Reporting via Kentucky Board of Medical Licensure
Submitted by: Greater Louisville Medical Society
Referred to: Reference Committee

WHEREAS, nearly one in five Americans (18%) have experienced an interaction with a physician who they believe was acting unethically, unprofessionally, or providing substandard care¹; and

WHEREAS, only one-third (33 percent) of those who believe they experienced unethical, unprofessional, or substandard care report the misconduct or file a complaint; and

WHEREAS, physicians also underreport impaired or unprofessional colleagues, citing reputational risks and concern they may jeopardize interprofessional relations; and

WHEREAS, the inability to make anonymous complaints and avoid being identified during hearing processes contributes to a culture that discourages reporting of adverse events and clinical conditions; and

WHEREAS, the Kentucky Board of Medical Licensure website states anonymous grievances are not trusted and requires each grievance to be signed and notarized, including the name and contact information of the grievant; and

WHEREAS, the Federation of State Medical Boards House of Delegates unanimously adopted new policy in 2016 that state medical boards should ensure that appropriate protections are in place to enable physicians to complain anonymously, and where allowing anonymous complaints is impossible or infeasible, ensure that complainants' identities remain confidential and that licensees who have a complaint before the board be discouraged from attempting to contact complainants; now, therefore, be it

RESOLVED, that the Kentucky Medical Association encourage the Kentucky Board of Medical Licensure to acknowledge a pathway for anonymous reporting for physicians if substantiated by sufficient evidence; and be it further

RESOLVED, that the Kentucky Medical Association discourage licensees from contacting or taking action against a complainant, provided the grievance is filed in good faith.

References

¹ State Medical Boards Awareness Study. <http://www.fsmb.org/siteassets/advocacy/news-releases/2018/harris-poll-executive-summary.pdf>

² Campbell EG et al. Professionalism in Medicine: Results of a National Survey of Physicians. *Ann Intern Med* 2007;147:795–802. doi: 10.7326/0003-4819-147-11-200712040-00012

³ Position Statement on Duty to Report, Federation of State Medical Boards. <http://www.fsmb.org/SysSiteAssets/advocacy/policies/position-statement-on-duty-to-report.pdf>