

RESOLUTION

Subject: KBML Autonomy
Submitted by: Michael Kuduk, MD (KMA President)
Referred to: Reference Committee

WHEREAS, the Kentucky Board of Medical Licensure is entrusted by the Commonwealth to ensure the safe practice of medicine in Kentucky; and

WHEREAS, the Kentucky Board of Medical Licensure is responsible for supervision and maintenance of the medical professional licensure process in the Commonwealth; and

WHEREAS, the Kentucky Board of Medical Licensure plays an important role in providing due process protection to physicians who are accused of violating provisions of the Medical Practice Act by conducting impartial hearings and by making decisions which both protect the public and the physician; and

WHEREAS, recently introduced legislation has restricted the Kentucky Board of Medical Licensure's ability to conduct these impartial hearings by mandating penalties and/or licensure removal for performing certain acts, without affording the accused practitioner any element of due process; and

WHEREAS, 2023 Senate Bill 150, which was passed and enacted, mandates licensure removal for violation of the accompanying statute, without mention of due process for the accused provider; now, therefore, be it

RESOLVED, that KMA supports preserving the Kentucky Board of Medical Licensure's independent decision-making authority in regulating physicians; and be it further

RESOLVED, that KMA advocate against legislation that removes or erodes the Kentucky Board of Medical Licensure's ability to independently regulate the practice of medicine through autonomous decision-making that upholds professional standards and protects patient safety.