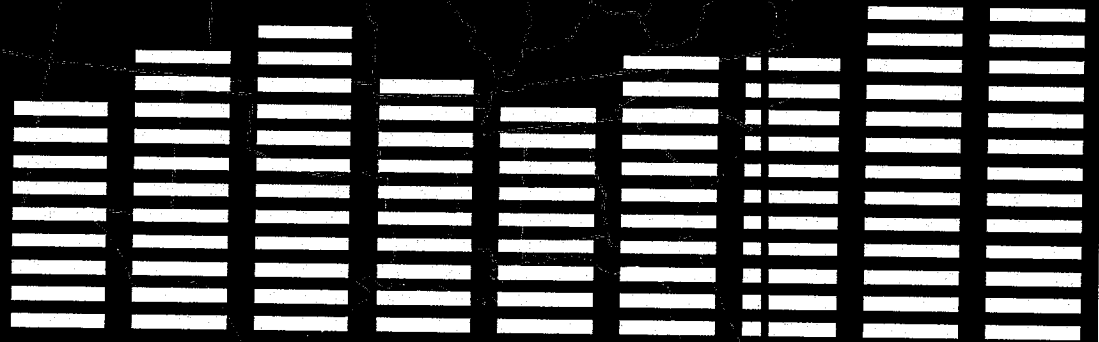


U.S. Medical Regulatory Trends and Actions



2016

State medical boards regularly contribute updates of license and discipline data to the FSMB's database. Reports from the DAS include data such as which board took a disciplinary action, the nature of the action (e.g., license revocation or suspension) and why the board took the action. Using this information, medical boards can launch their own investigations of the sanctioned physician or, in cases of particularly egregious behavior, take an emergency summary suspension against the physician's license. Medical boards may also impose a "reciprocal action" — one based on the action taken by the originating board — to prevent or limit the physician from practicing in their state.

State medical boards and organizations that employ physicians are also able to query the FSMB's Physician Data Center to obtain a practitioner profile containing license information and disciplinary actions taken against their physicians. Government agencies such as the Veterans Administration and the Centers for Medicare and Medicaid's Advanced Provider Screening solution and international regulatory authorities also access the Physician Data Center as well as credentials verification services, hospitals, insurance carriers, physician associations, medical groups, medical societies, managed care organizations, and physician placement services. In 2015, more than 340,000 queries were made to the FSMB's Physician Data Center, including 89,315 queries by state medical boards.

2015 Physician Disciplinary Actions and Trends

The *U.S. Medical Regulatory Trends and Actions* report provides aggregated national data about medical licensing and disciplinary trends as well as key data about state board governance and activities. It does not provide detailed, comprehensive and comparative data about medical board disciplinary activities on a state-by-state basis. Detailed information about the activities of specific states is available from individual state boards, which can be contacted using the board directory in Section I of this report or by visiting www.fsmb.org. National regulatory information included in this report has been compiled using the FSMB's Physician Data Center.

Modern medical boards are using better tools in their efforts to discipline physicians, a trend which may help account for changes in the number and types of actions state boards take against physicians licensed in their jurisdictions. With relatively minor fluctuations, more than 4,000 physicians per year have received actions from state boards during the past eight years (Figure 1).

A comparison of data from 2015 and 2008 demonstrates some categories of board actions have experienced increases, particularly reprimands, requirements for additional continuing medical education, licenses surrendered and revocations. Others, such as restrictions and suspensions, have remained about the same, while actions related to administration, fines, probation, conditions imposed and licenses denied have seen decreases (Figure 2).

