

## **Resolution 17-114**

(Formerly 17-309)

### **Reaffirming the Commitment of the Florida Medical Association to End Maintenance of Certification Mandates.**

Escambia/Santa Rosa County Medical Society

1       Whereas, the Florida Medical Association (FMA) gave assurances to the practicing physicians of the  
2       State of Florida that this organization was unwavering in its commitment to seek legislation to protect  
3       physicians from the unproven mandates of Maintenance of Certification (MOC); and,

4

5       Whereas, in 2014, the FMA House of Delegates passed resolution 14-201 which said, in part:  
6       "RESOLVED, That the FMA opposes any efforts to require Maintenance of Certification (MOC)  
7       program as a condition of medical licensure, or as a pre-requisite for hospital/staff privileges,  
8       employment in State of Florida / county medical facilities, reimbursement from 3rd parties, or issuance of  
9       malpractice insurance; and be it further" ; and,

10

11       Whereas, in May of 2016, the FMA Board of Governor's passed the following substitute resolution in lieu  
12       of 15-101 and 15-105 which said:

13       " That the FMA seek legislation to improve the efficiency of the health care markets and eliminate  
14       unnecessary administrative and regulatory requirements, health care providers shall not be required, by  
15       any public or private entity to comply with Maintenance of Certification requirements after  
16       achieving initial board certification, other than the continuing medical education (CME) requirements  
17       set by the health care provider's licensing board." ; and,

18

19       Whereas, during the 2017 legislative session, the FMA endorsed substitution amendments to the anti-  
20       MOC bill in the Florida Senate (SB 1354) which went against its stated policy, and these amendments  
21       deleted the original language of the bill which would have banned MOC for medical licensure, hospital  
22       staff membership and participation in insurance company contracts, ; and,

23

24       Whereas. these FMA-supported amendments to SB 1354 allowed for an increase in the authority of the  
25       Florida State Board of Medicine by mandating, that it, the Board of Medicine, allow for the creation of  
26       multiple physician "certifying" entities in the State of Florida; and,

26

27

28       Whereas, these FMA-supported amendments to SB 1354 stated that the newly created "certifying"  
29       entities would be prohibited from mandating MOC, but hospitals, insurance companies were not  
30       explicitly prohibited from using MOC against physicians; and,

31

32       Whereas, these FMA-supported amendments to SB 1354 allowed that a physician must receive formal  
33       recognition as a specialist from a specialty board of the American Board of Specialty Medicine or other  
34       recognizing agencies ( Le. "certifying" entities] in order to be recognized as "board certified" ; and,

35

36       Whereas, these FMA supported amendments to SB 1354 allowed that an osteopathic physician must  
37       complete requirements for certification through the American Osteopathic Association or the  
38       Accreditation council on Graduate Medical Education in order to be recognized as "board certified";  
39       and,

40

41

42 Whereas, these FMA-supported amendments to S6 1354 defined criteria for re-certification by the  
43 newly approved "certifying" entities which included minimal number of CME's, and participation in  
44 ongoing practice improvement programs Which, as defined, appears to be another form of MOC.; and,  
45

46 Whereas, the amended changes to Senate Bill 1354 did not reflect the will of the House of Delegates or  
47 the Board of Governors of the FMA and the entire anti-MOC legislative effort failed; and  
48

49 RESOLVED, the FMA reaffirms its policy that the Florida Medical Association opposes any efforts to  
50 require Maintenance of Certification (MOC) as a condition of medical licensure, or as a pre-requisite for  
51 hospital/staff privileges, employment in State of Florida/county medical facilities, reimbursement from  
52 3rd parties, or Issuance of malpractice insurance.  
53

54 RESOLVED, the FMA reaffirms it's policy that health care providers shall not be required, by any public  
55 or private entity to comply with Maintenance of Certification requirements after achieving initial board  
56 certification, other than the continuing medical education (CME) requirements set by the health care  
57 provider's licensing board:  
58

59 RESOLVED the FMA will actively support legislation that advances their stated policy on Maintenance of  
60 Certification and will actively oppose legislation that does not prohibit the use of MOC for hospital  
61 medical staff privileges, medical licensure, or third party contracting or reimbursement.  
62

63 RESOLVED, the FMA will oppose legislation that grants any state/private agency the authority to create  
64 additional "certifying" entities, which could include hospitals and insurance companies, and the FMA will  
65 not apply to become a "certifying" entity.

Fiscal Note:

Description	Amount	Budge! Narrative
500 staff hours	\$77.500	Can be accomplished with current 5staff
Total	\$77,500	\$0 added to the operating budget

*Fiscal notes are an estimate of the cost to implement a given Resolution. All Resolutions that are adopted by the House of Delegates will be referred to the FMA Committee on Finance and Appropriations for fiscal consideration.*

Reference Committee: III-legislation and Miscellaneous