

News Release
Informed Patient Institute and Patient Safety Action Network

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**State Medical Boards Fail to Communicate Clearly
about Physician Sexual Misconduct**

A new report finds that medical boards fail to give the topic of sexual misconduct the attention it deserves in their online communication with the public. Boards buried information for the public and for physicians on their websites in outdated policy papers, confusing statements about board attitudes or by referring readers to difficult-to read laws or regulations. Most had no information at all on their website.

The report, *Communicating about Sexual Misconduct: How are State Medical Boards Doing?*, looked at how easy it was to find and understand information about physician sexual misconduct on 64 state medical and osteopathic board websites. It was researched by patient safety advocates with the Informed Patient Institute and the Patient Safety Action Network, both national patient-focused nonprofits working on patient safety and quality.

Physician sexual misconduct is defined by the Federation of State Medical Boards as:

“...behavior that exploits the physician-patient relationship in a sexual way. Sexual behavior between a physician and a patient is never diagnostic or therapeutic. The behavior may be verbal or physical, can occur in person or virtually, and may include expressions of thoughts and feelings or gestures that are of a sexual nature or that a patient or surrogate may reasonably construe as sexual.”

“We found that boards too often hide behind softened and euphemistic language like ‘boundary issues’ and ‘unprofessional conduct.’ This fails to put doctors on notice of possible disciplinary consequences for sexual misconduct and fails to protect patients by informing them that this conduct is one of the most serious violations of the physician-patient relationship,” said Carol Cronin, Executive Director of the Informed Patient Institute.

Despite recent significant coverage of physician abuse cases across the country, the report found few medical board policies of zero tolerance of sexual misconduct. There was also limited information for patients about what types of behavior they can expect when being physically examined by a physician. No state provided information on the number of sexual misconduct complaints pending against a physician, despite the fact

that investigations may take months to years to conclude while physicians can still practice.

“Communication on their websites is one of the easiest steps state boards can take to show that physician sexual misconduct is important and by declaring they have zero tolerance policies against it,” said Lisa McGiffert, Board President of the Patient Safety Action Network. “Yet most boards do not give the slightest attention to the subject.”

The report makes recommendations to state medical boards to provide clear and specific information and resources on their websites, audit website information and update accordingly, use consistent terminology that reflects the seriousness of these violations, produce educational information for patients about how to report sexual misconduct, provide routine training to board staff in collaboration with local organizations working to end sexual violence, and support and enforce laws requiring physicians to report when they have knowledge of sexual misconduct by another doctor.

The report can be found here: <https://www.patientsafetyaction.org/>

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The report, authored by Carol Cronin, Executive Director of the Informed Patient Institute (IPI) (<https://www.informedpatientinstitute.org/>) and Lisa McGiffert, Board President, Patient Safety Action Network (PSAN) (<https://www.patientsafetyaction.org/>) continues work published in January 2022: Looking for Doctor Information Online: A Survey and Ranking of State Medical and Osteopathic Board Websites in 2021

<https://www.patientsafetyaction.org/wp-content/uploads/2022/03/Looking-for-Doctor-Information-Online-1-7-22.pdf> and

<https://www.informedpatientinstitute.org/pdf/LookingForDoctorInformationOnline%20-%20Jan2022.pdf>.

The project was overseen by the Medical Board Roundtable—a national coalition of patient and consumer advocates interested in increasing public awareness and responsiveness of state medical boards to patients, families and the public.

For more information: <https://www.patientsafetyaction.org/medical-board-round-table>