

REPORT OF THE COUNCIL ON ETHICAL AND JUDICIAL AFFAIRS*

CEJA Report 7-A-09

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

Presented by: Regina M. Benjamin, 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 professionalism has received in many areas of medicine, including the
4 concept of professional self-regulation.

5
6 CEJA has authority under the Bylaws of the American Medical Association (AMA) to disapprove
7 a membership application or to take action against a member. The disciplinary process begins when
8 a possible violation of the Principles of Medical Ethics or illegal or other unethical conduct by an
9 applicant or member is reported to the AMA. This information most often comes from statements
10 made in the membership application form, a report of disciplinary action taken by state licensing
11 authorities or other membership organizations, or a report of action taken by a government tribunal.
12

13 The Council rarely re-examines determinations of liability or sanctions imposed by other entities.
14 However, it also does not impose its own sanctions without first offering a hearing to the physician.
15 CEJA can impose the following sanctions: applicants can be accepted into membership without any
16 condition, placed under monitoring, or placed on probation. They also may be accepted but be the
17 object of an admonishment, a reprimand, or censure. In some cases, their application can be
18 rejected. Existing members similarly may be placed under monitoring or on probation, and can be
19 admonished, reprimanded or censured. Additionally, their membership may be suspended or they
20 may be expelled. Rules for review of membership can be found at [http://www.ama-](http://www.ama-assn.org/ama/pub/about-ama/our-people/ama-councils/council-ethical-judicial-affairs/governing-rules/rules-review-membership.shtml)
21 [assn.org/ama/pub/about-ama/our-people/ama-councils/council-ethical-judicial-affairs/governing-](http://www.ama-assn.org/ama/pub/about-ama/our-people/ama-councils/council-ethical-judicial-affairs/governing-rules/rules-review-membership.shtml)
22 [rules/rules-review-membership.shtml](http://www.ama-assn.org/ama/pub/about-ama/our-people/ama-councils/council-ethical-judicial-affairs/governing-rules/rules-review-membership.shtml).
23

24 Beginning with the 2003 report, the Council has provided an annual tabulation of its judicial
25 activities to the House of Delegates. In the appendix to this report, a tabulation of CEJA's activities
26 during the most recent reporting period is presented.

* Reports of the Council on Ethical and Judicial Affairs are assigned to the reference committee on Amendments to Constitution and Bylaws. They may be adopted, not adopted, or referred. A report may not be amended, except to clarify the meaning of the report and only with the concurrence of the Council.

**CEJA JUDICIAL FUNCTION
STATISTICS**

MARCH 1, 2008 ~ FEBRUARY 28, 2009

Physicians Reviewed	SUMMARY OF CEJA ACTIVITIES
3	Determination of no probable cause
62	Final determinations following a plenary hearing (including no action taken).
21	Final determinations without a plenary hearing (hearing affirmatively waived, offer of compromise accepted, or nonresponse to the offer of a hearing).

Physicians Reviewed	FINAL DETERMINATION (by type of action taken)
19	No sanction or other type of action
21	Monitoring
15	Probation
19	Revocation
3	Suspension
8	Censure/Admonishment/Reprimand
1	Resignation accepted

Physicians Reviewed	PROBATION/MONITORING STATUS
36	Members placed on probation/monitoring during reporting interval.
20	Probation/Monitoring concluded satisfactorily during reporting interval.
72	Number of physicians on Probation/Monitoring at any time during reporting interval.

Physicians Reviewed	REPORTS TO AMA STAFF OF POSSIBLE ETHICAL VIOLATIONS
30	Physicians under consideration by AMA staff for possible notification at end of reporting interval.
130	Approximate number of physicians reviewed who were not brought to CEJA's attention.