



January 9, 2018

State Medical Board of Ohio
30 E. Broad Street, 3rd Floor
Columbus, OH 43215

Re: Confidential Monitoring Program

Dear Medical Board Members,

On behalf of the Medical Association Coalition (MAC) and entities referenced below, we are submitting this letter to share our collective view on the development of the State Medical Board of Ohio's confidential monitoring program and corresponding proposed rules 4731-28-02, 4731-28-03, 4731-28-04, and 4731-28-05.

As you are aware, the MAC identified several concerns related to the draft rules, including: the program as drafted determines entry into the confidential monitoring based on diagnosis or condition and not conduct; is not truly confidential, could aggravate existing mental or physical health conditions, and lacks adequate due process.


A meeting of the MAC was held in late December to further discuss our concerns. While we continue to believe that any process – even if it is better than what we currently have – that is perceived as punitive will be a deterrent to physicians voluntarily seeking treatment at the earliest onset of symptoms, we have decided to table our concerns if the Board would be willing to introduce the program with the agreement that more data needs to be collected.


In order to determine the effectiveness of the confidential monitoring program and its utilization, we would kindly request that de-identified reports be made available to the members of the Medical Association Coalition on a six-month interval. Having data to assess how many physicians are taking advantage of this new process will help both the medical board and our associations determine if it is an effective tool and reaching physicians with mental health issues.

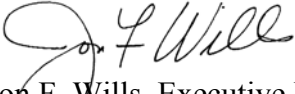
We appreciate the opportunity to provide comments on this program and look forward to additional discussion as it is implemented. As stated previously, we are committed to working together with the Medical Board staff and members to encourage physicians to voluntarily seek treatment for symptoms of a mental illness – at the earliest onset of symptoms – without the fear of retribution or before doing harm to their patients or themselves.

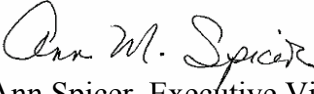
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Sincerely,



Janet Shaw, MBA, Executive Director
Ohio Psychiatric Physicians Association



Todd Baker, Chief Executive Officer
Ohio State Medical Association



Jon F. Wills, Executive Director
Ohio Osteopathic Association



Ann Spicer, Executive Vice-President
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