



October 24, 2017

The Honorable Stephen Huffman
Ohio House of Representatives
77 South High Street, 12th Floor
Columbus, Ohio 43215

Dear Chairman Huffman,

We are writing on behalf of the Medical Staff of the Ohio State University Wexner Medical Center regarding HB273 which would prohibit the use of Maintenance of Certification (MOC) by the State Medical Board of Ohio, insurance companies, hospitals and other health care facilities as a criterion for licensure, reimbursement, physician membership or employment, respectively.

At the October 11, 2017 meeting of the leadership of the Medical Staff, we voted to formally oppose the provisions in the draft bill which prohibit the use of MOC for employment or clinical privileging within a hospital or other health care facility. We did not take a position on the other two provisions of the bill related to the State Medical Board or insurance company panels.

Our institution believes that our physicians being board certified will help ensure that our physicians are delivering high quality, safe and effective patient care and also that board certification is a distinction that is valuable to differentiate us from other health care providers in the region. While many would agree that the MOC process as implemented by some board certifying organizations has not been optimally conceived, we believe that the profession is working effectively with board certifying organizations to reform the MOC process so that it better meets the needs of physicians.


We are opposing the provisions of the bill related to employment and medical staff privileging for the following reasons:

- We believe that the Legislature should not micromanage the independent business relationship between physicians with either their employer or the facility at which they work when those relationships are not discriminatory in any way (i.e., restrictions related to race, color, national origin, etc).
 - We believe that the standard of board certification is an academic and professional distinction which is provided to individual physicians based on merit and effort, and, therefore is a valid item to be used to define requirements in either an employment or privileging relationship.
 - Similarly, we would be just as opposed to a bill which stated that every employer or health care facility would be required to use board certification and MOC as a minimum requirement for employment or privileging in a facility.
 - In terms of employment, these decisions should be left up to employers/employees in the process of contracting. In terms of privileges, the medical staff is a semi-autonomous body and should be able to develop requirements for medical staff membership that are consistent with the mission of their organization as a part of the respective medical staff bylaws for their organization.

- In addition, as an academic institution, our graduate medical education programs are designed to prepare our graduates to become eligible for and then to complete the process for board certification.
 - In fact, an outcome metric used by our GME accrediting body (the Accreditation Council for Graduate Medical Education – the ACGME) is the “board pass rate” for each program.
 - The ACGME’s accreditation standards also require that we have program directors and faculty members who are board certified.
 - As an institution, our medical staff bylaws require continuous board certification for our physicians. This is consistent with the mission of our organization and with the expectations of our national accrediting body.
 - Similarly, our physician employment contracts for clinical faculty require a physician to maintain their medical staff privileges at OSU, which by definition includes the requirement to maintain board certification as stated above.
 - However, we do have a process for a board certification waiver that we apply to members of the medical staff who trained overseas and who are not eligible to sit for their boards in the US in some specialties. We also use the waiver process if a physician fails to meet the maintenance of certification standards for their specialty to allow them a credentialing cycle to regain that status. These waivers are approved through the medical staff committee process and eventually approved by the Quality and Professional Affairs Committee of the Wexner Medical Center Board.

In summary, the use of board certification and, by extension, maintenance of certification, is a critical aspect of our medical staff bylaws and our physician employment agreements. We believe that the medical staff should be able to self-determine the requirements for membership on the medical staff and that the state legislature should not micromanage this issue. If we choose to have a higher standard than basic licensure for our physicians, that should be our decision.

Please contact us through Jennifer Carlson at 614-293-0346 if you have any questions or need any clarifications to this letter.

Sincerely yours,


Naeem A. Ali, MD
Medical Director, University Hospital
The Ohio State University Wexner Medical Center
Naeem.ali@osumc.edu
614-366-6047

cc: Ohio House Health Committee