

RESOLUTION

Subject: Anonymous Reporting of Licensees to the Kentucky Board of Medical Licensure

Submitted by: Naren James, MD

Referred to: Reference Committee

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WHEREAS, current KBML policy permits complaints to be filed with the Board against a physician by individuals who remain anonymous; and

WHEREAS, such anonymous reporting can be potentially abused by adversaries of a physician by initiating Board action against that physician's license; and

WHEREAS, this current policy is contrary to basic due process that should be available to every physician; and

WHEREAS, anonymous complaints invariably result in action by the licensing Board; and

WHEREAS, the mere initiation of such action results in tangible hardship to physicians; and

WHEREAS, the sixth district United States federal court of appeals has already ruled that certain anonymous reporting of citizens are an unconstitutional infringement on the federal constitutional right to due process; now, therefore, be it

RESOLVED, that the Kentucky Medical Association take a policy position against such an anonymous reporting all physicians; and be it further

RESOLVED, that KMA advocate before the legislature for statutory protection for physicians from this current policy.