



# OSMA News Now

*The Latest News, Views, Updates, and Information for Physicians  
from the Oklahoma State Medical Association*

August 29, 2008

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## **Maintenance of Licensure System Potential Cause for Concern**

Recent action by the Federation of State Medical Boards (FSMB) regarding development of a physician maintenance of licensure (MOL) system could be a cause of concern for Oklahoma physicians.

The FSMB established a special committee on MOL in 2003. The report of this committee was considered by the FSMB House of Delegates in May 2008. In summary, this committee developed a draft model policy that would require physicians to “take part in ongoing self-assessment and to demonstrate continuing competence in their areas of practice. A recent letter from the AMA President Michael Maves, MD urges all physicians to review the policy at: <http://www.ama-assn.org/go/councilmeded>

In its own review of the report and its policy recommendations, the American Medical Association Council on Medical Education found a number of areas of concern, including the following:

- Thereportrecommends thatphysicianswiththeMDdegreeseekingrelicensure shouldperiodicallydemonstrate competence within “the scope of their professional practice,” including the areas of “medical knowledge, patient care, practice-based learning and improvement, interpersonal and communications skills, professionalism, and systems-based practice.”<sup>2</sup> There is no current evidence that physicians’ skills in the areas identified for maintenance of licensure decay at a constant rate. The report, however, assumes that all areas should be assessed every time a physician renews his/her license.
- In addition, while there are tools to assess some of these areas, the ability to measure others in a valid and reliable way does not currently exist. The report recommends development of appropriate instruments, but provides no indication of how feasible and costly such a broad-based assessment would be.
- Thereportrecommends thatphysicianrelicensure should be based on an assessment of performance in practice. Many physicians leave practice for periods of time. This includes physicians who move into administrative or other positions without patient care responsibilities and physicians who leave practice for family or other personal reasons. The report recommendations make no provision for such physicians to retain a license during this period.

According to the AMA, the FSMB House of Delegates endorsed a recommendation for additional research on the impact this model policy would have on state medical boards, licensed physicians, and other stakeholder organizations.<sup>1</sup> As the FSMB “research” agenda unfolds over the next year, state medical societies should work with their own state’s medical licensing board to provide feedback to the FSMB. Such broad-based input is essential to assure that any MOL process is both valid and feasible.

In his letter to the state federations, Dr. Maves argued that any process as potentially far-reaching for the medical profession as this should be subject to careful analysis and broad scrutiny. For this reason the AMA encourages state medical society members to become both informed and involved.

To share your views, or for more information, please contact Council on Medical Education Secretary, Daniel Winship, MD at: [daniel.winship@ama-assn.org](mailto:daniel.winship@ama-assn.org).

# Proposed rule issued on rural health clinics

The Centers for Medicare and Medicaid Services (CMS) recently released a proposed rule that would modify the conditions of Medicare participation and the payment methodology for rural health clinics (RHCs). Implementation of some of the policies as proposed could force some RHCs to discontinue vital community health services and leave many rural communities without adequate health care resources. The AMA is urging CMS to extend the comment period for an additional 60 days to allow time for states and the RHC community to analyze the likely impact and provide substantive comments. The AMA is working closely with the National Association of Rural Health Clinics and the National Rural Health Association to develop a response to the proposed rule, which is available in the June 27 issue of the Federal Register at:

[http://www.access.gpo.gov/su\\_docs/fedreg/a080627c.html](http://www.access.gpo.gov/su_docs/fedreg/a080627c.html)

## Save The Date!

### A DAY WITH THE JUDGES: Medical Liability Issues

Presented by the American Board of Legal Medicine and joint sponsored by the OSMA and PLICO, "A Day with the Judges" will be held Friday, October 24, 2008. The seminar will begin at 8:30 am and conclude at 4:00 pm in the Conference Center at St. Francis Hospital at 6161 S. Yale Ave. in Tulsa, OK. 74136.

Sessions will include If Sued, What Should The Doctor Do?; Informed Consent and Informed Refusal in Oklahoma; Expert Witness: Ethical & Liability Issues; Public Health: All Hazard Preparedness and Medical Liability; End of Life: Ethical & Liability Issues; Tort Reform Update; Medical Negligence, Trial and Appeal; Patient Safety, Quality and Never Event Medical Errors; Unprofessional Medical Conduct; Criminalization of Negligence; SSA Disability Determination.

Speakers will include: S. Sandy Sanbar, MD, PhD, JD, FCLM, Program Chairman; Justice Marian P. Opala, Oklahoma Supreme Court, Co-Chairman; Judges Kenneth L. Buettner and John Fischer, Oklahoma Court of Civil Appeals; Carl Hook, MD, FACS, President/CEO PLICO; Senator Glenn Coffee, Co-President Pro Tempore; Dale Bratzler, DO, MPH, QIOSC Medical Director; James Mike Crutcher, MD, MPH, FACPM, Oklahoma Secretary of Health, Oklahoma State Commissioner of Health; W.A. Drew Edmondson, JD, Oklahoma State Attorney General; Curtis Harris, MS, MD, JD, FCLM, and Gerald Zumwalt, MD, Secretary, Oklahoma State Board of Medical Licensure & Supervision.

The program cost is \$100 for OSMA Physician Members, PA's and Allied Health Professionals; OSMA Non-Member Physicians \$150; and Non Physicians \$195. To register or to inquire about CME and PLICO credits, contact Sandy Deeba at [deeba@osmaonline.org](mailto:deeba@osmaonline.org) or call (405) 843-9571.