

REPORT OF THE COUNCIL ON ETHICAL AND JUDICIAL AFFAIRS

CEJA Report 10 - A-04

Subject: Judicial Function of the Council on Ethical and Judicial
Affairs – Annual Report

Presented by: Michael S. Goldrich, MD, Chair

1 At the 2003 Annual Meeting, the Council on Ethical and Judicial Affairs (CEJA) presented a
2 detailed explanation of its judicial function. This undertaking was motivated in part by the
3 considerable attention the concept of professionalism has received in many areas of medicine,
4 including the concept of professional self-regulation. The informational report addressed the
5 categories of physicians whose ethical conduct may be investigated (AMA members and applicants
6 for membership); the evidence CEJA considers when it makes a determination; the types of
7 disciplinary sanctions CEJA can impose; and other procedural aspects of the disciplinary peer
8 review process.

9

10 With regard to the types of disciplinary sanctions CEJA can impose, the report listed the following
11 sanctions: rejection of an application; acceptance of an application, but conditioned on terms of
12 probation; expulsion of an existing member; probation of an existing member; suspension of an
13 existing member; or admonishment, reprimand, or censure. It also explained that decisions, to the
14 extent required under the procedures of the Health Care Quality Improvement Act, are reported to
15 the National Practitioner Data Bank and to the respective state or national medical specialty
16 societies.

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18 At this 2004 Annual Meeting of the House of Delegates, CEJA also presents a report that addresses
19 Resolution 2, I-03, “Discipline of Impaired Physicians by CEJA,” in which a monitoring status is
20 explained further as an alternative to a reportable sanction.

21

22 Finally, the 2003 informational report included a tabulation of CEJA’s judicial activities for the
23 year, which represented the first such annual report. In the appendix to this report, a tabulation of
24 CEJA’s most recent activities is presented.

Appendix

**CEJA Judicial Function
June 14, 2003 ~ March 1, 2004**

| Physician Members and/or Applicants | SUMMARY OF CEJA ACTIVITIES |
|-------------------------------------|--|
| | |
| 1 | Determination of no probable cause |
| 15 | Plenary hearings, after findings of probable cause |
| 13 | Final determinations without a plenary hearing, after findings of probable cause (hearing waived or non-response to the offer) |
| 15 | Members currently on probation and reviewed semi-annually |

| Physician Members and/or Applicants | FINAL ACTIONS |
|-------------------------------------|-----------------------------------|
| | |
| 2 | No discipline imposed |
| 4 | Probation |
| 5 | Monitoring |
| 2 | Probation completed |
| 10 | Revocation (existing AMA members) |
| 3 | Suspension |
| 6 | Denial (applicants) |
| 0 | Censure/Admonishment |

| Physician Members and/or Applicants | REPORTS OF POSSIBLE VIOLATIONS |
|-------------------------------------|--|
| | |
| 45 | Initial letters informing physician of CEJA's review |
| 40+ | Physicians currently under consideration for possible notification |
| 200 | Approximate number of physicians reviewed by staff that do not require further attention |