Key 2015 U.S. Statistics — Disciplinary Actions

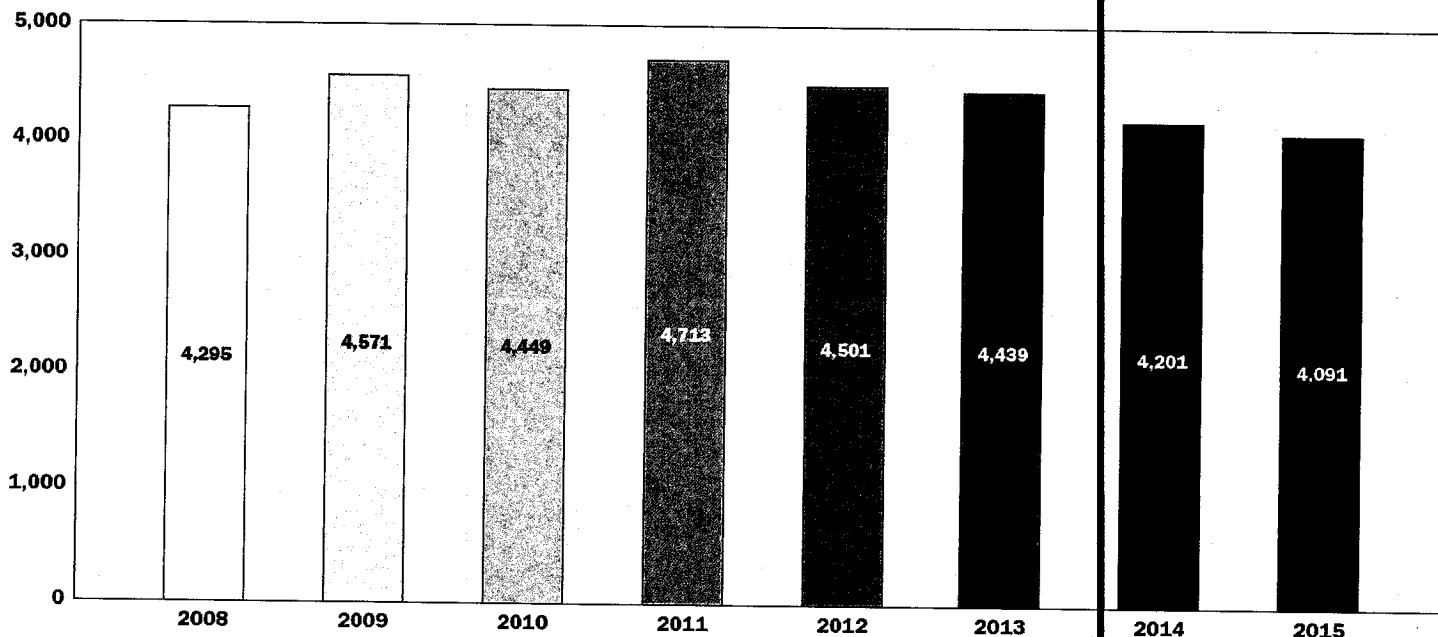
State Medical Board Actions	2015
Total state medical board actions	7,942
Board actions by category	
License Restricted	1,238
Reprimand	1,043
Administrative	840
Fine	831
Suspension	706
Probation	693
CME Required	687
Conditions	582
Surrendered	448
Revoked	290
Denied	141
Other	443
Reciprocal actions taken by state boards	1,197
Number of disciplinary alerts issued by the FSMB	12,555
Number of physicians disciplined	4,091
Physicians put on probation	655
Physicians with a license suspension	594
Physicians with a license revocation	267

Source: Federation of State Medical Boards

State medical boards often work together to discipline physicians who practice in multiple jurisdictions. According to FSMB data, 21% of U.S. physicians hold two or more active licenses from different state medical boards. When a state medical board is notified that a physician licensed in its jurisdiction received a board action in another jurisdiction, the board can choose to open its own investigation or in many cases will choose to take a reciprocal action.

Based on the time sequence of physicians receiving disciplinary actions, the total disciplined physician population is comprised of three subgroups: physicians who received initial disciplinary actions; physicians who received reciprocal actions because of actions taken by other state boards; and physicians who received follow-up or additional actions taken later. As seen in Figure 3, there have been relatively minor fluctuations in the number of physicians disciplined for the first time during the past eight years. A look at the trend for reciprocal actions shows a rise in 2012 and 2013 with a return to previously seen levels in 2014 and 2015 (Figure 4).

