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3 Title: Board of Medicine Sanctions and Fines
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5 Introduced by: Emily Smith, MD, for the Wayne County Delegation
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7 Original Author: Emily Smith, MD
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9 Referred to: Reference Committee E
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11 House Action: **APPROVED**
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14 Whereas, the Boards of Medicine in every state license and regulate the health
15 professions, and

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17 Whereas, the state licensing boards, the attorney generals, and local state agencies
18 work together to sanction and monitor physicians for disciplinary issues, and

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20 Whereas, the practice of medicine, as defined in the Public Health Code, means the
21 diagnosis, treatment, prevention, cure or relieving of a human disease, ailment, defect,
22 complaint, or other physical or mental condition, by attendance, advice, device, diagnostic
23 test, or other means, or offering, undertaking, attempting to do, or holding oneself out as able
24 to do, any of these acts, and

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26 Whereas, the Public Health Code mandates certain responsibilities and duties for a
27 health professional licensing board, and

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29 Whereas, underlying all these duties is the responsibility of the health professional
30 licensing board to promote and protect the public's health, safety, and welfare, and

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32 Whereas, this responsibility is implemented by the Board of Medicine by ascertaining
33 minimal entry level competency of medical doctors and requiring continuing medical
34 education to maintain licensure, and

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36 Whereas, the Board of Medicine also has the obligation to take disciplinary action
37 against licensees who have violated the Public Health Code, and

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39 Whereas, there are no uniform guidelines or set standards for sanctions and fines,
40 and

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42 Whereas, every state sets its own guidelines and standards which are arbitrary and
43 applied on a case by case basis, and

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45 Whereas, from state to state, there is a significant variability in the application of
46 sanctions and setting of fines; therefore be it

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48 **RESOLVED:** That the American Medical Association work with the Federation of
49 State Medical Boards to study the various sanctions, fines, and monitoring procedures
50 applied on a state-by-state basis to physicians under investigation and/or disciplinary action.
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53 WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE