



Deborah B. McCarthy

*Bill Analysis*  
Legislative Service Commission

## **H.B. 475**

123rd General Assembly  
(As Introduced)

**Reps. Van Vyven, Schuring, Ogg, DePiero, Evans, Grendell, Flannery,  
Womer Benjamin, Young, Trakas**

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### **BILL SUMMARY**

- Requires the State Medical Board to develop physician profiles and make them available to the public.

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### **CONTENT AND OPERATION**

#### **Physician profiles**

(sec. 4731.28)

The bill requires the State Medical Board to develop an individual profile of each physician authorized to practice medicine and surgery or osteopathic medicine and surgery in Ohio and to make the profiles available to the public. Prior to release to the public, the Board is required to provide each physician with a copy of the physician's profile and a reasonable time to correct factual inaccuracies that appear in the profile.

#### **Contents of profile**

Each profile must include all of the following:

- (1) Names of medical schools and dates of graduation;
- (2) Graduate medical education;
- (3) Specialty board certification;
- (4) Number of years in practice;
- (5) Names of hospitals where the physician has privileges to practice;
- (6) The physician's primary practice location;

(7) Identification of any translating services that may be available at the physician's primary practice location;

(8) A statement of whether or not the physician participates in the Medicaid program;<sup>1</sup>

(9) Appointments to medical faculties and an indication as to whether the physician has had responsibility for graduate medical education during the preceding ten years;

(10) Information regarding publications in peer-reviewed medical literature during the preceding ten years;

(11) Information regarding professional or community service activities and awards;

(12) A list of all medical malpractice court judgments, medical malpractice arbitration awards, and insurance settlements, in the preceding ten years in which a payment was awarded to a complaining party;

(13) A detailed description of any final disciplinary actions taken within the preceding ten years by the Board or a professional licensing board of another state;

(14) A detailed description of either of the following that occurred in the preceding ten years:

(a) Revocation or involuntary restriction of privileges to practice in a hospital for reasons related to competence or character that were taken by the hospital's governing board or an official of the hospital after procedural due process was afforded;

(b) Resignation from or nonrenewal of medical staff membership or the restriction of privileges to practice at a hospital taken in lieu of or in settlement of a pending disciplinary case related to competence or character.

(15) A listing of any felonies or misdemeanors determined by the Board to be serious misdemeanors of which the physician was convicted, or to which the physician pleaded guilty or no contest within the preceding ten years.

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<sup>1</sup> "Medicaid" is a federal and state funded program that provides medical assistance to low-income individuals who meet eligibility criteria (Revised Code Chapter 5111.).

Information described in (12) must be reported in a minimum of three graduated categories indicating the level of significance of the award or settlement. In addition, the information must be put in context by comparing an individual physician's medical malpractice judgment awards and settlement to the experience of other physicians within the same specialty. Information concerning all settlements must include the following statement:

"Settlement of a claim may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice occurred."

The Board is authorized to provide further explanatory information regarding the significance of categories in which settlements are reported.

**Availability of profiles**

The bill requires the State Medical Board to make the profiles available to the public without charge, both in printed form and computerized form for distribution over the Internet. In addition, the Board must maintain a toll-free telephone number through which any person may request information regarding any of the physician profiles. On request for a copy of a physician profile by mail, the Board is required to send the profile to the requesting person without charging for postage or other associated costs.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	10-08-99	p. 1240

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