Figure 1
Number of Physicians with a Board Action by Year



Source: Federation of State Medical Boards

Understanding Board-Action Categories

State and territorial medical boards utilize a variety of tools as they go about the process of regulating the activities of physicians and other health professionals. When issues arise — whether they are minor, such as failure to pay a fee, or more serious, such as inappropriate behavior with a patient — “board actions” may be taken by state boards, allowing them the flexibility to apply a level of disciplinary response that is appropriate for the issue being addressed. Categories of board actions include:

Administrative action: Non-punitive action that does not result in the modification or termination of a physician’s license. These actions are generally administrative and may be issued for reasons such as failure to pay a licensing fee.

Fine: In some cases, state boards may levy a monetary penalty against a physician.

CME required: Physician is required to complete continuing medical education (CME).

Conditions imposed: Physician must fulfill certain conditions to avoid further sanction by the state board.

License denied: Physician’s application for a medical license or renewal of a current license is denied.

License restricted: Physician’s ability to practice medicine is limited (e.g., loss of prescribing privileges).

License revoked: Physician’s license is terminated; individual can no longer practice medicine within the state or territory.

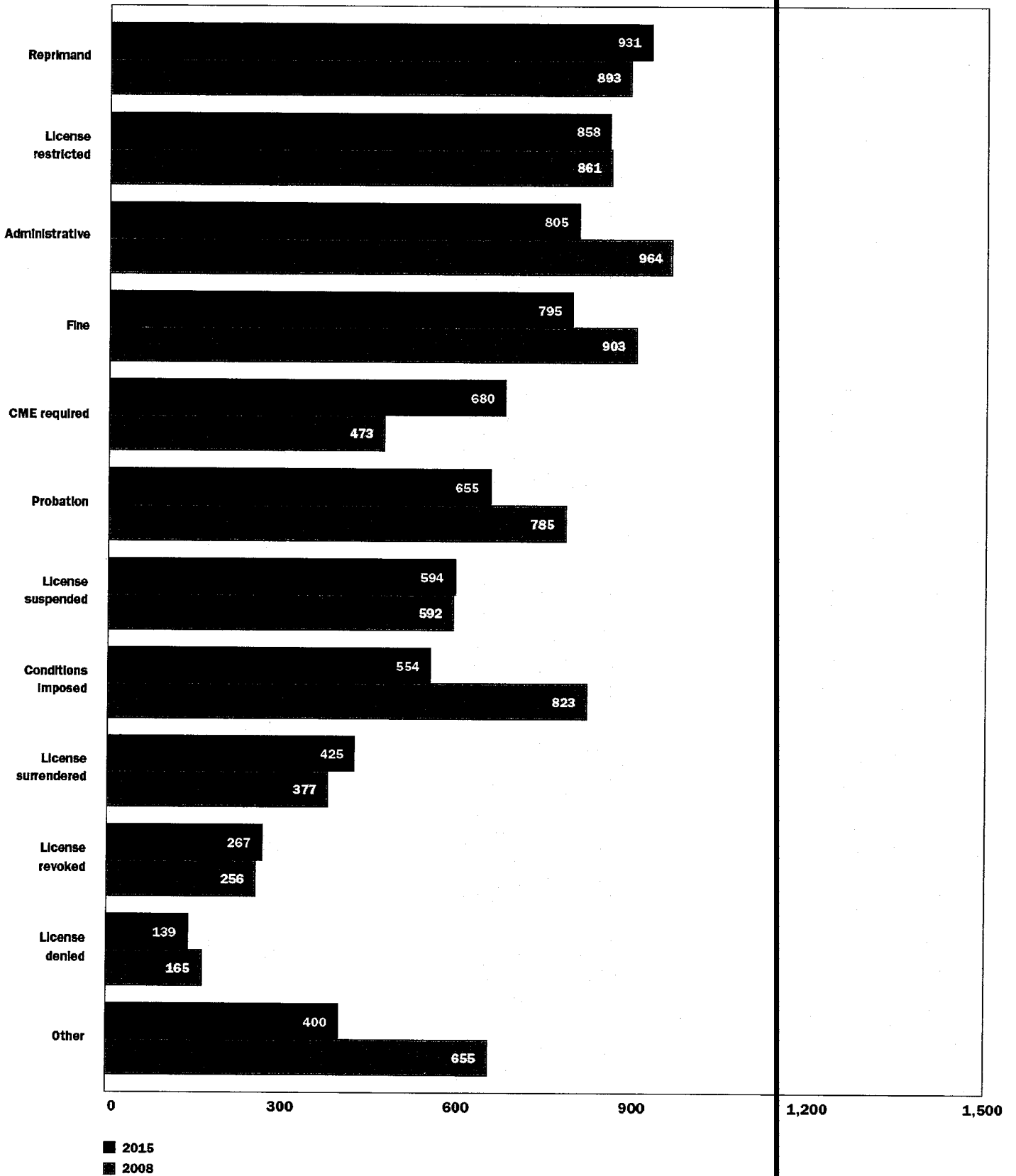
License surrendered: Physician voluntarily surrenders medical license, sometimes during the course of a disciplinary investigation.

