



News from MSSNY

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COMMENTS OF MICHAEL ROSENBERG, MD, IN RESPONSE TO NYPIRG REPORT ON PHYSICIAN DISCIPLINE

ALBANY, NY (5/28/2008) – “New York State has regularly ranked among the top of the larger states in the country with regard to the number of serious disciplinary actions taken against its physicians, according to reports issued by the Federation of State Medical Boards. It is important to note that New York’s record for disciplining physicians far outpaces states with similarly-sized physician populations – such as California, Florida and Texas, and neighboring states such as Connecticut, Massachusetts, New Jersey and Pennsylvania. This is the direct result of the critical support provided by the medical profession in New York in the mid-1990s to provide significant new resources dedicated to enhance the disciplinary system.

The physicians of the Medical Society of the State of New York have been – and remain – committed to enhancing the quality of medical care provided to our patients. The prevention of adverse medical outcomes through enhanced quality is far more productive than any punitive measure taken after the fact. Physicians are actively engaged at every level in quality enhancement initiatives. The Medical Society of the State of New York actively encourages its members to continue their medical education throughout their professional careers through its strong and active support of the continuing medical education system. Physicians have also long advocated for protection of the peer review process from discovery, so that physicians can actively and openly discuss potential systemic problems and prevent harm from coming to our patients. No other profession or occupation provides a level of quality improvement initiatives as rigorous as those of the medical profession.

That being said, we also recognize the importance of appropriate disciplinary action in situations involving unprofessional conduct. We have worked for many years to help New York achieve a discipline process that expeditiously identifies misconduct and equitably punishes it. We are committed to improving that process where deficiencies have been identified, both with regard to protecting the public as well as assuring that physicians are accorded necessary due process protections.

When the Medical Malpractice Liability Advisory Task Force was formed almost one year ago, the Medical Society of the State of New York stated its support for Task Force action in four major areas – tort reform, premium relief, medical liability carrier stability, and enhanced quality. With physician liability insurance premiums having increased 55-80% over the last five years, with additional premium increases and potentially significant surcharges possible when the Superintendent of Insurance sets the medical liability premiums for the 2008-2009 policy year on July 1, and with ongoing efforts of both public and private health insurers to reduce physician reimbursement – legislative action in each of these areas is necessary to assure a stable health care system.”