June 30, 2023: State Advocacy Update

How South Dakota’s licensure applications support physician wellness

Following advocacy from the South Dakota State Medical Association (SDSMA), the South Dakota Board of Medical and Osteopathic Examiners (SDBMOE) revised its physician licensure application and renewal form to remove questions about mental health history.

The application previously asked two problematic Yes/No questions:

- Do you have a physical, mental or emotional condition which may adversely affect your practice?
- Have you been treated for or do you have a diagnosis for any mental health condition?

Applicants now are asked a question that is aligned closely with AMA policy as well as recommendations from the Federation of State Medical Boards and Dr. Lorna Breen Heroes’ Foundation:

- Are you currently suffering from any condition for which you are not being appropriately treated that impairs your judgment or that would otherwise adversely affect your ability to practice medicine in a competent, ethical and professional manner? (Yes/No)

The change actually became effective May 5, 2020, and was implemented for the 2021 renewal cycle. For a variety of reasons, however, most physicians were unaware until recent efforts by the SDSMA, AMA and SDBMOE to highlight the changes.

“This change wouldn’t have been possible without physician advocacy,” said Denise S. Hanisch, MD, SDSMA president. “Privacy and confidentiality of a physician’s health and treatment history is important to allow those in need of help to come forward without fear of disciplinary action.”

The Dr. Lorna Breen Heroes’ Foundation recently recognized SDBMOE as a WellBeing First Champion, meaning that their licensing applications do not contain overly broad or invasive questions.
related to mental health.

The AMA urges health systems and credentialing bodies to remove questions from their applications that may deter physicians from seeking treatment for mental illness or a substance use disorder. If your state is interested in reviewing and revising medical licensure questions, please contact AMA Advocacy Resource Center attorneys daniel.blaney-koen@ama-assn.org and wes.cleveland@ama-assn.org.

**Oregon Medical Board removes stigmatizing language from licensure applications**

The Oregon Medical Board (OMB), with support from the Oregon Medical Association, the Dr. Lorna Breen Heroes’ Foundation and the AMA, “voted to remove intrusive and stigmatizing language around mental health care and treatment from licensure applications and renewals.” In the updated applications, licensees and applicants must instead attest to an advisory statement that “uses supportive language around mental health and holds licensees and applicants responsible for their own well-being.”

The advisory statement (PDF), which appeared in licensure applications effective June 1, 2023, reads:

“The Oregon Medical Board recognizes that licensees encounter health conditions, including those involving mental health and substance use disorders, just as their patients and fellow health care providers do. The Board expects its licensees to address their health concerns and ensure patient safety. Options include seeking medical care, self-limiting the licensee’s practice, and anonymously self-referring to the Oregon Health Professionals’ Service Program (www.hpspmonitoring.com).

The failure to adequately address a health condition, resulting in the inability to practice your profession with reasonable skill and safety, can result in the Board taking action against your Oregon Medical Board license.”

“This important change from our medical board comes at a critical time in health care as addressing clinician burnout becomes increasingly vital to the wellbeing of our community,” said Marianne Parshley, MD, OMA president. “Reducing the stigma for those needing counseling and mental health services removes a barrier to those seeking help, and the OMA is committed to continuing our advocacy on this crucial issue.”


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Following this change, OMB was recognized by the Dr. Lorna Breen Heroes’ Foundation as a WellBeing First Champion.

Reducing burnout and supporting physician wellness are a key component of the AMA’s Recovery Plan for America’s Physicians.

**National snapshot of overdose and death epidemic**

The nation’s drug-related overdose and death epidemic continues to worsen and affect every state. An updated AMA issue brief (PDF) provides a national snapshot of news stories, state reports and other information on the epidemic. The issue brief highlights the complicated nature of the epidemic, including new reports of the increasing dangers of illicitly manufactured fentanyl and increasing dangers of xylazine and other adulterants in the nation’s illicit drug supply. It also provides national reports of continued challenges faced by individuals unable to access evidence-based treatment for substance use disorders (SUDs) and the essential nature of naloxone to reverse opioid-related overdose.

In addition to the state and national information, the issue brief provides an overview of policy and other recommendations from the AMA to help patients with SUDs, patients with pain and how to increase access to harm reduction initiatives.

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