License suspended: Physician may not practice medicine for a specified period of time, perhaps due to disciplinary investigation or until other state board requirements are fulfilled.

Probation: Physician’s license is monitored by a state board for a specified period of time.

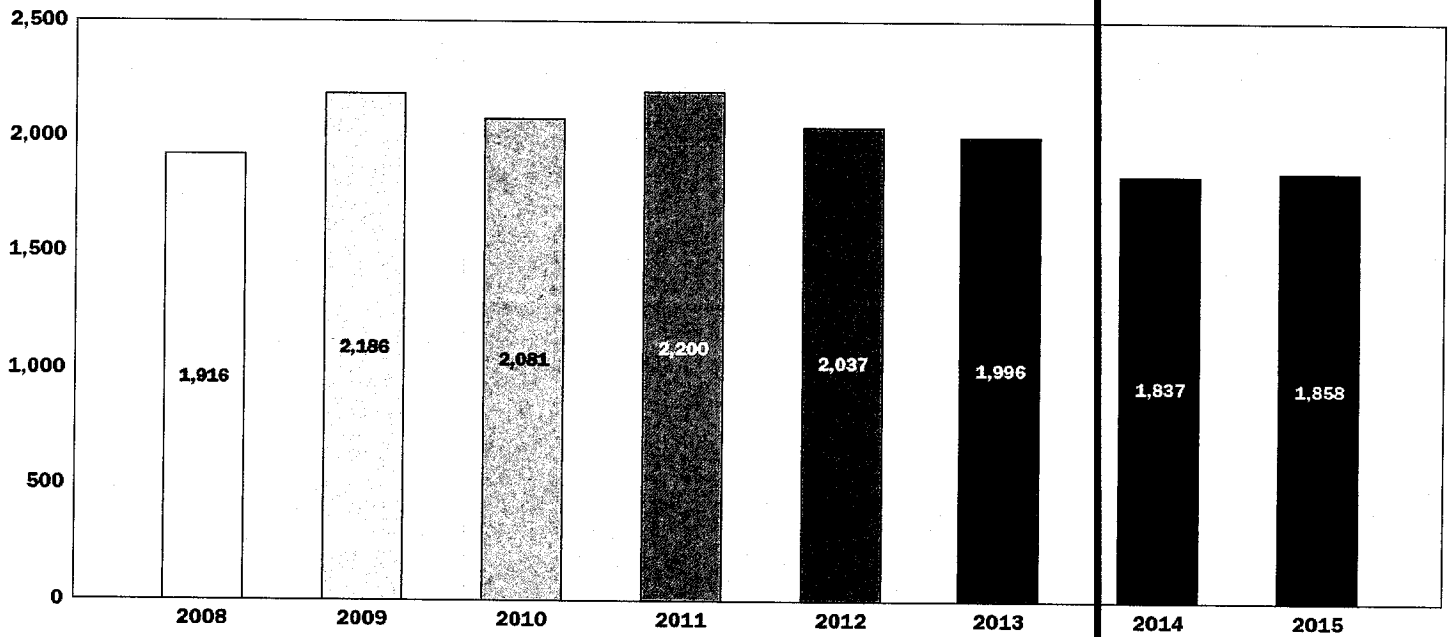
Reprimand: Physician is issued a warning or letter of concern.

