

## REPORT OF THE COUNCIL ON ETHICAL AND JUDICIAL AFFAIRS

CEJA Report 10-A-08

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

Presented by: Mark A. Levine, MD, Chair

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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.

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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.

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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. Updated rules for review of membership can be found at [http://www.ama-](http://www.ama-assn.org/ama/pub/category/16848.html)  
21 [assn.org/ama/pub/category/16848.html](http://www.ama-assn.org/ama/pub/category/16848.html).

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

**CEJA Judicial Function  
Statistics**

**MARCH 1, 2007 ~ FEBRUARY 29, 2008**

<b>Physicians Reviewed</b>	<b><u>FINAL DETERMINATION</u></b> (by type of action taken)
<b>10</b>	<b>No sanction or other type of action</b>
<b>20</b>	<b>Monitoring</b>
<b>14</b>	<b>Probation</b>
<b>18</b>	<b>Revocation</b> ( <i>not including revocation of probation/monitoring physicians</i> )
<b>1</b>	<b>Suspension</b>
<b>3</b>	<b>Censure/Admonishment/Reprimand</b>
<b>1</b>	<b>Resignation accepted</b>

<b>Physicians Reviewed</b>	<b><u>SUMMARY OF CEJA ACTIVITIES</u></b>
<b>5</b>	<b>Determination of no probable cause</b>
<b>43</b>	<b>Final determinations following a plenary hearing</b> ( <i>including no action taken</i> )
<b>19</b>	<b>Final determinations without a plenary hearing</b> ( <i>hearing affirmatively waived, offer of compromise accepted, or non-response to the offer of a hearing</i> )

<b>Physicians Reviewed</b>	<b><u>PROBATION/MONITORING STATUS</u></b>
<b>34</b>	<b>Members placed on probation/monitoring during reporting interval</b>
<b>5</b>	<b>Probation/Monitoring concluded during reporting interval</b> ( <i>2 as a result of expiration of the probation/monitoring period and 3 as result of failure to comply with probation/monitoring terms</i> )
<b>59</b>	<b>Total number of physicians currently on probation</b> ( <i>Members on probation/monitoring at the beginning of the reporting interval and those placed on probation/monitoring during such period</i> )

<b>Physicians Reviewed</b>	<b><u>REPORTS TO AMA STAFF OF POSSIBLE ETHICAL VIOLATIONS</u></b>
<b>45</b>	<b>Physicians under consideration by AMA staff for possible notification at end of reporting interval</b>
<b>100</b>	<b>Approximate number of physicians reviewed who were not brought to CEJA's attention.</b>