

Title: Oppose Direct to Consumer Advertising of the ABMS MOC Product

Introduced by: Domenic Federico, MD, for the Kent County Delegation

Original Author: Megan Edison, MD

Referred to: Reference Committee B

House Action: **AMEND, APPROVE**

Whereas, there are no studies linking physician's participation in the American Board of Medical Specialties (ABMS) Maintenance of Certification (MOC) product with a positive effect on the quality or cost of care, and

Whereas, advertising medical products and processes directly to patients bypasses the critical filter of physicians who can help patients decipher complicated medical concepts, and

Whereas, there is no regulatory proof required for these direct-to-consumer advertising campaigns, making it difficult to refute these claims in the marketplace of ideas, and

Whereas, existing AMA policy H-105.988 opposes direct-to-consumer advertising of prescription drugs and implantable devices for the ethical concerns of misleading information and corporate interference with the doctor-patient relationship, and

Whereas, the American Board of Medical Specialties has launched a direct-to-consumer campaign at certificationmatters.org, and

Whereas, subspecialty boards such as the American Board of Pediatrics are following suit with mycertifiedpediatrician.org, and

Whereas, these advertising campaigns contain misleading information linking quality care to the board certification product, and

Whereas, these advertising campaigns direct patients and families to search misleading databases that eliminate the names of physicians who have passed multiple board exams over decades, but choose not to participate in MOC, and

Whereas, these campaigns do not mention alternate certification boards where a physician may be certified, and

Whereas, these direct-to-consumer campaigns with misleading and incomplete information have potential to harm the physician-patient trust and relationship; therefore be it

RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask our AMA to oppose direct-to-consumer marketing of the American Board of Medical Specialties Maintenance of Certification (MOC) product in the form of print media, social media, apps, and websites that specifically target patients and their families including but not limited to the promotion of false or misleading claims linking MOC participation with improved patient health outcomes and experiences where no such evidence or documentation exists; and be it further

RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask our

AMA to amend existing AMA policy, Maintenance of Certification and Osteopathic Continuous Certification D-275.954, by addition (bold type) as follows:

36: Direct the ABMS to ensure that any publicly accessible information pertaining to maintenance of certification (MOC) available on ABMS and ABMS Member Boards websites or via promotional materials includes only statistically validated, evidence based, data linking MOC to patient health outcomes.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE

Amendment Note: Conceptually the Committee was overwhelmingly supportive of this resolution and agreed with the rationale of the author. The Committee reviewed the resolution in the context of the testimony that was provided and made some wording changes to better align with the intent. Specifically, the Committee was concerned that the original wording was ambiguous enough that a group like an ABMS board might choose to use data supporting their claim, that is not relevant or valid. In other words, the Committee wanted to strengthen the language so as not to provide a loophole for groups that might choose to misrepresent findings.