Figure 2
Number of Physicians Disciplined by Category of Action, 2008 and 2015



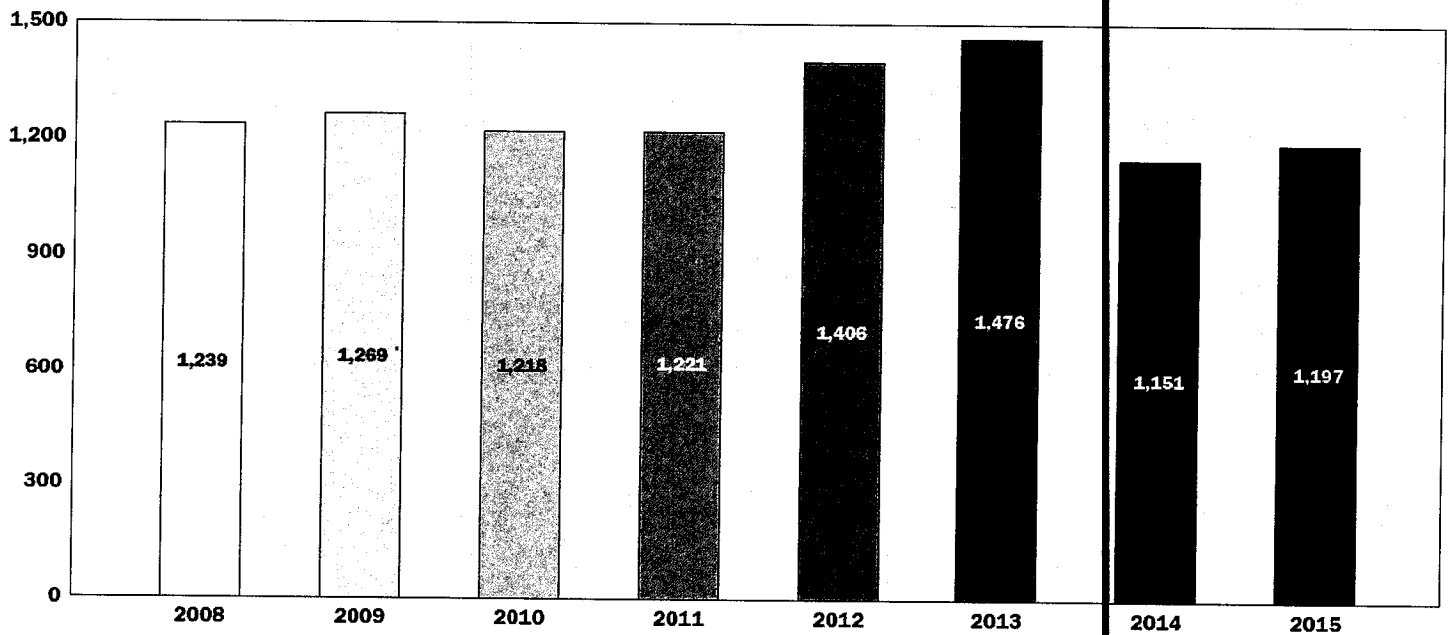
Source: Federation of State Medical Boards

Figure 3
Number of First Time Disciplined Physicians By Year



Source: Federation of State Medical Boards

Figure 4
Number of Reciprocal Actions Taken by State Boards Each Year



Source: Federation of State Medical Boards

Board Membership Composition 1

X = yes | -- = no | N/A = Not applicable
Blank = Not available at publication date

