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3 **Title: Maintenance of Certification versus CME and Lifelong**  
4 **Commitment to Learning**

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6 **Introduced by: Martin S. Dubravec, MD**

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8 **Original Author: Martin S. Dubravec, MD**

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10 **Referred to: Reference Committee E**

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12 **House Action: Adopted**  
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15 **Whereas, MSMS is actively engaged in advocacy to protect physicians**  
16 **from unnecessary regulatory and financial burdens in their practices, and**  
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18 **Whereas, the American Board of Medical Specialties (ABMS) has pressed**  
19 **and continues to press for legislation coupling insurance payments to active**  
20 **enrollment in “time limited” board certification and their associated**  
21 **Maintenance of Certification program in a nationwide fashion; thereby,**  
22 **imposing this upon the practice of medicine in Michigan<sup>1</sup>, and**  
23

24 **Whereas, the Maintenance of Certification program is expensive,**  
25 **unproven, and directed toward bureaucratic compliance and entry level medical**  
26 **knowledge, and**  
27

28 **Whereas, the Maintenance of Certification program wastes resources by**  
29 **requiring participation in time limited Maintenance of Certification-Continuing**  
30 **Medical Education (CME) programs directly and selectively benefiting only the**  
31 **ABMS<sup>2,3</sup>, and**  
32

33 **Whereas, the ABMS has changed the concept of board certification for**  
34 **life to “time limited” and further implemented yearly participation enrollment**  
35 **(maintenance of certification) despite active physician opposition, and**  
36

37 **Whereas, the American Medical Association’s (AMA’s) Physician**  
38 **Recognition Award and CME program was successfully formed in the late**  
39 **1960’s and meets all needs for documenting lifelong commitment to learning to**  
40 **include individual physician’s choice and competitive offering of educational**  
41 **materials in CME<sup>4</sup>, and**  
42

43 **Whereas, these ABMS national efforts continue to impose additional**  
44 **burdens on the physicians of Michigan in an adverse manner, and have**  
45 **resulted in active AMA opposition on a national level<sup>5</sup>, and**  
46

47 **Whereas, these Maintenance of Certification processes invoke economic**  
48 **credentialing that is detrimental to physician availability and patient care, which**  
49 **immorally impacts patient care by requiring active experimentation without**

50 requiring patient informed consent in violation of the Nuremberg code of 1947,  
51 under some Practice Improvement Modules<sup>6,7</sup>; therefore be it

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53 **RESOLVED:** That MSMS seek legislation in Michigan that will prohibit  
54 discrimination by hospitals and any employer, the Michigan Board of Medicine,  
55 insurers, Medicare, Medicaid, and other entities, which might restrict a  
56 physician's right to practice medicine without interference (including economic  
57 discrimination by varying fee schedules) due to lack of participation in  
58 prescribed corporate programs including Maintenance of Certification or  
59 expiration of time limited board certification.

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62 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**

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<sup>1</sup> Center For Medicare Services: The Physician Quality Reporting System  
Maintenance of Certification Program Incentive Requirements of Self-Nomination for 2012  
[http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/PQRS/downloads/2012\\_Maintenance\\_of\\_Certification\\_Requirements\\_2.pdf](http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/PQRS/downloads/2012_Maintenance_of_Certification_Requirements_2.pdf)

<sup>2</sup> Levinson W, King TE Jr, Goldman L, Goroll AH, Kessler B. Clinical decisions.  
American Board of Internal Medicine Maintenance of Certification Program. *N Engl J Med* 2010;362:948-952.

<sup>3</sup> Kritek PA, Drazen JM. Clinical decisions: American Board of Internal Medicine Maintenance of Certification Program—polling results. *N Engl J Med* 2010;15;362(15):e54.

<sup>4</sup> American Medical Association. AMA PRA BOOKLET. <http://www.ama-assn.org/resources/doc/cme/prabooklet.pdf>

<sup>5</sup> Kempen PM. Maintenance of Certification (MAINTENANCE OF CERTIFICATION), Maintenance of Licensure (MAINTENANCE OF LICENSURE), and continuing medical education (CME): the regulatory capture of medicine. *J Am Phys Surg* 2012;17:72-5. Available at: <http://www.jpands.org/vol17no3/kempen.pdf> . Accessed Dec 27, 2012.

<sup>6</sup> THE AMERICAN BOARD OF ANESTHESIOLOGY, INC: PRACTICE PERFORMANCE ASSESSMENT AND IMPROVEMENT HOW TO COMPLETE A CASE EVALUATION.  
[http://www.theaba.org/pdf/Case\\_Evaluation\\_Explanation\\_and\\_Samples.pdf](http://www.theaba.org/pdf/Case_Evaluation_Explanation_and_Samples.pdf)

<sup>7</sup> Jewish Virtual Library: The Nuremberg Code (August 19, 1947)  
[http://www.jewishvirtuallibrary.org/jsource/Holocaust/Nuremberg\\_Code.html](http://www.jewishvirtuallibrary.org/jsource/Holocaust/Nuremberg_Code.html)