	# of total members	Total # of MD members	Total # of DO members	Total # of members from the public	Total # of allied health professional members	Length of term	# of consecutive terms allowed
AL	16	16	0	0	0	3 years	3
AK	8	5 physicians, MD/DO	Included	2	1 physician assistant	4 years	2
AZ-M	12 (1 currently vacant)	8	0	3	1 registered nurse or licensed practical nurse	5 years	2
AZ-O	7	0	5	2	0	5 years	2
AR	14	11	1	2	0	6 years	2
CA-M	15	8	0	7	0	4 years	2
CA-O	9	0	5	4	0	3 years	2
CO	16	8	3	4	0	4 years	No term limits
CT	21	12	1	7	1 physician assistant	Term ends when governor appoints replacement	
DE	16	7	2	7	0	3 years	3
DC	15 by statute	10	0	4	0	3 years	3
FL-M	15	12	0	3	0	4 years	2
FL-O	7	0	5	2	0	4 years	2
GA	16	11	2	2	1	4 years	No term limits
GU	7	5	0	0	0	24 years	2
HI	11	7	2	2	0	4 years	2
ID	10	6	1	2	0	6 years	1
IL	7 (MLB) 11 (MDB)	5 (MLB) 5 (MDB)	1 (MLB) 1 (MDB)	0 (MLB) 4 (MDB)	1 chiropractor (MLB) 1 chiropractor (MDB)	4 years (MLB) 4 years (MDB)	2 consecutive (MLB/MDB)
IN	7	5	1	1	0	4 years	No term limits
IA	10	5	2	3	0	3 years	3
KS	15	5	3	3	0	4 years	3
KY	15	10	2	3	0	4 years	No term limits
LA	7	7	0	0	0	4 years	3
ME-M	10	6	0	3	1 physician assistant	6 years	No term limits
ME-O	10	0	6	3	1	7 years	No term limits
MD	22	14	1	6	1	4 years	2
MA	7	5 physicians, whether MD or DO	Included	2	0	3 years	2
MI-M	19	10	0	8	1	4 years	2 + partial
MI-O	11	0	7	3	1	4 years	2 + partial
MN	16	Up to 10	Up to 10	5	0	4 years	2
MS	9	7	2	3	0	6 years	2
MO	9	7	2	1	0	4 years	No term limits
MP	5	2	0	0	2	4 years	2
MT	13	5	1	2	5	4 years	No term limits
NE	8	5	1	2	0	5 years	2
NV-M	9	6	0	3	0	4 years	2
NV-O	7	0	5	1	1	4 years	2
NH	11	6	1	3	1	5 years	2
NJ	21	14	1	3	2	3 years	2
NM-M	8	6	0	1	1 physician assistant	4 years	No term limits; service ends when Governor appoints a replacement
NM-O	5	0	3	2	0	5 years	N/A
NY	23 + 2 vacancies (BM) 92 (PMC)	18 (BM) 65 (PMC)	4 (2 required) (BM) 5 (PMC)	1 + 1 vacancy (BM) 22 (PMC)	1 PA + 1 vacancy (BM) 2 (PMC)	5 years (BM) 3 years (PMC)	2 (BM) No term limits (PMC)
NC	13	7	1	3	2	3 years	2
ND	13	9	1	2	1	4 years	2
OH	12	7	1	3	1 podiatrist	5 years	No term limits
OK-M	9	7	N/A	2	N/A	7 years	2
OK-O	8		6	2	0	7 years	No term limits
OR	13	7	2	2	1	3 years	2
PA-M	11	6	0	2	1	4 years	2 - professional 1 - allied
PA-O	11	0	6	2	1	4 years	2 - professional 1 - allied
PR	9	7	0	0	7	4-5 years	1
RI	13	5	2	6	0	3 years	1
SC	13	9	1	3	0	4 years	3
SD	9	6	1	2	Public members can be from allied professions	3 years	3
TN-M	12	9	5	3	0	5 years	Not specified
TN-O	6	0	5	1	0	5 years	Not specified
TX	19	9	3	7	0	6 years	No term limits
UT-M	11	9	0	2	0	4 years	2
UT-O	5	0	4	1	0	4 years	2
VT-M	17	9	0	6	2	5 years	2
VT-O	5	0	3	2	0	5 years	2
VI	7	4	0	3	0	4 years	2
VA	18	11	1	4	0	4 years	2
WA-M	21	13	0	6	0	4 years	2
WA-O	7	0	6	1	0	5 years	No term limits
WV-M	15	9	0	3	3	5 years	2
WV-O	7	0	4	2	1	5 years	2
WI	13	9	1	3	5 affiliated boards, 4 councils	4 years	2
WY	8	5 (minimum 2)	1 (minimum 1)	2	1 physician assistant	4 years	3